TOWN OF CLARKSTOWN
TOWN BOARD MEETING
June 9, 2015 – 8:00 pm
Town Hall Auditorium
AGENDA

SALUTE TO THE FLAG

CLERK CALLS THE ROLL

SPECIAL PRESENTATIONS

- Clarkstown PD Youth Police Academy Graduation

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

RESOLUTIONS:

1. Accepting Minutes of May 5, 2015 Town Board Meeting as submitted by Town Clerk.

2. Correcting Zoning Map Errors (Map Nos. 63.16-3-4.1 and 64.10-2-5).

3. Adopting Computer System Security Breach Notification Policy.

4. Defaulting Performance Bond on the Davies Farm, LLC Phase II Subdivision, Congers, NY (Tax Map 35.18-1-5, 6, 7, 11, 12 and P/O 4).

5. Setting a Public Hearing (July 7, 2015): Consider Approving the Final Map of Boundary Lines of the West Nyack Fire District.

6. Amending the following Resolutions:
   a) No. 165-2015 (Sewer Registration).
   b) No. 406-2014 (Highway Department Assessment)
   c) No. 76-2015 (Renewal Agreement with Hi-Tor Animal Care Center, Inc.)

7. Authorizing the Supervisor to Enter into the following Agreements:
   a) Certified Public Accountants to Audit Town Deferred Compensation Plan.
   b) ADP for Personnel Department.
   c) Board of Education of Rockland BOCES for the School Resource Officer Program for the 2015-2016 School Term.
   d) County of Rockland to Reimburse the Police Department for "911" Dispatcher Training required by Local Public Safety Answering Point (PSAP)
   e) County of Rockland to Accept a Disbursement of Funds, for Law Enforcement Purposes Only, to Support the Intelligence LED Policing and Prosecution Center's Computer Software.

8. Authorizing Settlement of Tax Certiorari regarding DePaulis Enterprises V, Ltd. (Tax Map Nos: 35.19-2-15, 35.19-2-17, 35.19-2-18, 35.19-2-19, 35.19-2-20, 44.07-2-10, 44.07-2-10.1 and 44.07-2-10.2).

9. Authorizing Installation of Lighting at the following locations:
   a) Pole #6087/41419, between 151 S. Route 303 and 30 Ridge Road, Congers
   b) Pole #59752/41623, between 18 and 20 Courtney Drive, New City

10. Authorizing Clarification of Street Name from Tomkins Avenue to ***Tompkins Avenue***, West Nyack, N.Y.

11. Authorizing Funds for the Acquisition of Highway Equipment.

12. Authorizing the Purchasing Agent to Advertise for the following:
    a) Bid #17-2015 – Maintenance & Repair of Traffic Signals and Pedestrian Control Devices
    b) Bid #18-2015 – Repairs to Town of Clarkstown Tennis Courts and Basketball Courts
    c) Bid #19-2015 – Tennyson Park Playground Equipment and Installation of Safety Surface and Playground Equipment

13. Expressing the Town of Clarkstown's Intent to Enter into an Agreement with Ugell Hospitality Corp., the East Ramapo School District, the County of Rockland and the County of Rockland Industrial Development Agency with respect to Payment in Lieu of Taxes for Property known on the Clarkstown Tax Map as 57.65-1-6.

14. Authorizing the following Personnel Changes:
    a) Appointment (Provisional): Brian Wagner, Zoning Enforcement Officer & Community Liaison – Building Department
    b) Creation: Ten (Part-Time) Security Aides – Recreation & Parks.
    c) Appointment: Mark Fries, Security Aide (Part-Time), Recreation & Parks
    d) Appointment: Anthony Morena, Security Aide (Part-Time), Recreation & Parks
    e) Appointment: Check M. Young, Security Aide (Part-Time), Recreation & Parks
    f) Appointment: George Clapp, Security Aide (Part-Time), Recreation & Parks
    g) Appointment: Ivens Saint-Vil, Security Aide (Part-Time), Recreation & Parks
    h) Appointment: Michael Carriere, Security Aide (Part-Time), Recreation & Parks
    i) Appointment: Raymond Francis, Security Aide (Part-Time), Recreation & Parks
    j) Appointment: Ronald Vaccaro, Security Aide (Part-Time), Recreation & Parks
    k) Appointment: Antoinette White, Security Aide (Part-Time), Recreation & Parks
    l) Appointment: Thomas Krasinski, Security Aide (Part-Time), Recreation & Parks
    m) Appointment: Paul P. Greenblath, Substitute Crossing Guard, Clarkstown Police Dept.
    n) Appointment: Pieranna D'Ambrosio, Substitute Crossing Guard, Clarkstown Police Dept.
    o) Sick Leave of Absence: Lawrence Berkowitz, Computer Network Specialist, Parks and Recreation
    p) Resignation: Dolores Avaras, Member, Assessment Review Board.

15. Proposing that the Adoption of a Ward System of Government for the Town of Clarkstown be Placed on the Ballot on November 3, 2015.

ADDITIONAL TENTATIVE RESOLUTIONS:

16. Authorizing the following Personnel Change:
    - Appointment: Mark Fries - Member –Traffic & Traffic Fire Safety Advisory Board.

17. Authorizing Accepting Funds and Amending Budget.

18. Invoking Town Code Chapter 216-9(B): Maintenance of Vacant Properties.

19. Authorizing the Installation of the following:
    a) Two S1-1 Signs on Shetland Drive & Ivy Lane, New City
    b) "No Parking Here to Corner" Sign on Sherman Avenue, Congers

20. Defaulting Escrow Funds – Makan Land Development (Tax Map Lot 58.19-01-01)

21. Authorizing Execution and Acceptance of Maintenance Agreement regarding Landau Estates Subdivision (Tax Map 52.15-1-16.1 & 16.2)

22. Authorizing the Chief of Police of the Town of Clarkstown to Execute a Memorandum of Understanding and Various Mutual Aid Agreements.

23. Authorizing Funds for the Acquisition of Certain Overhead Street Lighting Equipment.

GENERAL PUBLIC COMMENTS:
(Limited to 3 minutes per person)

*****PLEASE NOTE*****
Additional items may be added to this agenda

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

RESOLVED, that the Town Board Minutes of May 5, 2015 are hereby accepted, as submitted by the Town Clerk.

DATED: June 9, 2015

2

RESOLUTION CORRECTING ZONING MAP ERRORS
MAP NOS. 63.16-3-4.1 & 64.10-2-5

WHEREAS, the Zoning Map Committee, consisting of the Town Attorney, Building Inspector and Town Planner, was established by Town Board Resolution No. 431-2011 adopted on August 2, 2011, and

WHEREAS, the Town Attorney, Building Inspector and Town Planner have investigated zoning map transcription errors which apparently occurred in 1999 as a result of Town Board initiated zone changes made in connection with the implementation of the Town of Clarkstown Comprehensive Plan adopted September 28, 1999, which, upon investigation by the Committee, has disclosed that the following properties located in Nanuet and West Nyack, New York, were erroneously included in said zone changes, and were depicted on the December 26, 1999 revised Zoning Map in the wrong districts:

MAP NO: 63.16-3-4.1 (274 S. Middletown Road, Nanuet) - mistakenly placed in the R-15 District, but should be in the PO District;

MAP NO: 64.10-2-5 (104 Rose Road, West Nyack) - mistakenly placed in the R-15 District, but should be in the LIO District;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes and directs that the errors on the Zoning Map be corrected to depict the following properties: 63.16-3-4.1 - PO District and 64.10-2-5 - LIO District as being in their correct Districts, and be it

FURTHER RESOLVED, that the GIS Coordinator is hereby authorized and directed to make the necessary adjustments to the Zoning Map and that the affected property owners be notified by mail that the map has been corrected.

Dated: June 9, 2015

TB 06-09 TA RES Correct Zoning Map Errors-pm

AWM

3

RESOLUTION ADOPTING COMPUTER SYSTEM SECURITY BREACH NOTIFICATION POLICY

WHEREAS, New York State Technology Law Section 208 establishes procedures to be followed to notify affected individuals in the event of a breach of a computer security system and requires municipalities to adopt a notification policy or local law consistent with these procedures;

NOW, THEREFORE, BE IT

RESOLVED, that the attached "Town of Clarkstown Computer System Security Breach Notification Policy" is hereby approved and adopted as Town's official policy; and be it

FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to take such actions as may be necessary to implement the Policy; and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

Dated: June 9, 2015

TB 06-09-15 TA RES Computer System Security Breach Notification Policy - sk

Cwm

TOWN OF CLARKSTOWN
10 Maple Avenue
New City, NY 10956

COMPUTER SYSTEM SECURITY BREACH NOTIFICATION POLICY

1. PURPOSE. This Computer System Security Breach Notification Policy is intended to alert individuals to any potential identity theft as quickly as possible so that they may take appropriate steps to protect themselves from and remedy any impacts of the potential identity theft or security breach. This Policy is consistent with, and adopted pursuant to, New York State Technology Law Section 208.

This policy is established to clarify roles and responsibilities in the event of a cyber incident. The availability of cyber resources is critical to the operation of government and a swift and complete response to any incidents is necessary in order to maintain that availability and protect public and private information.

2. DEFINITIONS. The following terms have the following meanings:

(a) "Availability" is the 'property' of being operational, accessible, functional and usable upon demand by an authorized entity, e.g. a system or user.

(b) "Breach of the security of the system" means unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality or integrity of personal information maintained by the Town. Good faith acquisition of personal information by an employee or agent of the Town for the purposes of the employee or agent is not a breach of the security of the system, provided that the private information is not used or subject to unauthorized disclosure.

In determining whether information has been acquired or is reasonably believed to have been acquired, by an unauthorized person or a person without valid authorization, the Town may consider the following factors, among others:

(1) indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer or other device containing information; or

(2) indications that the information has been downloaded or copied; or

(3) indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported.

(c) "Consumer reporting agency" means any person or entity which, for monetary fees, dues or on a cooperative nonprofit basis, regularly engages, in whole or in part, in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports. A list of consumer agencies may be obtained upon request to the State Attorney General.

(d) "Department" means any board, division, committee, commission council, department, public authority, public benefit corporation, office or other governmental entity performing a governmental or proprietary function for the Town.

(e) "Personal Information" means any information concerning a natural person which, because of name, number, personal mark, or other identifier, can be used to identify that person.

(f) "Private Information" means personal information in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted with an encryption key that has also been acquired:

(1) social security number;

(2) driver's license number or non-driver identification card number; or

(3) account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.

"Private information" does not include publicly available information that is lawfully made available to the general public from Town records.

(g) "Town" means the Town of Clarkstown, County of Rockland and State of New York.

3. RESPONSIBLE OFFICIAL. If the incident affects multiple departments, the Town Supervisor shall be the Responsible Elected Official. If only one (1) department is impacted, the elected/appointed official or Department Head responsible for that department shall fill this role. The responsibilities of the elected/appointed official or Department Head include, but are not limited to:

(a) receiving initial notification and status reports from the Incident Response Manager;

(b) consulting with other elected officials on public notification, involvement of the Town Attorney and notification of the Clarkstown Police Department or other law enforcement agency;
(c) preparing and delivering press releases;
(d) consulting with other elected officials and appropriate staff on priorities for response and recovery; and
(e) advising the Incident Response Manager on priorities.

In the event that the Incident Response Manager and/or the Technical Support Staff's positions are vacant or unavailable, the Town Supervisor may act in their place or name a competent temporary replacement to act in such positions.

4. INCIDENT RESPONSE MANAGER. The Town of Clarkstown designates that Robert Paul, Town Network Security Administrator, shall be the Incident Response Manager and has the responsibility of preparing and coordinating the response to a cyber security incident. Responsibilities include, but are not limited to:

(a) notifying or training users to recognize and report suspected incidents;
(b) developing and testing response plans;
(c) being the point of contact should any employee or official believe an incident has occurred;
(d) involving the identified technical support to address the incident;
(e) notifying the appropriate elected officials that an incident has occurred if significant;
(f) advising elected officials regarding notification of law enforcement and the Town Attorney if appropriate;
(g) providing information to elected official(s) responsible for notifying the press and the public;
(h) coordinating the logging and documentation of the incident and response to it; and
(i) making recommendations to reduce exposure to the same or similar incidents.

5. TECHNICIAL SUPPORT STAFF. The Data Processing Department shall provide technical support to the Incident Response Manager. Responsibilities include but are not limited to:

(a) assessing the situation and providing corrective recommendations to the Incident Response Manager;
(b) helping the Incident Response Manager make initial response to the incidents;
(c) responding to the incident to contain and correct problems;
(d) reporting to the Incident Response Manager on actions taken and progress;
(e) participating in review of the incident and development of recommendations to reduce future exposure;

(f) consulting with elected officials on public notification, involvement of the Town Attorney and notification of law enforcement;
(g) assisting with the preparation of press releases;
(h) consulting with elected officials and appropriate staff on priorities for response and recovery; and
(i) advising the Incident Response Manager on priorities.

6. **LEGAL COUNSEL.** The Town Attorney shall provide advice as called upon.

7. **DISCLOSURE OF BREACH TO AFFECTED PERSONS.** Any Town Department that owns or licenses computerized data that included private information must disclose any breach of security of the system to any individual whose private information was, or is reasonably believed to have been acquired by a person without valid authorization. The disclosure must be made in an expeditious fashion and without unreasonable delay; be consistent with the legitimate needs of law enforcement (as provided in paragraph 9 below); and allow sufficient time for the Town to determine the scope of the breach and restore the reasonable integrity of the data system).

The Town shall consult with the New York State Office of Information Technology Service to determine the scope of the breach and restoration measures.

8. **DISCLOSURE OF BREACH TO OWNER OF LICENSEE.** If the Town maintains computerized data that includes private information which the Town does not own, the Town must notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is reasonably believed to have been acquired by a person without valid authorization.

9. **PERMITTED DELAY.** Notification pursuant to this Policy may be delayed if the Clarkstown Police Department or other law enforcement agency determines that notification could impede a criminal investigation. The notification must be made after the law enforcement agency that determines that notification would not compromise any criminal investigation.

10. **METHOD OF NOTIFICATION.** The required notice must be directly provided to the affected individuals by one of the following methods:

(a) written notice;
(b) electronic notice, provided that the person to whom notice is required to be provided has expressly consented to receiving notice in electronic form and a log of each electronic notification is kept by the Town; and provided further to no person or business may require a person to consent to accepting notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;

(c) telephone notification, provided that a log of each telephone notification is kept by the Town; or

(d) substitute notice, if the Town demonstrates to the State Attorney General that the cost of providing notice would exceed two hundred fifty thousand dollars ($250,000.00) or that the number of individuals to be notified exceeds five hundred thousand (500,000) persons or the Town does not have sufficient contact information. Substitute notice must include all of the following:

(1) e-mail notice, when the Town has an email address for the subject persons;
(2) conspicuous posting of the notice on the Town's Website page (www.Clarkstown.org); and
(3) notification to major statewide media.

11. INFORMATION REQUIRED. Regardless of the method by which notice is provided, the notice must include contact information for the Town and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been acquired.

12. NOTIFICATION OF AGENCIES.

(a) Whenever any New York State residents are to be notified pursuant to this Policy, the Town must notify the State Attorney General, the Consumer Protection Board and the State Office of Technology Services as to the timing, content and distribution of the notices and the approximate number of the affected people. Such notice must be made without delaying notice to affected individuals.

(b) Whenever more than five thousand (5,000) New York State residents are to be notified at one time, the Town must also notify consumer reporting agencies as to the timing content and distribution of the notices and the approximate number of affected people. Such notice must be made without delaying notice to affected individuals.

TOWN OF CLARKSTOWN

COMPUTER SYSTEM SECURITY BREACH NOTIFICATION POLICY

INCIDENT LOG

REPORTED BY: NAME:	DEPARTMENT:
PHONE:	EMAIL:
DATE & TIME OF INCIDENT: (Place X where necessary)	
DENIAL OF SERVICE _____	UNAUTHORIZED ACCESS _____
MALICIOUS CODE _____	WEBSITE DEFACEMENT _____
SCANS AND PROBES _____	OTHER: _____ (describe below)
_____	
INCIDENT DESCRIPTION (WHAT WERE THE SIGNS?):	
DETAILS: (e.g. Virus name, events, etc.):	
BUSINESS IMPACT: (e.g. what information and services are impacted?)	
Course of Action:	
Additional Notes:	

4

RESOLUTION DEFAULTING PERFORMANCE BOND ON THE DAVIES FARM LLC, PHASE II SUBDIVISION, CONGERS, NY (TAX MAP 35.18-1-5, 6, 7, 11, 12 & P/O 4)

WHEREAS, GLW Developers, LLC obtained approval for the subdivision known as "Davies Farm LLC, Phase II" and as a condition of subdivision approval GLW Developers, LLC., as developer and obligor, provided the Town of Clarkstown with a Letter of Credit No. 2318 from Provident Bank in the principal amount of $581,884.25, together with its Developer's Performance Bond, to secure completion of the public and other required improvements, and

WHEREAS, Sterling National Bank, as successor in interest to Provident Bank, amended said Letter of Credit on March 27, 2015 to reflect a firm expiration date of July 1, 2015, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has advised that the developer has failed to faithfully complete its obligations during the two (2) year time period pursuant to the terms of the Developer's Performance Bond or anytime thereafter through the date of this resolution, and that the letter of credit is still required to secure completion of said obligations, and

WHEREAS, the First Deputy Director of the Department of Environmental Control has recommended that the developer be declared in default of its Developer's Performance Bond and that all reasonable steps be taken to secure completion of the improvements by drawing against Letter of Credit No. 2318 in the full amount of $581,884.25 to be held pending completion of the remaining items by the developer or, if necessary, by the Town's contractors in the discretion of the Town Department of Environmental Control;

NOW, THEREFORE, be it

RESOLVED, that unless GLW Developers, LLC provides a renewal of Letter of Credit No. 2318 by July 1, 2015 which includes language making said letter of credit automatically renewable consistent with the original Letter of Credit No. 2318, GLW Developers, LLC, as

developer and obligor, is hereby declared in default of its Developer's Performance Bond to complete the public and other required improvements in the Davies Farm LLC, Phase II Subdivision, and the Town Attorney and/or Comptroller of the Town of Clarkstown is hereby authorized and directed to take all necessary steps to obtain funds deemed necessary to complete the required public improvements by drawing against Letter of Credit No. 2318 in the principal amount of $581,884.25, and be it

FURTHER RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to prepare plans and specifications for completion of the required work and, if necessary, to obtain a contractor or contractors in accordance with all requirements of law to complete the required improvements.

Dated: June 9, 2015

TB 06-09-15 TA RES Davies Farm, Phase II Default-dt

awm

5

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

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

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on July 7, 2015 at 8:00 P.M., or as soon thereafter as possible, pursuant to Town Law, to consider approving the proposed final map of the boundary lines of the West Nyack Fire District, and be it

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

Dated: June 9, 2015

TB 06-09 TA RES West Nyack Fire Dist-Set Public Hearing-pm

awm

6A

RESOLUTION AMENDING RESOLUTION NO. 165-2015
(SEWER REGISTRATION)

WHEREAS, by Resolution No. 165-2015, adopted May 5, 2015, the Town of Clarkstown authorized the issuance of Certificates of Sewer Registrations, and

WHEREAS, there was a typographical error regarding the numbering of the Certificates of Registrations;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 165-2015 to correct the numbering of the Certificates of Registrations in the first RESOLVED clause to read

15-30 PRO CUT LAWNS, LANDSCAPING & CONTRACTING, INC.
15-31 SDM INDUSTRIES, INC.

DATED: June 9, 2015

TB 06-09-15-TA RES Amend Certificate of Registration Sewers -sk

aum

6B

RESOLUTION AMENDING RESOLUTION NO. 406-2014
(HIGHWAY DEPARTMENT ASSESSMENT)

WHEREAS, by Resolution No. 406-2014, adopted September 9, 2014, the Town Board of the Town of Clarkstown authorized the Supervisor to enter into an agreement with Public Sector HR Consultants LLC to perform a Highway Department Assessment, and

WHEREAS, the account number where the fee for said services was to be taken was incorrect;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 406-2014 is hereby amended to correct the account number in the last FURTHER RESOLVED clause to read as follows "Account No. A-1420-409."

DATED: June 9, 2015

TB 06-09 TA RES Amend Res 406-2014-pm

amm

6C

RESOLUTION AMENDING RESOLUTION NO. 76-2015 CONCERNING A RENEWAL AGREEMENT WITH HI-TOR ANIMAL CARE CENTER, INC.

WHEREAS, by Resolution No. 76-2015, adopted on February 3, 2015, the Town Board authorized the Supervisor to enter into a renewal agreement with Hi-Tor Animal Care Center, Inc., as required by Section 115 of the New York State Agriculture and Markets Law, and

WHEREAS, said resolution authorized a sum of $21,000.00 per year to be paid in quarterly installments for the shelter and care of all animals delivered to its shelter in accordance with the contract with the Town, and

WHEREAS, Hi-Tor Animal Care Center, Inc. had inadvertently submitted its contract for an incorrect yearly amount, and

WHEREAS, the Town and Hi-Tor Animal Care Center have also negotiated an amended agreement which includes new terms,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to enter into an amended agreement with Hi-Tor Animal Care Center for the shelter and care of all animals delivered to the shelter, and be it

FURTHER RESOLVED, that the fee for said services shall be $33,000.00 per year and shall constitute a proper charge to Account A 3510-409-0.

DATED: June 9, 2015

TB 06-09-2015 TA RES Amend Res. No. 76-2015-Hi-Tor-kh

7A

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CERTIFIED PUBLIC ACCOUNTANTS TO AUDIT TOWN DEFERRED COMPENSATION PLAN

WHEREAS, the Town of Clarkstown has established a Deferred Compensation Plan for its employees; and

WHEREAS, the Rules and Regulations of the New York State Deferred Compensation Board require the Town's Deferred Compensation Plan to be audited annually by Certified Public Accountants; and

WHEREAS, the Town's Deferred Compensation Committee (DCC), has solicited Requests for Proposals to provide annual financial audit services for the Town's Deferred Compensation Plan; and

WHEREAS, the CPA firm of O'Connor Davies, LLP (hereafter "O'Connor Davies"), has submitted a proposal to perform the auditing services for the five (5) year period December 31, 2014 through December 31, 2018;

NOW, THEREFORE, BE IT

RESOLVED, that the Deferred Compensation Committee recommends that the Town Board engage the services of O'Connor Davies, LLP to perform an audit of the Town's Deferred Compensation Plan for the following calendar years ending: December 31, 2014 at a cost not to exceed $16,500; December 31, 2015 at a cost not to exceed $17,000; December 31, 2016 at a cost not to exceed $17,500; December 31, 2017 at a cost not to exceed $18,000; and December 31, 2018 at a cost not to exceed $18,500; and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with O'Connor Davies, in a form acceptable to the Town Attorney, and the Town's Deferred Compensation Committee; and be it

FURTHER RESOLVED, that the fee for these services shall be charged to Account No. A9000-409-0.

Dated: June 9, 2015

awm

TB 06-09 TA RES Def Comp-OConnor Davies Audit-pm

7B

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH ADP, LLC

WHEREAS, ADP, LLC has submitted a proposal dated May 28, 2015 to provide the Town with human resources software, support and training for the Personnel Department, and

WHEREAS, the Town Attorney has reviewed the proposal and finds it reasonable in both scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with ADP, LLC, in a form approved by the Town Attorney, to provide the Town with human resources software, support and training for the Personnel Department for the years, 2015, 2016 and 2017, and be it

FURTHER RESOLVED, that the fee for such services shall be $12,648.75 for the year 2015 (which includes implementation and the last three (3) months of 2015) and the fees for 2016 and 2017 shall be included in the operating budget for the Personnel Department, which fees shall be charged to Account No. A-1430-424, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to June 5, 2015.

DATED: June 9, 2015

TB 06-09 TA RES ADP Software Agree-Personnel-pm

7C

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF ROCKLAND BOCES FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2015-2016 SCHOOL TERM

WHEREAS, a School Resource Officer Program has been proposed for Rockland BOCES and,

WHEREAS, the Board of Education of Rockland BOCES and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to Rockland BOCES on a full time basis as the School Resource Officer;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of Rockland BOCES, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of one (1) police officer to Rockland BOCES on a full time basis, for the period September 1, 2015 through June 30, 2016, and be it

FURTHER RESOLVED, that the agreement shall provide, along with other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of Rockland BOCES to the Town of Clarkstown in the amount of $120,000.00 for the School Resource Officer.

Dated: June 9, 2015

awm

TB 06-09-15 TA RES Rockland BOCES SRO Program 2015-2016-kh

7D

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND TO REIMBURSE THE POLICE DEPARTMENT FOR 9-1-1 DISPATCHER TRAINING REQUIRED BY LOCAL PUBLIC SAFETY ANSWERING POINT (PSAP)

WHEREAS, the County of Rockland wishes to reimburse the Town of Clarkstown Police Department for 9-1-1 dispatcher training required by local Public Safety Answering Point (PSAP) in an amount not to exceed FIFTY THOUSAND DOLLARS AND NO CENTS ($50,000.00),

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to obtain reimbursement for 9-1-1 dispatcher training for the Town of Clarkstown Police Department in the amount not to exceed FIFTY THOUSAND DOLLARS AND NO CENTS ($50,000.00) for the period January 1, 2015 through December 31, 2020.

DATED: June 9, 2015

awm

TB 06-09-15 TA RES County Agree-Reimbursement-9-1-1 Dispatcher Training-kh

7E

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND TO ACCEPT A DISBURSEMENT OF FUNDS, FOR LAW ENFORCEMENT PURPOSES ONLY, TO SUPPORT THE INTELLIGENCE LED POLICING AND PROSECUTION CENTER'S COMPUTER SOFTWARE

WHEREAS, the County of Rockland wishes to assist the Town of Clarkstown in its law enforcement and make a disbursement of funds to the Town, for law enforcement purposes only, to support the Intelligence Led Policing and Prosecution Center's computer software and

WHEREAS, the Legislature of Rockland County has provided funds for this agreement in the 2015 Budget (Resolution 513 of 2014) and in Resolution 207 of 2015 for the professional services of the Town of Clarkstown for the period hereinafter stated;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to accept a sum not to exceed THIRTY THOUSAND AND 00/100 ($30,000.00) DOLLARS to be used solely and exclusively for the purpose of law enforcement to support the Intelligence Led Policing and Prosecution Center's computer software for the period April 1, 2015 and terminating December 31, 2015.

DATED: June 9, 2015

TB 06-09-15 TA RES County Agree-Intelligence Led Policing and Prosecution Center's computer software-kh

8

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI REGARDING DePAULIS ENTERPRISES V LTD. TAX MAP NO(s).: 35.19-2-15, 35.19-2-17, 35.19-2-18, 35.19-2-19, 35.19-2-20, 44.07-2-10, 44.07-2-10.1 and 44.07-2-10.2

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, DePaulis Enterprises V Ltd. v. the Town of Clarkstown, its Assessor and Board of Assessment Review of the Town of Clarkstown, Index No(s). 6390/09; 6737/10; 4968/11; 033526/12; 033408/13 and 032905/14, affecting parcel(s) designated as Tax Map No(s).: 35.19-2-15; 35.19-2-17; 35.19-2-18; 35.19-2-19; 35.19-2-20; 44.07-2-10; 44.07-2-10.1 and 44.07-2-10.2, and more commonly known as 19 Meola Road, Congers, NY; 23 Meola Road, Congers, NY; 25 Meola Road, Congers, NY; 16 Meola Road, Congers, NY; 1 Old Orchard Lane, Congers, NY; 27 Meola Road, Congers, NY; 255 N. Route 303, Congers, NY and 29 Meola Road, Congers, NY, respectively, for the year(s) 2009/10, 2010/11, 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 Clarkstown 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. 35.19-2-15 be reduced for the year(s) 2009/10, 2010/11 and 2011/12 from $27,500 to $24,700 at a total cost to the Town of $197.31;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-15 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from $27,500 to $25,100 at a total cost to the Town of $212.25;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-17 be reduced for the year(s) 2009/10, 2010/11 and 2011/12 from $14,700 to $5,200 at a total cost to the Town of $561.62;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-17 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from $14,700 to $6,600 at a total cost to the Town of $527.10;

5. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-18 be reduced for the year(s) 2009/10, 2010/11 and 2011/12 from $14,700 to $5,600 at a total cost to the Town of $537.97;

6. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-18 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from $14,700 to $7,000 at a total cost to the Town of $501.07;

7. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-19 be reduced for the year(s) 2009/10, 2010/11 and 2011/12 from $105,000 to $43,200 at a total cost to the Town of $3,653.52;

8. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-19 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from $105,000 to $52,700 at a total cost to the Town of $3,403.35;

9. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-20 for the year(s) 2009/10, 2010/11 and 2011/12 from $539,000 to $171,800 at a total cost to the Town of $21,708.26 ;

10. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 35.19-2-20 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from $539,000 to $228,000 at a total cost to the Town of $20,237.85;

11. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 44.07-2-10 for the year(s) 2009/10, 2010/11 and 2011/12 from $599,900 to $202,200 at a total cost to the Town of $23,511.36 ;

12. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 44.07-2-10 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from $599,900 to $263,000 at a total cost to the Town of $21,923.26;

13. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 44.07-2-10.1 for the year(s) 2009/10, 2010/11 and 2011/12 from $201,600 to $76,500 at a total cost to the Town of $8,815.49;

14. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 44.07-2-10.1 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from $201,600 to $95,600 at a total cost to the Town of $9,374.17;

15. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No 44.07-2-10.2 for the year(s) 2009/10, 2010/11 and 2011/12 from $621,600 to $172,200 at a total cost to the Town of $26,567.78;

16. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 44.07-2-10.2 be reduced for the year(s) 2012/13, 2013/14 and 2014/15 from $621,600 to $241,000 at a total cost to the Town of $24,766.97;

17. The Special District Taxes for the period shall be refunded to in accordance with the aforementioned assessments for a total of $26,977.56;

18. Reimbursement for the year(s) 2009/10, 2010/11, 2011/12, 2012/13, 2013/14 and 2014/15 on the parcel(s) described as Tax Map No(s). 35.19-2-15; 35.19-2-17; 35.19-2-18; 35.19-2-19; 35.19-2-20; 44.07-2-10; 44.07-2-10.1 and 44.07-2-10.2, 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;

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

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

Dated: June 9, 2015

TB 06-09-15 TA RES DePaulis Ent.. V LTD Settlement-dt

9A

WHEREAS, a resident of South Route 303, Congers, NY 10920 in the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community; and

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

WHEREAS, the Department of Environmental Control has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved to provide electric facilities on pole #60878/41419;

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

1. Install one 5,800 lumen 70 watt sodium vapor streetlight on Pole #60878/41419 located between house #151 S. Route 303, Congers & house #30 Ridge Road, Congers.

AND BE IT FURTHER RESOLVED, that the installation of this municipal street light shall be at no cost to the Town of Clarkstown, and that an annual charge for basic fuel delivery, which charge shall include maintenance of this street lighting equipment, will be at $14.56 per month ($174.72 per year) for each sodium vapor fixture, plus market supply and fuel adjustment charge, which shall be charged to Acct. #SL 5182 461.

Dated: June 9, 2015

awm

9B

WHEREAS, a resident of Courtney Drive, New City, NY 10956 in the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community; and

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

WHEREAS, a meeting was held on May 19, 2015 at 6 p.m. at Town Hall, 10 Maple Avenue, New City, NY 10956 with the residents affected by the installation of this street light at which meeting the majority of residents were in favor of the installation of one street light between houses 18 and 20 Courtney Drive; and

WHEREAS, the Department of Environmental Control has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved to provide electric facilities on pole #59752/41623;

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

1. Install one 5,800 lumen 70 watt sodium vapor streetlight on Pole #59752/41623 located between house #18 & # 20 Courtney Drive, New City, NY 10956

AND BE IT FURTHER RESOLVED, that the installation of this municipal street light shall be at no cost to the Town of Clarkstown, and that an annual charge for basic fuel delivery, which charge shall include maintenance of this street lighting equipment, will be at $14.56 per month ($174.72 per year) for each sodium vapor fixture, plus market supply and fuel adjustment charge, which shall be charged to Acct. #SL 5182 461.

Dated: June 09, 2015

10

RESOLUTION AUTHORIZING CLARIFICATION OF STREET NAME FROM TOMKINS AVENUE TO TOMPKINS AVENUE, WEST NYACK, NEW YORK

WHEREAS, a portion of roadway between Western Highway and Green Road in West Nyack, New York is known as both Tompkins Avenue and Tomkins Avenue, and

WHEREAS, the Rockland County Office of Emergency Services has requested that the aforementioned avenue have only one name in order to avoid confusion;

NOW, THEREFORE, be it

RESOLVED, that this avenue shall be known as Tompkins Avenue, and be it

FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to notify the Clarkstown Highway Department to correct all existing signage, if necessary, and shall within ten days from the date thereof cause a copy of this resolution to be forwarded to the Communication Coordinator of the Clarkstown Police Department, the Director of Environmental Control, the Planning Board, the GIS Coordinator, the Assessor, the Rockland County Highway Department, the Clarkstown Central School District, the West Nyack Post Office, the West Nyack Fire Department, the West Nyack Ambulance Corps, and that a certified copy of this resolution be filed with the Rockland County Clerk, the Rockland County Engineer, and the Rockland County Director of Emergency Services, and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Dated: June 9, 2015

awm

TB 06-09 TA RES Street Name Clarification-Tompkins-pm

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JUNE 9, 2015, AUTHORIZING THE ACQUISITION OF EQUIPMENT FOR USE BY THE HIGHWAY DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $190,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $190,000 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 equipment for use by the Highway Department. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $190,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of $190,000 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 $190,000 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. 28 of the Law, is fifteen (15) years.

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

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in *"The Journal-News,"* a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such

publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on June 9, 2015, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

> "Bond Resolution of the Town of Clarkstown, New York, adopted June 9, 2015, authorizing the acquisition of equipment for use by the Highway Department, stating the estimated maximum cost thereof is $190,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of $190,000 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 equipment for use by the Highway Department; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $190,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of $190,000 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 $190,000 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 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: June 9, 2015

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.

* * *

aum

12A

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

BID#17-2015 – MAINTENANCE AND REPAIR OF TRAFFIC SIGNALS AND PEDESTRIAN CONTROL DEVICES

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

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

DATE: June 9, 2015

aum

12B

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

BID#18-2015 – REPAIRS TO TOWN OF CLARKSTOWN TENNIS COURTS AND BASKETBALL COURTS

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: June 9, 2015

12C

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

BID#19-2015 – TENNYSON PARK PLAYGROUND EQUIPMENT AND INSTALLATION OF SAFETY SURFACE AND PLAYGROUND EQUIPMENT

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

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

DATE: June 9, 2015

13

RESOLUTION EXPRESSING THE TOWN OF CLARKSTOWN'S INTENT TO ENTER INTO AN AGREEMENT WITH UGELL HOSPITALITY CORP., THE EAST RAMAPO SCHOOL DISTRICT, THE COUNTY OF ROCKLAND, and THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY WITH RESPECT TO PAYMENT IN LIEU OF TAXES FOR PROPERTY KNOWN ON THE CLARKSTOWN TAX MAP AS 57.65-1-6

WHEREAS, the Rockland County Industrial Development Agency ("RCIDA") has induced a project consisting of the construction of a new Holiday Inn Express and Suites at 67 E. Route 59, Spring Valley, New York (the "Project"), and

WHEREAS, Ugell Hospitality Corp. is the contract vendee of the above referenced property; and

WHEREAS, it is anticipated that the RCIDA will authorize the Project; and

WHEREAS, in the event the Project is authorized, the Town Board intends to authorize the Supervisor to enter into a "payment in lieu of taxes agreement" (a PILOT Agreement) to be executed by all parties;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby expresses its intent to authorize a PILOT agreement with UGELL HOSPITALITY CORP., THE EAST RAMAPO SCHOOL DISTRICT, THE COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY with respect to payment in lieu of taxes for property known on the Clarkstown Tax Map as 57.65-1-6 and located at 67 E. Route 59, Spring Valley, New York; and be it

FURTHER RESOLVED, that the terms of the PILOT agreement shall be based on Section 485-b of the Real Property Tax Law, which provides for a reduced assessment of 50% of the building value in year one, with annual increases of 5% over ten (10) years.

Dated: June 9, 2015

TB 06-09-15 TA RES Ugell Hospitality Corp. PILOT Agreement-dt

cwm

14A

RESOLVED, that Brian Wagner, 45 Normandy Village, Apt. #13, Nanuet, New York, is hereby appointed to the position of (Provisional) Zoning Enforcement Officer & Community Liaison – Building Department – at the current annual salary of $84,414, effective and retroactive to May 20, 2015.

DATED: June 9, 2015

P

14B

WHEREAS, the Rockland County Personnel Office has certified on May 6, 2015 that ten (10) positions of Security Aide (part-time) - can be created,

NOW, therefore, be it

RESOLVED, that the ten (10) positions of (part-time) Security Aide - Recreation and Parks - are hereby created - effective and retroactive to May 18, 2015.

DATED: June 09, 2015
P

14C
AMENDED

RESOLVED, that Mark Fries, 15 Brentwood Drive, New City, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – at the 2015 rateof $19.74 per hour effective June 19, 2015.

DATED: June 9, 2015

P

14D

RESOLVED, that Anthony Morena, 7 Marion Court, New City, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of $19.74 per hour effective June 19, 2015.

DATED: June 9, 2015

P

14E

RESOLVED, that Check M. Young, 151 Scotland Hill Road, Nanuet, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of $19.74 per hour effective June 19, 2015.

DATED: June 9, 2015

P

14F

RESOLVED, that George Clapp, 20 Smith Street, Nanuet, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of $19.74 per hour effective June 19, 2015.

DATED: June 9, 2015

P

14G

RESOLVED, that Ivens Saint-Vil, 520 Mountainview Ave, Valley Cottage, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – at the 2015 rate of $19.74 per hour effective June 19, 2015.

DATED: June 9, 2015

P

14H

RESOLVED, that Michael Carriere, 4 Roseland Court, New City, New York -- is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of $19.74 per hour effective June 19, 2015.

DATED: June 9, 2015

P

14I

RESOLVED, that Raymond Francis, 2 Gable Road, New City, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of $19.74 per hour effective June 19, 2015.

DATED: June 9, 2015

P

14J

RESOLVED, that Ronald Vaccaro , 7 Garret Avenue, Congers, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of $19.74 per hour effective June 19, 2015.

DATED: June 9, 2015

P

14K

RESOLVED, that Antoinette White, 35 Laurel Road, Central Nyack, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course – at the 2015 rate of $19.74 per hour effective June 19, 2015.

DATED: June 9, 2015

P

14L

RESOLVED, that Thomas Krasinski , 20 Smith Street, Nanuet, New York – is hereby appointed to the position of Security Aide (PT) – Parks and Recreation – pending the successful completion of the Security Guard Training course - at the 2015 rate of $19.74 per hour effective June 19, 2015.

DATED: June 9, 2015

P

14M

RESOLVED, that Paul P. Greenblath, 56 Newport Drive, Nanuet, New York – Crossing Guard (substitute) – is hereby appointed to the position of Crossing Guard (full time) – Police Department at the current 2015 rate of $19.81 per crossing – effective and retroactive to April 29, 2015.

DATED: June 9, 2015

P

14N

RESOLVED, that Pieranna D'Ambrosio, 19 S. Grant Avenue, Congers, New York – is hereby appointed to the position of Crossing Guard (substitute) – Police Department – at the current 2015 rate of $19.81 per crossing – effective and retroactive to May 27, 2015.

DATED: June 9, 2015

P

140

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of C.S.E.A., Lawrence Berkowitz, 4 Brisman Road, Thiells, New York – Computer Network Specialist – Parks and Recreation Department is hereby granted a Sick Leave of Absence at one-half pay effective and retroactive May 26, 2015 thru July 27, 2015.

DATED: June 9, 2015
P

14P

RESOLVED, that the resignation of Dolores Avaras, 145 South Little Tor Road, New City, New York – Member – Assessment Review Board – is hereby accepted - effective June 9, 2015.

DATED: June 09, 2015

P

15 AMENDED

RESOLUTION PROPOSING THAT THE ADOPTION OF A WARD SYSTEM OF GOVERNMENT FOR THE TOWN OF CLARKSTOWN BE PLACED ON THE BALLOT ON NOVEMBER 3, 2015

WHEREAS, the Town Board of the Town of Clarkstown hereby proposes this resolution in accordance with and authorized by Sections 81 and 85 of Town Law, and

WHEREAS, as a Town of the "first-class" as defined by Town Law §§ 81 and 85 the Town may, upon vote of the Town Board, submit a proposition to the voters for establishing the ward system of government for the election of Town Board members, and

WHEREAS, Town Law §85 provides that a Town may choose to have four (4) or six (6) wards, and

WHEREAS, upon approval of the referendum by a majority of voters, the ward system is deemed established upon the date a map of the Town showing each ward and its district boundaries is filed, and

WHEREAS, in accordance with New York State Law, after the ward system is established, the term of office of every Town councilman shall terminate on the thirty-first day of December next succeeding the first biennial Town election held not less than 120 days after the establishment of a ward system; and at such biennial Town election, and every biennial Town election thereafter, one resident elector of each ward shall be elected as councilman for a term of two years beginning on the January 1st next succeeding such election;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown, on its own motion, submits the following propositions to be placed on the ballot on November 3, 2015:

PROPOSITION #1: "Should the Town of Clarkstown change from its current "at large" system of government, whereby every registered voter elects all four members of the Town Board to serve staggered four year terms, to a ward system of government, whereby voters would vote for only one councilperson in their respective ward every two years? If the ward system is established, the County Board of Elections would draw the district boundaries after this proposition is approved."

PROPOSITION #2: "Whether the Town Board of the Town of Clarkstown should be increased from four (4) members to six (6) members?"

and, be it

FURTHER RESOLVED, that the Town Attorney is hereby directed to submit the above propositions to the Rockland County Board of Elections in accordance with applicable law.

Dated: June 9, 2015

TB 06-09 Ward System Res-am

awm

16

RESOLVED, that Mark Fries, 15 Brentwood Drive, New City, New York – is hereby appointed to the position of Member – Traffic and Traffic Fire Safety Advisory Board – at the 2015 salary of $2,856.00 per year effectiveJune 10, 2015.

DATED: June 9, 2015

P

17

RESOLUTION AUTHORIZING ACCEPTING FUNDS & AMENDING BUDGET

WHEREAS, the Town has received $18,660.67 from the Rockland County Sewer District #1,

NOW, THEREFORE BE IT,

RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Revenue) and Expense Account H-8760-409-0-84-60 (Capital-Sewer Pump Station & Collection System Upgrade) by $18,660.67 and

WHEREAS, various Expense accounts require additional funding,

NOW, THEREFORE BE IT,

RESOLVED, to decrease A-1990-505-0 (Contingency-Other Costs) and increase A-1950-503-0 (Taxes & Assessments) by $1,486

FURTHER RESOLVED, to decrease Account A-3120-404-0 (Police-Travel & Meals) and increase Account A-3260-404-0 (Special Investigation-Travel & Meals) by $1,000 and be it

FURTHER RESOLVED, to decrease Account A-3120-414-0 (Police-Conferences & Schools) and increase Account A-3260-414-0 (Special Investigation-Conferences & Schools) by $11,000 and be it

FURTHER RESOLVED, to decrease Account A-3120-409-0 (Police-Fees for Services) and increase A-3260-409-0 (Special Investigation-Fees for Services) by $1,000 and be it

FURTHER RESOLVED, to decrease Account B-8020-414-0 (Planning-Conferences & Schools) and increase B-8020-114-0 (Planning-Part Time Salaries).

Dated June 9, 2015
L: TB 6-9-2015 COM RES Accepting Funds/Amending Budget

RESOLUTION INVOKING TOWN CODE CHAPTER 216-9(B): MAINTENANCE OF VACANT PROPERTIES

WHEREAS, the Building Inspector performs routine Town-wide inspections of the vacant, foreclosed, and/or abandoned properties in Clarkstown, and

WHEREAS, the owners or responsible parties of the following properties have failed to perform required lawn and landscape maintenance pursuant to Town of Clarkstown Town Code Chapter 216-4, (Property Maintenance, Landscaping Maintenance), and

WHEREAS, appropriate diligence by Code Officials including, but not limited to, appropriate notice and posting, has been performed as required pursuant to Chapter 216-9(A), and

WHEREAS, the properties currently in violation are identified as follows:

5 Pigeon Hill Rd, Nanuet (58.13-2-51 fka 15-E-43)

1 Brook Road, New City (33.16-2-37 fka 171-A-2)

2 Waverly Court, New City (34.9-2-22- fka 24-A-6.8)

960 Tilton Road, Valley Cottage (52.11-3-32 fka 125-B-12.8)

18 Phillips Lane, West Nyack (64.8-2-27 fka 89-C-3.30)

17 Flower Lane, Valley Cottage (52.14-3-3.6 fka 110-A-14.6)

179 S. Harrison Avenue, Congers (52.7-2-40 fka 125-B-15.13/1)

70 Old Route 304, New City (34.19-2-20 fka 60-A-14.1)

1 Beaver Court, New City (34.20-3-11 fka 80-B-37.1)

111 Brewery Road, New City (51.8-2-14 fka 76-A-16)

5 Linden Court, New City (34.15-2-24 fka 80-A-18.16);

NOW, THEREFORE, be it

RESOLVED, that subject to a reasonable grace period and final re-inspection, the Town Board hereby authorizes the Building Inspector, retroactive to May 1, 2015, to arrange for the appropriate property maintenance through the tasking of available Town forces, subcontractors or agents to perform the required trimming of grass, weeds, trees and shrubs, as well as other property maintenance issues, on the above properties along with any and/or all associated debris removal, throughout the 2015 mowing and growing season, after which a bill of costs will be submitted to said office for the purpose of levying said costs incurred by the Town as a property tax lien on the property by the Town Assessor.

DATED: June 9, 2015

TB 06-09 BLDG RES Vacant Prop Chap 216-9(B)-bw

aum

19A

RESOLUTION AUTHORIZING THE INSTALLATION OF A
TWO (2) S1-1 SIGNS ON SHETLAND DRIVE AND IVY LANE, NEW CITY

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the recommendation that two (2) S1-1 signs be installed at the crosswalk on the corner of Shetland Drive and Ivy Lane, northbound and southbound corners;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install two (2) S1-1 signs as indicated above, 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: June 9, 2015

awm

19B

RESOLUTION AUTHORIZING THE INSTALLATION OF A
NO PARKING HERE TO CORNER SIGN ON
SHERMAN AVENUE, CONGERS

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the recommendation that one (1) "No Parking Here to Corner" sign be installed on the east side of Sherman Avenue (about 30-50 feet from the intersection of Lakeward Avenue);

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a "No Parking Here to Corner" sign as indicated above, 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: June 9, 2015

awm

20

RESOLUTION DEFAULTING ESCROW FUNDS
MAKAN LAND DEVELOPMENT
TAX MAP LOT 58.19-01-01
122A DEMAREST MILL ROAD

WHEREAS, Makan Land Development (Makan) deposited escrow for certain incomplete work at Tax Lot 58.19-01-01 under the provisions of Town Code Section 5-4D(1), and

WHEREAS, by letters dated May 1, 2015 and June 4, 2015, the Department of Environmental Control notified Makan that said work was to have been completed by May 1, 2015 in accordance with Section 5-4D(1), and

WHEREAS, said letters also notified Makan that failure to complete said work would result in the defaulting of escrow deposits, and

WHEREAS, to date Makan has failed to complete the work;

NOW THEREFORE BE IT RESOLVED, that the Town of Clarkstown hereby declares Makan to be in default of his escrow agreement and Town Code Section 5-4D(1), and

BE IT FURTHER RESOLVED, that the sum of $3,000.00 deposited by Makan shall be released to the Department of Environmental Control to arrange for the performance of the incomplete work.

Dated: June 9, 2015

TB 06-09 DEC RES-Dflt-Makan-122aDemarest

aum

21

RESOLUTION AUTHORIZING EXECUTION AND ACCEPTANCE OF MAINTENANCE AGREEMENTS REGARDING LANDAU ESTATES SUBDIVISION (TAX MAP 52.15-1-16.1 & 16.2)

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 Landau Estates subdivision (tax map 52.15-1-16), Jason Ruffo has provided two (2) 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; and the Town Attorney has advised that the documents are in proper legal form;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the stormwater control facility maintenance agreements from Jason Ruffo in connection with the Landau Estates subdivision and orders them recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

Dated: June 9, 2015

TB 06-09 TA RES Landau Est Stormwater Agreements-pm

awm

RESOLUTION AUTHORIZING THE CHIEF OF POLICE OF THE TOWN OF CLARKSTOWN TO EXECUTE A MEMORANDUM OF UNDERSTANDING AND VARIOUS MUTUAL AID AGREEMENTS

WHEREAS, the Chief of Police of the Clarkstown Police Department wishes to enter into a Memorandum of Understanding with the United States Drug Enforcement Administration to allow for the sharing of information for law enforcement purposes at no cost to the Town;

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Chief of Police, the Town Board hereby authorizes the Chief of Police of the Town of Clarkstown to execute the Memorandum of Understanding with the United States Drug Enforcement Administration authorizing and agreeing to the mutual exchange of License Plate Reader (LPR) data; and be it

FURTHER RESOLVED, that the Chief of Police is hereby further authorized to execute any future law enforcement mutual aid agreements on behalf of the Town of Clarkstown and the Clarkstown Police Department, provided that there is no cost to the Town; and be it

FURTHER RESOLVED, that the Chief of Police is authorized to sign *nunc pro tunc* on behalf of the Town of Clarkstown and the Clarkstown Police Department all previously executed law enforcement mutual aid agreements.

Dated: June 9, 2015

TB 06-09 TA RES MOA & Mutual Aid Agree

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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JUNE 9, 2015, AUTHORIZING THE ACQUISITION OF CERTAIN OVERHEAD STREET LIGHTING EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $700,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $700,000 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 certain overhead street lighting equipment. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $700,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of $700,000 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 $700,000 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. 35 of the Law, is five (5) years.

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

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

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

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

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