

TOWN OF CLARKSTOWN
TOWN BOARD MEETING
Wednesday, November 5, 2014 – 7:00 pm
Town Hall Auditorium
AGENDA
(Tentative)

SALUTE TO THE FLAG

CLERK CALLS THE ROLL

PUBLIC HEARINGS:

PH-1 Proposed Town of Clarkstown Budget for 2015

PH-2: *If required:* Proposed Local Law entitled "A Local Law to Override the Tax Levy Limit established by General Municipal Law §3-C

PH-3: Proposed Local Law entitled: "Amendment to Chapter 18 (Code of Ethics) of the Code of the Town of Clarkstown.

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

RESOLUTIONS:

1. Accepting Minutes of the September 30, 2014 Town Board Meeting, as submitted by the Town Clerk
2. Denying Reallocation Request pursuant to CSEA Contract – Article VIII, Section 5
3. Awarding Bids:
 - a. Bid #16A-2014 – Sewer Rehabilitation – Gravity Sewers for NYS Route 303, West Nyack; Waters Edge, Congers; Pineview Avenue Easement, Bardonia; Aberdeen Drive, West Nyack.
 - b. Bid #28-2014 – Liebert Environmental Control System
4. Authorizing the Purchasing Agent to Advertise for the following:
 - a. Bid #1-2015 – Athletic and Recreation Supplies
 - b. Bid #2-2015 – Fireworks Display
 - c. Bid #3-2015 – Pool Chemicals
 - d. Bid #4- 2015 – Athletic Field and Turf Maintenance
 - e. Bid #5-2015 – Groundskeeping and Landscape Supplies
 - f. Bid #6-2015 – First Aid/Safety Supplies
 - g. Bid #7-2015 – Operation of Food & Refreshment Concession Stands at Town Parks
 - h. Bid #8-2015 – Work Clothing
 - i. Bid #9-2015 – Highway Signing and Road Maintenance Supplies
 - j. Bid #10-2015 – Bus Transportation –Senior and Youth Trips
5. Authorizing the Director of the Department of Environmental Control to retain the services of a contractor to perform improvements to the drainage system on Old Haverstraw Road, Congers
6. Authorizing Execution and Acceptance of Maintenance Agreements:
 - a. Shields Property Subdivision (Tax Map 64.18-3-2.1, 2.2, 2.3)
 - b. Jehovah's Witnesses Site Plan (Tax Map 64.06-2-40)
7. Rescinding Resolution No. 366-2014 regarding No Parking signage
8. Authorizing the installation of a "STOP" sign and "STOP" line on Wesel Rd and Fulton St., Nanuet
9. Authorizing a partial refund of Building Permit fee to Richard Vasquez (Tax Map 51.15-1-11)
10. Accepting Easement for General Municipal purposes along Landmark Drive, New City
11. Referring and Setting a Public Hearing regarding the proposed abandonment and/or demapping of a portion of Landmark Drive (FKA Long Clove Road) New City and amendment to the Official Map
12. Removal of snow on undedicated streets in the Town of Clarkstown

13. Authorizing the following Personnel Changes:
 - a) Appointment: Denise Cummings, Principal Clerk Typist (Promotional/Permanent) – Parks and Recreation Department.
 - b) Creation: Registry Clerk-Typist in Town Clerk's Office
Appointment: Maureen Landro, Registry Clerk-Typist (Promotional/Provisional), Town Clerk's Office.
 - c) Appointment: Jeanette A. McCormack, Clerk (Part Time) – Parks & Recreation Department.
 - d) Appointment: Karen Amatuzzo, Clerk (Part-Time) – Parks & Recreation Department.
 - e) Resignation (Retirement): Mark S. Hamilla, Police Officer – Clarkstown Police Department
 - f) Appointment: Crossing Guard (Substitute) Stephen A. Jamieson, Clarkstown Police Department
14. Authorizing Work at Town Parks/Ballfields

ADDITIONAL TENTATIVE RESOLUTIONS:

15. Authorizing Settlement of the following Tax Certiorari Matters:
 - a) OM Realty Associates, LLC (Tax Map No. 35.20-1-5)
 - b) Davanne Realty Co. (Tax Map No. 59.18-1-10)
 - c) College Avenue, Inc. (Tax Map No. 64.5-2-21)
16. Town of Ramapo Referral – Pascack Ridge
17. Authorizing the following Personnel Changes:
 - a) Appointment: John M. Fredericks, Police Sergeant (Permanent), Clarkstown Police Department.
 - b) Appointment: Earl F. Lorence II, Police Sergeant (Permanent), Clarkstown Police Department.
 - c) Appointment: Daniel M. Burke, Police Sergeant (Permanent), Clarkstown Police Department.
 - d) Appointment: Kenneth A. Smith, Police Lieutenant (Permanent), Clarkstown Police Department.
18. Authorizing Preparation of Preliminary Appraisals for the following Tax Certiorari Matters:
 - a) 19 Old Nyack Turnpike Corp. (Tax Map No. 57.19-1-16)
 - b) Sharon Wong (Tax Map No. 52.8-1-3)
19. Authorizing Accepting Funds and Amending Budget
20. Amending 2014 Budget pursuant to Section 115 of the Town Law
21. Amending Resolution No. 181-2014 with regards to the West Nyack Hamlet Center Revitalization
22. Authorizing the Supervisor to enter into an agreement with New York State to accept a grant with respect to Local Government Records Management
23. Authorizing an agreement with Hudson Archival for records digitization project of payroll records for the Town in accordance to the Local Government Records Management grant received from the State
24. Authorizing funds for the following:
 - a. Acquisition of a parcel of land pursuant to eminent domain proceeding
 - b. Improvements to the computer room air conditioning system at Town Hall
 - c. Improvements to the drainage system on Lakewood Drive, Congers
 - d. Preparation of plans and specifications in connection with the proposed improvements to the Germonds Park pool facility
 - e. Improvements in connection with the West Nyack Downtown Revitalization Project

GENERAL PUBLIC COMMENTS:

(Limited to 3 minutes per person)

WORKSHOP MEETING:

Immediately following Town Board Meeting

AGENDA (tentative)

Police Matters:
Chief Michael Sullivan to Present

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

Additional items may be added to this agenda

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

PHI

RESOLUTION ADOPTING THE 2015 BUDGET
FOR THE TOWN OF CLARKSTOWN

WHEREAS, a public hearing, pursuant to Town Law Section 108, to consider the Town of Clarkstown Preliminary Budget for the year 2015, was duly scheduled and noticed for November 5, 2014 at 7:00 p.m., in the Auditorium of the Clarkstown Town Hall, and

WHEREAS, the Town Board met at the time and place specified in the Notice of the Public Hearing and heard all persons desiring to be heard;

NOW, THEREFORE, be it

RESOLVED, that such Preliminary Budget, as adjusted, a copy of which is attached hereto, be and is hereby adopted as the Annual Budget of the Town of Clarkstown for the fiscal year beginning the 1st day of January, 2015, and that such Budget, as so adopted, be entered in detail in the proceedings of the Town Board, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown shall prepare and certify, in duplicate, copies of such Annual Budget as adopted by this Town Board, together with Assessment Rolls for benefit improvements, if any, adopted pursuant to Section 202-a, Subd. 2, and Section 231, Subd. 2 of the Town Law, and deliver two copies thereof to the Supervisor of this Town to be presented by him to the Legislature of Rockland County, pursuant to Section 115 of the Town Law and other applicable sections of the Town Law.

Dated: November 5, 2014

awm

PH3

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

WHEREAS, a proposed local law entitled,

"AMENDMENT TO CHAPTER 18 (CODE OF ETHICS) OF THE
CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilperson Lasker at a Town Board
meeting held on September 30, 2014, and

WHEREAS, the Town Board of the Town of Clarkstown, by
resolution adopted on September 30, 2014, directed that a
public hearing be held on November 5, 2014 at 7:00 p.m., or
as soon thereafter as possible, relative to such proposed
local law, and

WHEREAS, notice of said hearing was duly prepared and
published in the Journal News on October 28, 2014, 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 October 23, 2014, and

WHEREAS, a public hearing was held by the Town Board
of the Town of Clarkstown on November 5, 2014;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. - 2014 entitled:

" AMENDMENT TO CHAPTER 18 (CODE OF ETHICS) OF THE
CODE 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 hereby directed
to file the local law pursuant to Section 27 of the
Municipal Home Rule Law.

Dated: November 5, 2014

TB 11-05 TA RES Adopt Local Law Ethics-Chap 18-pm

AWM

1

RESOLVED, that the Town Board Minutes of September 30, 2014
are hereby accepted, as submitted by the Town Clerk.

DATED: November 5, 2014

RESOLUTION DENYING REALLOCATION REQUEST PURSUANT TO
CSEA CONTRACT – ARTICLE VIII, SECTION 5

WHEREAS, the Town Board has received a request for reallocation for the grade title
Police Radio Dispatcher CAD & CAD Spanish Speaking in the Town of Clarkstown, and

WHEREAS, the Town Board has hired a firm to do a comprehensive review of all grade
titles within the Town of Clarkstown, and

WHEREAS, it has been determined by the Town Board to deny, without prejudice, this
pending application for reallocation at this time, subject to completion of said review;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby denies the reallocation request for the grade
title Police Radio Dispatcher CAD & CAD Spanish Speaking in the Town of Clarkstown, and be
it

FURTHER RESOLVED, that the Town Board shall take the recommendations of the
firm under advisement upon completion of said review.

Dated: November 5, 2014

TB 11-05 TA RES Reallocation-pm

am

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Project Engineer that

BID # 16A-2014 – SEWER REHABILITATION – GRAVITY SEWERS FOR
NYS ROUTE 303, WEST NYACK; WATERS EDGE, CONGERS;
PINEVIEW AVENUE EASEMENT, BARDONIA;
ABERDEEN DRIVE, WEST NYACK

is hereby awarded as follows:

EN-TECH CORP.
91 RUCKMAN ROAD
CLOSTER, NJ 07624
PRINCIPAL: NADA E. CAMALI, PRESIDENT

as per their proposed total bid price not to exceed \$365,904.75 plus a 10% contingency and be it

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

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

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

FURTHER RESOLVED, that this project shall be under the supervision of the Clarkstown Department of Environmental Control and the Project Engineer, and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8760-400-409-0-84-9, and be it

FURTHER RESOLVED, that this project shall be funded through proceeds from an inter-municipal agreement with the Rockland County Sewer District #1.

DATED: November 5, 2014



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

BID # 28-2014 – LIEBERT ENVIRONMENTAL CONTROL SYSTEM

is hereby awarded to: CLARKSTOWN HEATING & AIR CONDITIONING
 95 SOUTH PEARL STREET
 PEARL RIVER, NY 10965

PRINCIPAL: GUY PASTORE
 THOMAS J. PASTORE
 LAWRENCE PALUMBO JR.

as per their proposed total project cost not to exceed \$39,800.00 plus a 18% 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-8767-400-409-0-90-18, 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: November 5, 2014



4A

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

BID#1-2015 – ATHLETIC AND RECREATION SUPPLIES

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: November 5, 2014

awm

4B

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

BID#2-2015 – FIREWORKS DISPLAY

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: November 5, 2014

awm

42

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

BID#3-2015 -- POOL CHEMICALS

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: November 5, 2014

awm

4D

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

BID#4-2015 – ATHLETIC FIELD AND TURF MAINTENANCE

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: November 5, 2014

awm

4E

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

BID#5-2015 – GROUNDSKEEPING AND LANDSCAPE SUPPLIES

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: November 5, 2014

awm

4F

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

BID#6-2015 – FIRST AID/SAFETY SUPPLIES

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.

awm

DATE: November 5, 2014

46

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

RFP#7-2015 – OPERATION OF FOOD & REFRESHMENT CONCESSION
STANDS AT TOWN PARKS

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: November 5, 2014

awm

411

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

BID#8-2015 – WORK CLOTHING

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: November 5, 2014

awm

42

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

BID#9-2015 – HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES

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: November 5, 2014

awm

HJ

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

BID#10-2015 – BUS TRANSPORTATION – SENIOR AND YOUTH TRIPS

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: November 5, 2014

awm

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF A CONTRACTOR TO PERFORM IMPROVEMENTS TO THE DRAINAGE SYSTEM ON OLD HAVERSTRAW ROAD, CONGERS

WHEREAS, an adverse drainage condition exists on Old Haverstraw Road, Congers; and

WHEREAS, the Department of Environmental Control has prepared a plan to ameliorate the adverse drainage condition; and

WHEREAS, the Department of Environmental Control has solicited proposals from four (4) qualified contractors to perform the work in accordance with the plan; and

WHEREAS, the Department of Environmental Control has received one (1) proposal in response to its solicitation; and

WHEREAS, Department of Environmental Control staff has reviewed the low proposal submitted by Victor P. Zugibe, Inc., and has found it to be acceptable; and

WHEREAS, the Director of the Department of Environmental Control recommends that the work be awarded to Victor P. Zugibe, Inc., for their low proposal of \$22,500.00;

NOW, THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to retain the services of:

**Victor P. Zugibe, Inc.
66 West Railroad Avenue
Garnerville, N.Y. 10923**

to perform this work in accordance with their proposal for an amount not to exceed \$22,500.00; and be it

FURTHER RESOLVED that this amount shall be a proper charge to account number H-8767-409-8615.

DATED: November 5, 2014

TB 11-05 DEC RES Old Haverstraw Rd Drainage Imp



6A

RESOLUTION AUTHORIZING EXECUTION AND ACCEPTANCE OF
MAINTENANCE AGREEMENTS REGARDING
SHIELDS PROPERTY SUBDIVISION (TAX MAP 64.18-3-2.1, 2.2, 2.3)

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 Shields Property subdivision (tax map 64.18-3-2.1, 2.2, 2.3), Cherry Valley Builders, Inc. has provided four (4) stormwater control facility maintenance agreements to the Town, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended acceptance of said conveyances, subject to review and approval of the Department of Environmental Control and the Town Attorney;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute the four (4) stormwater control facility maintenance agreements, in a form approved by the Town Attorney, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreements from Cherry Valley Builders, Inc. in connection with the Shields Property subdivision, subject to review and approval of the Department of Environmental Control and the Town Attorney, and orders them recorded in the Rockland County Clerk's Office at the expense of the applicant.

Dated: November 5, 2014

TB 11-05 TA RES Shields Subd Stormwater Agreements-pm



6B

RESOLUTION AUTHORIZING EXECUTION AND ACCEPTANCE OF
MAINTENANCE AGREEMENT REGARDING
JEHOVAH'S WITNESSES SITE PLAN (TAX MAP 64.06-2-40)

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 Jehovah's Witnesses site plan (tax map 64.06-2-40), Jehovah's Witnesses has provided a stormwater control facility maintenance agreement to the Town, and

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

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreement from Jehovah's Witnesses in connection with the Jehovah's Witnesses site plan and orders it recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

Dated: November 5, 2014

TB 11-05 TA RES Jehovah's Witnesses Stormwater Agree-pm

AWM

**RESOLUTION RESCINDING RESOLUTION NO. 366-2014
REGARDING NO PARKING SIGNAGE**

WHEREAS, Resolution No. 366-2014 was adopted by the Town Board on August 5, 2014 for the purpose of installing No Parking Here to Corner signage on the east side of Park Terrace, New City, and

WHEREAS, a follow up inspection and investigation by the Clarkstown Highway Department and the Code & Zoning Enforcement Officer revealed that the restriction cannot be installed due to driveway proximity and road width;

NOW, THEREFORE, be it **RESOLVED,** that the Town Board hereby rescinds Resolution No. 366-2014 in its entirety.

DATED: November 5, 2014

TB 11-05-14 TA RES Rescind No Parking Signage-Park Terr--jje

awm

8

**RESOLUTION AUTHORIZING THE INSTALLATION OF STOP SIGN & STOP
LINE, WESEL ROAD AND FULTON STREET, NANUET**

WHEREAS, an investigation by the Traffic & Traffic Fire Safety Advisory Board resulted in the recommendation that a Stop Sign and Stop Line be installed on the north side of Wesel Road, Nanuet where it intersects as a "T" intersection into Fulton Street, and

WHEREAS, a follow up inspection of the area was performed by the Code & Zoning Enforcement Officer//Traffic Advisory Liaison to determine the exact location and it was determined that such Stop Sign and associated Stop Line is warranted due to traffic intensity and speeding on Wesel Road;

NOW, THEREFORE, be it **RESOLVED**, that the Town Board hereby authorizes the Superintendent of Highways to install a Stop Sign and Stop Line on the north side of Wesel Road's terminus at Fulton Street, Nanuet, at the corner property, 18 Wesel Road (58.5-1-2) and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded by the Town Clerk to the Chief of Police for enforcement purposes and the Traffic and Traffic Fire Safety Advisory Board for file and information.

DATED: November 5, 2014

TB 11-5-14 TA RES Wesel Rd Stop Sign--jje

awm

RESOLUTION AUTHORIZING A PARTIAL REFUND OF BUILDING PERMIT FEE TO RICHARD VASQUEZ CONCERNING PROPERTY DESIGNATED AS TAX MAP NO. 51.15-1-11

WHEREAS, Richard Vasquez has requested a refund of Building Permit Fee (#14-1097) paid in the amount of \$402.00 for property located at 12 South Lane, New City, New York, more particularly described as Tax Map No. 51.15-1-11, because the application is being withdrawn, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$120.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of \$282.00 to Richard Vasquez to be charged to Account No. B-02-6-2555-0.

Dated: November 5, 2014

TB 11-05 TA RES Bldg Permit Partial Refund Vasquez-pm

AWM

RESOLUTION ACCEPTING EASEMENT FOR GENERAL MUNICIPAL PURPOSES
ALONG LANDMARK DRIVE (FKA LONG CLOVE ROAD) NEW CITY, NEW
YORK

WHEREAS, in accordance with the recommendation of the First Deputy Director of the Department of Environmental Control and the Superintendent of Highways, the Town of Clarkstown wishes to accept and record an easement for general municipal purposes from Tilcon New York, Inc., in a form approved by the Town Attorney, on property located along Landmark Drive (FKA Long Clove Road), New City, New York (Tax Map: 35.10-2-1 & 2);

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept said Easement for general municipal purposes from Tilcon New York, Inc. and orders said easement to be recorded in the Rockland County Clerk's Office at the expense of the Town.

Dated: November 5, 2014

TB 11-05 TA RES Tilcon Easement-Gen Municipal Purposes-pm

awm

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**RESOLUTION REFERRING AND SETTING A PUBLIC HEARING
REGARDING THE PROPOSED ABANDONMENT
AND/OR DEMAPPING OF A PORTION OF LANDMARK DRIVE (FKA LONG
CLOVE ROAD), NEW CITY, NEW YORK AND AMENDMENT TO THE
OFFICIAL MAP**

WHEREAS, an application has been made by Tilcon New York, Inc. that the Town Board and the Superintendent of Highways of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law and Section 273 of Town Law to declare the portion of Landmark Drive (FKA Long Clove Road), New City, New York, east of Burts Road to NYS Route 9W, more particularly described on the attached Schedule "A", be abandoned upon the grounds that same has never been used by the public, and

WHEREAS, said street currently appears on the Official Map of the Town of Clarkstown, and said applicant has further requested that such allegedly abandoned road be deleted from same, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the determination of abandonment pursuant to Section 205 of the Highway Law, or alternately, deletion from the Official Map of the Town of Clarkstown, pursuant to Section 273 of the Town Law of said portion as described above;

NOW, THEREFORE, be it

RESOLVED, that a copy of the Resolution be referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for their review, report and recommendation, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and First Deputy Director of the Department of Environmental Control, Dennis

Letson, P.E., 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 Superintendent of Highways is hereby requested to render his report and recommendation to the Town Board pursuant to Highway Law Section 205 on or before December 4, 2014, and be it

FURTHER RESOLVED, that a public hearing shall be held in the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, on December 18, 2014, at 12:00 P.M. (noon), or as soon thereafter as possible, pursuant to Section 273 of Town Law, to consider said certification of abandonment pursuant to Section 205 of Highway Law and/or deletion of same from the Official Map pursuant to Section 273 of Town Law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and provide such notice to other municipalities as may be required by General Municipal Law, 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 the applicant shall fulfill the additional requirements of Section 290-33(C) of the Zoning Local Law of the Town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notice to property owners of record within five hundred feet of the affected property, and filing of its affidavit of compliance with the Town Clerk on or before December 11, 2014.

Dated: November 5, 2014

TB 11-05 TA RES Abandonment Landmark-pm

AWM

SCHEDULE "A"

That portion of Landmark Drive from a point opposite the northwest corner of tax lot 35.15-1-1 now or formerly owned by Tilcon Minerals, Inc. approximately 1,577 feet east of the center line of the intersection of Landmark Drive with Burts Road,

Thence, east to the easterly terminus of Landmark Drive at New York State Route 9W.

RESOLUTION FOR REMOVAL OF SNOW ON
UNDEDICATED STREETS IN CLARKSTOWN

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

NOW, THEREFORE, be it

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

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

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

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

Dated: November 5, 2014

TB 11-05 TA RES Snow Removal-pm

awm

13A

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12020 Principal Clerk Typist - which contains the name of Denise Cummings,

NOW, therefore, be it

RESOLVED, that Denise Cummings, 20 Preakness Lane, New City, New York - is hereby appointed to the position of (Promotional) (Permanent) Principal Clerk Typist - Parks and Recreation Department - at the 2014 annual salary of \$53,166., effective November 06, 2014.

DATED: November 05, 2014

P

WHEREAS, the Rockland County Personnel Office
has certified on October 15, 2014 that the position of
Registry Clerk-Typist - Town Clerk, can be established,

NOW, therefore, be it

RESOLVED, that the position of Registry Clerk-Typist -
Town Clerk - is hereby established October 15, 2014, and

FURTHER RESOLVED, that Maureen Landro, 6 Viohl Way,
Garnerville, New York - is hereby appointed (promotional)
(provisional) to the position of Registry Clerk-Typist -
Town Clerk - at the annual salary of \$77,956 effective
November 5, 2014.

DATED: November 5, 2014

P

13c

RESOLVED, that Jeanette A. McCormack, 9 Beacon Street,
Congers, New York - is hereby appointed to the position of
Clerk (P/T) - Parks and Recreation - at the 2014 salary -
\$19.42 per hour - effective and retroactive to October 15, 2014.

DATED: November 5, 2014

P

RESOLVED, that Karen Amatuzzo, 200 Long Clove Road,
New City, New York - is hereby appointed to the position
of Clerk (P/T) - Parks and Recreation - at the 2014 salary -
\$19.42 per hour - effective and retroactive to October 20, 2014.

DATED: November 5, 2014

P

(13E)

RESOLVED, that the resignation (by retirement) of
Mark S. Hamilla, | Lenni-Lenape Court, Stony Point, New York,
- Police Officer - Police Department - is hereby
accepted effective and retroactive to October 14, 2014.

DATED: November 5, 2014
P

RESOLVED, that Stephen A. Jamieson, 30 Short Hill Road,
New City, New York -- is hereby appointed to the position of Crossing Guard
(substitute) -- Police Department -- at the current 2014 rate of \$19.42
per crossing effective November 17, 2014.

DATED: November 5, 2014

P

RESOLUTION AUTHORIZING WORK AT TOWN PARKS/BALLFIELDS

WHEREAS, certain work needs to be done at various parks/ballfields in the Town of Clarkstown, and

WHEREAS, the Superintendent of Recreation and Parks has solicited proposals from various vendors to perform said work, and

WHEREAS, the Zukor Park Ballfield needs work done on the safety netting and poles on field #4, and

WHEREAS, Yaboo Fence submitted a low estimate in the amount of \$7,250.00 to install #36 knotted netting onto the Back Stop including Trapezoid Sides at the Zukor Park Ballfield, and

WHEREAS, Caputo Painting submitted a low estimate in the amount of \$6,495.00 for painting six (6) poles at the Zukor Park Ballfield, and

WHEREAS, park signs need to be replaced at Kings Park, Zukor Park, Tennyson Park and Congers Park, and

WHEREAS, American Woodcarving submitted a low estimate in the amount of \$8,822.00 to replace four (4) park signs at the aforementioned parks, and

WHEREAS, fencing needs to be extended eighty (80) feet at Lake Nanuet, and

WHEREAS, Yaboo Fence submitted a low estimate in the amount of \$3,500.00 to extend the fence eighty (80) feet, and

WHEREAS, the estimates provided by the above companies have been reviewed by the Superintendent of Recreation and Parks, who has deemed them acceptable in terms of scope and price and recommends hiring said companies;

NOW, THEREFORE, be it

RESOLVED, that, based upon the recommendation of the Superintendent of Recreation and Parks, the Town Board hereby authorizes that the work be performed at the various parks and ballfields by Yaboo Fence in an amount not to exceed \$10,750.00 (\$7,250 plus \$3,500), by Caputo Painting in an amount not to exceed \$6,495.00 and by American Woodcarving in an amount not to exceed \$8,822.00, as outlined in their estimates, and be it

FURTHER RESOLVED, that said amounts shall be a proper charge to Account No. H-8767-409-90-19, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund these improvements through the issuance of serial bonds.

Dated: November 5, 2014

TB 11-05 PKS & REC RES Auth work – Parks-Ballfields-pm

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

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING OM REALTY ASSOCIATES, LLC
TAX MAP NO):. 35.20-1-5**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, OM Realty Associates, LLC v. Cathy Conklin, Tax Assessor of the Town of Clarkstown, Board of Assessment Review of The Town of Clarkstown, Town of Clarkstown and Clarkstown Central School District #1, Index No(s). 034267/12, 034223/13 and 033530/14, affecting parcel designated as Tax Map No. 35.20-1-5 and more commonly known as 45 Hemlock Drive, Congers, New York for the year(s) 2012/13, 2013/14 and 2014/15, 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. 35.20-1-5 be reduced for the year(s) 2012/13 and 2013/14 and 2014/15 from \$1,525,300 to \$1,381,000 at a total cost to the Town of \$8,201.61;

2. Reimbursement for the year(s) 2012/13 and 2013/14 on the parcel(s) described as Tax Map No. 35.20-1-5, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

3. It is anticipated that for the year(s) 2014/15, the aforesaid adjustment will occur prior to January 2015 tax bills and no refund will be required;

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

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

Dated: November 5, 2014

TB 11-05-14 TA RES OM Realty Assoc., LLC Settlement-dt

alwm

15B

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING DAVANNE REALTY CO.
TAX MAP NO.: 59.18-1-10**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Davanne Realty Co. against 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). 34072/13 and 33133/14, affecting parcel designated as Tax Map 59.18-1-10 and more commonly known as 260 N. Route 303, West Nyack, New York for the year(s) 2013/14 and 2014/15, 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. 59.18-1-10 be reduced for the year(s) 2013/14 and 2014/15 from \$330,200 to \$272,000 at a cost to the Town of \$1,780.77;
2. Reimbursement for the year(s) 2013/14 on the parcel(s) described as Tax Map No. 59.18-1-10, 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;

3. It is anticipated that for the year(s) 2014/15, the aforesaid adjustment will occur prior to January 2015 tax bills and no refund will be required;

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

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

Dated: November 5, 2014

TB 11-05-14 TA RES Davanne Realty Settlement-dt

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

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING COLLEGE AVENUE, INC.
TAX MAP NO.: 64.5-2-21**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, College Avenue, Inc. 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). 031206/11, 033737/12, 034070/13 and 033138/14, affecting parcel designated as Tax Map 64.5-2-21 and more commonly known as 85 E. Route 59, Nanuet, New York for the year(s) 2011/12, 2012/13, 2013/14 and 2014/15, 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 No. 64.5-2-21 be reduced for the year(s) 2011/12 and 2012/13, from \$200,000 to \$162,000 at a total cost to the Town of \$1,932.07;

2 Reimbursement for the year(s) 2011/12 and 2012/13 on the parcel(s) described as Tax Map No. 64.5-2-21, 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;

3. There will be no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 64.5-2-21 for the year(s) 2013/14 and 2014/15 and the assessed value will be \$200,000; and

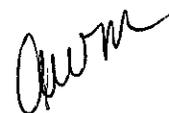
4. The proceedings shall be discontinued for the years 2013/14 and 2014/15 at no cost to the Town;

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: November 5, 2014

TB 11-05-14 TA RES College Avenue, Inc. Settlement-dt

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

**PASCACK RIDGE
TOWN OF RAMAPO REFERRAL**

WHEREAS, the Town of Ramapo referred to the Town of Clarkstown a proposed local law amending their Zoning Map and Comprehensive Plan associated with the proposed Pascack Ridge subdivision, and

WHEREAS, said local law proposes amending the 2004 Ramapo Comprehensive Plan to take an area of 28.5 acres bounded by the Village of Spring Valley and Ewing Avenue to the west, Ewing Avenue to the north, Pascack Road to the east and the Town of Clarkstown to the south, which was originally “proposed to retain its current zoning designation” of R-15 (medium density residential, 2.9 units/acre) and rezone in to the MR-12 zone (multifamily residential, 12 units/acre), and

WHEREAS, the build-out utilizing this proposed zoning, entitled the Pascack Ridge subdivision, shows the potential to develop 210 housing units and 290 parking spaces, and will require a number of variances to comply with the MR-12 zoning district, and

WHEREAS, the area proposed for rezoning is located on the western boundary of the Town of Clarkstown, adjacent to an area of Clarkstown zoned R-15 and developed with single-family dwellings, and

WHEREAS, the proposed Pascack Ridge subdivision connects to Spring Brook Road, a local road in the Town of Clarkstown, and

WHEREAS, the development of this property at the proposed density will create additional traffic through local residential streets within the Town of Clarkstown to an extent which will undermine the residential character of the this neighborhood, and

WHEREAS, the development of this property at the proposed density will place additional burden on the East Ramapo School District, which is also attended by Clarkstown residents, and

WHEREAS, the development of this property at the proposed density will place additional burden on water resources, and

WHEREAS, the subject property is physically constrained with steep slopes, wetlands, a high tension overhead power line, and the Pascack Brook, a critical County environmental feature, and source of flooding in the Town of Clarkstown, and

WHEREAS, no New York State Environmental Quality Review Act (SEQRA) documentation was provided to analyze the potential environmental impacts of this project, and

WHEREAS, the Planning Board reviewed said local law at their regular meeting of October 22, 2014 and, for the aforementioned reasons, recommended that the Town Board oppose the proposed Comprehensive Plan amendment and associated rezoning;

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby recommend against the amendment of the Town of Ramapo Zoning Map and Comprehensive Plan for the proposed development of the Pascack Ridge subdivision on the grounds that the proposed development of this land at a density of 12 units/acre of multifamily would result in overdevelopment, be out of character with the surrounding area, and have the potential to adversely impact the street network, school system, water resources, and natural environment all shared with residents of the Town of Clarkstown, and

BE IT FURTHER RESOLVED, that if the Town of Ramapo continues to pursue this Comprehensive Plan and Zoning amendment the Town of Clarkstown recommends that the Town of Ramapo Town Board issue a Positive Declaration pursuant to the New York State Environmental Quality Review Act and require the preparation of an Environmental Impact Statement, a copy of which should be forwarded to the Town of Clarkstown for review and comment.

Dated: November 5, 2014

TB 11-05 RES Ramapo Referral-Pascack Ridge

Awm

(17A)

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13041 Police Sergeant Clarkstown Police Department - which contains the name of John M. Fredericks,

NOW, therefore, be it

RESOLVED, that John M. Fredericks, 21 Reservoir Drive, New City, New York - is hereby appointed to the position of (Permanent) Police Sergeant - Police Department - at the current 2014 annual salary of \$154,636., - effective and retroactive to October 13, 2014.

DATED: November 5, 2014

P

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13041 Police Sergeant Clarkstown Police Department - which contains the name of Earl F. Lorence II,

NOW, therefore, be it

RESOLVED, that Earl F. Lorence II, 19 Glenside Drive, New City, New York - is hereby appointed to the position of (Permanent) Police Sergeant - Police Department - at the current 2014 annual salary of \$154,636., - effective and retroactive to October 13, 2014.

DATED: November 5, 2014

P

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13041 Police Sergeant Clarkstown Police Department - which contains the name of Daniel M. Burke,

NOW, therefore, be it

RESOLVED, that Daniel M. Burke, 2 Elrod Drive, West Nyack, New York - is hereby appointed to the position of (Permanent) Police Sergeant - Police Department - at the current 2014 annual salary of \$154,636., - effective and retroactive to October 13, 2014.

DATED: November 5, 2014

P

(17D)

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #13053 Police Lieutenant Clarkstown Police Department - which contains the name of Kenneth A. Smith,

NOW, therefore, be it

RESOLVED, that Kenneth A. Smith, 37 Pine Lane, New City, New York - is hereby appointed to the position of (Permanent) Police Lieutenant - Police Department - at the current 2014 annual salary of \$180,510., - effective and retroactive to October 13, 2014.

DATED: November 5, 2014

P

18A

**RESOLUTION AUTHORIZING PREPARATION OF A
PRELIMINARY APPRAISAL FOR A TAX CERTIORARI MATTER
REGARDING 19 OLD NYACK TURNPIKE CORP.
TAX MAP NO.: 57.19-1-16**

WHEREAS, 19 Old Nyack Turnpike Corp. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Tax Map No. 57.19-1-16, and more commonly known as 19 Old Nyack Turnpike, Nanuet, New York, for the year(s) 2010/11, 2011/12, 2012/13, 2013/14 and 2014/15; and

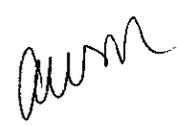
WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Valuation Plus, Inc. be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$4,000; and such fee shall be charged to Account No. A 1420-439-1.

Dated: November 5, 2014

TB 11-05-14 TA RES 19 Old Nyack Turnpike Corp. Prelim. Appraisal-dt



18B

**RESOLUTION AUTHORIZING PREPARATION OF A
PRELIMINARY APPRAISAL FOR A TAX CERTIORARI MATTER
REGARDING SHARON WONG
TAX MAP NO.: 52.8-1-3**

WHEREAS, Sharon Wong has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Tax Map No. 52.8-1-3, and more commonly known as 97 S. Route 303, Congers, New York, for the year(s) 2012/13, 2013/14 and 2014/15; and

WHEREAS, it is desirable to have a preliminary 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 preliminary appraisal at a fee not to exceed \$4,000; and such fee shall be charged to Account No. A 1420-439-1.

Dated: November 5, 2014

TB 11-05-14 TA RES Sharon Wong. Prelim. Appraisal-dt



RESOLUTION AUTHORIZING ACCEPTING FUNDS & AMENDING BUDGET

WHEREAS, the Town has received \$76,978.00 from Rockland County Sewer District #1 and \$2,632.95 from Seized Property

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 \$76,978.00 and

FURTHER RESOLVED, to increase Revenue Account A-01-11-4320-0 (General-Seized Property) and Expense Account A-3120-307-0 (Police-Uniforms) by \$2,632.95 and

WHEREAS, certain accounts require additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease Expense Account A-7140-407-0 (Parks & Playgrounds-Equipment Repairs) by \$2,791 and increase Expense Accounts A-7140-306-0 (Parks & Playgrounds-Maintenance Supplies) by \$2,235 and A-7140-380-0 (Parks & Playgrounds-Paint Supplies) by \$556 and be it

FURTHER RESOLVED, to decrease Expense Account A-7141-409-0 (Community Rec Centers-Fees for Services) by \$500 and increase Expense Account A-7141-306-0 (Community Rec Centers-Maintenance Supplies) by \$500 and be it

FURTHER RESOLVED, to decrease Expense Account A-1621-408-0 (Warehouse-Building Repairs) by \$110 and increase Expense Account A-1621-312-0 (Warehouse-Auto Maintenance Supplies) by \$110.

WHEREAS, pursuant to Section 115 of the Town Law, the Comptroller is hereby authorized to amend the 2014 budget for the purpose of transferring unexpended balances of appropriation accounts among various accounts, and by increasing and decreasing revenue accounts for the purpose of balancing all funds,

NOW THEREFORE, BE IT

RESOLVED, that the 2014 budget is hereby amended.

RESOLUTION AMENDING RESOLUTION NO. 181-2014

WHEREAS, by Resolution No. 181-2014, adopted on April 8, 2014, the Town Board authorized the Supervisor to enter into an agreement with Behan Planning and Design to provide planning, design and engineering services for the West Nyack Hamlet Center Revitalization Project, and

WHEREAS, said resolution mentioned the specific amounts to be paid to Behan's subcontractors, and

WHEREAS, Behan has advised that the amounts due to its subcontractors are subject to change based upon their agreements with their subcontractors and, therefore, has requested that the reference to specific dollar amounts due to subcontractors be removed from the resolution;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 181-2014 is hereby amended as follows:

Second RESOLVED clause to read:

"FURTHER RESOLVED, that the fees for these services shall not exceed \$2,040,000.00, and be it".

DATED: November 5, 2014

TB 11-05 TA RES Amend Res 181-2014-Behan Agree-pm

A handwritten signature in cursive script, appearing to read "Awm".

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH
NEW YORK STATE TO ACCEPT A GRANT WITH RESPECT TO
LOCAL GOVERNMENT RECORDS MANAGEMENT

WHEREAS, the Town Clerk, Justin Sweet, has submitted an application to New York State for a Local Government Records Management Improvement Fund grant, and

WHEREAS, the New York State Education Department has advised the Town that an award of \$10, 107.00 has been granted subject to conditions referred to in its letter dated August 19, 2014, and project work being completed and all funds to be expended no later than June 30, 2015, and

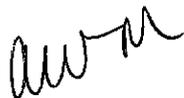
WHEREAS, the Town Clerk has recommended that the Town accept said grant;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the New York State Department of Education, in a form approved by the Town Attorney, accepting the grant in the amount of \$10,107.00 for Local Government Records Management, for the period terminating on June 30, 2014.

DATED: November 5, 2014

Supervisor



RESOLUTION AUTHORIZING AN AGREEMENT WITH
HUDSON ARCHIVAL FOR A RECORDS
DIGITIZATION PROJECT OF PAYROLL RECORDS FOR THE TOWN OF CLARKSTOWN

WHEREAS, the Town has been awarded a Grant from the New York State Education Department for digitization of payroll records for the Town of Clarkstown, and

WHEREAS, Hudson Archival, formerly Hudson Microimaging, Inc., has previously satisfactorily completed microfilm projects for the records collections in the Clarkstown Justice Court, Town Clerk's Office and Personnel Department, and

WHEREAS, Hudson Archival has made a proposal dated January 21, 2014 for the digitization of payroll records of the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that, based on the recommendation of the Clarkstown Town Clerk, the Supervisor is hereby authorized to enter into an agreement with Hudson Archival, as per their total project cost not to exceed the amount of \$9,961.75, and be it

FURTHER RESOLVED, that this shall constitute a proper charge to Account Number H-8758409-0-82-37, and shall be reimbursed from the proceeds of the Local Government Records Management Grant.

DATED: November 5, 2014

TB 11-05-14 TA RES Hudson Archival Payroll Records-kh

awm

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 5, 2014, AUTHORIZING THE ACQUISITION OF A PARCEL OF LAND PURSUANT TO EMINENT DOMAIN PROCEEDINGS DULY HELD BY THE TOWN BOARD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$105,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$105,000 TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to acquire a parcel of land, consisting of approximately 114,544.45 square feet or approximately 2.63 acres, located at 23 Sickletown Road, West Nyack, New York, and designated on the Clarkstown Tax Map as 64.08-3-30, for the purpose of drainage and storm water management improvements in connection with the West Nyack Downtown Revitalization Project, pursuant to eminent domain proceedings duly held by the Town Board. The estimated maximum cost thereof, including the acquisition cost of \$100,000 and preliminary and incidental costs of \$5,000, including legal, title and other costs related to the acquisition, and other costs incidental to the financing, is \$105,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$105,000 to finance said appropriation, and the levy and

collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$105,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) 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 November 5, 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 November 5, 2014, authorizing the acquisition of a parcel of land pursuant to eminent domain proceedings duly held by the Town Board, stating the estimated maximum cost thereof is \$105,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$105,000 to finance said appropriation,”

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

FIRST: AUTHORIZING said Town to acquire a parcel of land, consisting of approximately 114,544.45 square feet or approximately 2.63 acres, located at 23 Sickletown Road, West Nyack, New York, and designated on the Clarkstown Tax Map as 64.08-3-30, for the purpose of drainage and storm water management improvements in connection with the West Nyack Downtown Revitalization Project, pursuant to eminent domain proceedings duly held by the Town Board; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$105,000, including the acquisition cost of \$100,000 and preliminary and incidental costs of \$5,000, including legal, title and other costs related to the acquisition and other costs incidental to the financing; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$105,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$105,000 pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is thirty (30) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be

general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

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

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

DATED: November 5, 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.

* * *

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED NOVEMBER 5, 2014,
AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS
TO THE COMPUTER ROOM AIR CONDITIONING SYSTEM
AT TOWN HALL, STATING THE ESTIMATED MAXIMUM
COST THEREOF IS \$47,000, APPROPRIATING SAID
AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE
ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF
\$47,000 TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York
(herein called the "Town"), is hereby authorized to construct improvements to the computer
room air conditioning system at Town Hall. The estimated maximum cost thereof, including
preliminary costs and costs incidental thereto and the financing thereof, is \$47,000 and said
amount is hereby appropriated for such purpose. The plan of financing includes the issuance of
bonds in the principal amount of \$47,000 to finance said appropriation, and the levy and
collection of taxes on all the taxable real property in the Town to pay the principal of said bonds
and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$47,000 are hereby
authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter

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

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) 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 November 5, 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 November 5, 2014, authorizing the construction of improvements to the computer room air conditioning system at Town Hall, stating the estimated maximum cost thereof is \$47,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$47,000 to finance said appropriation,”

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

FIRST: AUTHORIZING said Town to construct improvements to the computer room air conditioning system at Town Hall; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$47,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$47,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$47,000 pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is ten (10) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

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

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

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

DATED: November 5, 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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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED NOVEMBER 5, 2014,
AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS
TO THE DRAINAGE SYSTEM ON LAKEWOOD DRIVE,
CONGERS, STATING THE ESTIMATED MAXIMUM COST
THEREOF IS \$19,500, APPROPRIATING SAID AMOUNT FOR
SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF
BONDS IN THE PRINCIPAL AMOUNT OF \$19,500 TO
FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York
(herein called the "Town"), is hereby authorized to construct improvements to the drainage
system on Lakewood Drive, Congers. The estimated maximum cost thereof, including
preliminary costs and costs incidental thereto and the financing thereof, is \$19,500 and said
amount is hereby appropriated for such purpose. The plan of financing includes the issuance of
bonds in the principal amount of \$19,500 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 \$19,500 are hereby
authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter

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

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

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

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

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

amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 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 November 5, 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 November 5, 2014, authorizing the construction of improvements to the drainage system on Lakewood Drive, Congers, stating the estimated maximum cost thereof is \$19,500, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$19,500 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 authorize the construction of improvements to the drainage system on Lakewood Drive, Congers; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$19,500; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$19,500 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon; .

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$19,500 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 forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

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

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

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

DATED: November 5, 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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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED NOVEMBER 5, 2014,
AUTHORIZING THE PREPARATION OF PLANS AND
SPECIFICATIONS IN CONNECTION WITH THE PROPOSED
IMPROVEMENTS TO THE GERMONDS PARK POOL
FACILITY, STATING THE ESTIMATED MAXIMUM COST
THEREOF IS \$154,000, APPROPRIATING SAID AMOUNT
FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE
OF BONDS IN THE PRINCIPAL AMOUNT OF \$154,000 TO
FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York
(herein called the "Town"), is hereby authorized to prepare plans and specifications in
connection with the proposed improvements to the Germonds Park Pool Facility. The estimated
maximum cost thereof, including preliminary costs and costs incidental thereto and the financing
thereof, is \$154,000 and said amount is hereby appropriated for such purpose. The plan of
financing includes the issuance of \$154,000 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. Serial bonds of the Town in the principal amount of \$154,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance a part of said appropriation.

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

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

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

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

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "*The Journal-News*," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 5, 2014, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS IN CONNECTION WITH THE WEST NYACK DOWNTOWN REVITALIZATION PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,710,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$6,710,000 TO FINANCE SAID APPROPRIATION, AND AUTHORIZING THE EXPENDITURE OF GRANT FUNDS EXPECTED TO BE RECEIVED IN THE AMOUNT OF \$1,250,000 TO PAY A PART OF THE COST OF THE PROJECT, OR REDEMPTION OF BONDS OR NOTES ISSUED TO FINANCE THE PROJECT, OR AS AN OFFSET TO THE TAXES TO BE COLLECTED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON SAID BONDS OR NOTES

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct improvements in connection with the West Nyack Downtown Revitalization project, including road improvements, stormwater management improvements, drainage improvements, streetscape improvements, playground and recreational improvements, ancillary lighting and site improvements and other related improvements, and engineering and planning in connection with all of the foregoing. The

estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,710,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$6,710,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Grant funds are expected to be received in the amount of \$1,250,000 in connection with the project and any such funds received are hereby authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued to finance the project, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the Town in the principal amount of \$6,710,000 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, 19, 20 and 91 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 November 5, 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 November 5, 2014, authorizing the construction of improvements in connection with the West Nyack downtown revitalization project, stating the estimated maximum cost thereof is \$6,710,000, appropriating said amount for such purpose, authorizing the issuance of bonds in the principal amount of \$6,710,000 to finance said appropriation, and authorizing the expenditure of grant funds expected to be received in the amount of \$1,250,000 to pay a part of the cost of the project, or redemption of bonds or notes issued to finance the project, or as an offset to the taxes to be collected for the payment of principal and interest on said bonds or notes,”

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

FIRST: AUTHORIZING said Town to construct improvements in connection with the West Nyack Downtown Revitalization project, including road improvements, stormwater management improvements, drainage improvements, streetscape improvements, playground and recreational improvements, ancillary lighting and site improvements and other related improvements, and engineering and planning in connection with all of the foregoing; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$6,710,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$6,710,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon; and STATING that grant funds are expected to be received in the amount of \$1,250,000 in connection with the project and any such funds received are authorized to be applied toward the cost of said project or redemption of the Town's bonds or notes issued to finance the project, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$6,710,000 pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said 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 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: November 5, 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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