

TOWN OF CLARKSTOWN
TOWN BOARD MEETING
September 29, 2015 – 8:00 pm
Town Hall Auditorium
AGENDA

SALUTE TO THE FLAG

CLERK CALLS THE ROLL

PUBLIC HEARINGS:

1. Proposed Local Law entitled: "Text Amendment to Chapter 290 (Zoning) of the Code of the Town of Clarkstown and the Town Zoning Map with respect to the West Nyack Commercial Office (CO) Zone Change and Commercial Office (CO) and Commercial Office Support (COS)"
2. Proposed Abandonment and/or Demapping of Scratchup Road, New City and Amendment to the Official Map. (*This Petition has been Withdrawn*)
3. Proposed Local Law entitled: "Moratorium on development approvals in residential zones in the Town of Clarkstown"

PUBLIC COMMENTS REGARDING AGENDA ITEMS:

(Limited to 3 minutes per person)

RESOLUTIONS:

1. Accepting Minutes of Town Board Meeting of August 11, 2015, as submitted by the Town Clerk.
2. Preliminary Budget for 2016 and Setting a Public Hearing (*Nov. 4, 2015*)
3. Granting Permission to the Andean Brewing Company (KUKA) to Dispense Alcoholic Beverages
4. Authorizing Additional Signs at Various Town Parks/Ballfields.
5. Authorizing the Supervisor to Enter into the following Agreements:
 - a) County of Rockland – to Reimburse the Clarkstown Police Department for Packeye and PRD Training as Outlined in the "Secure the Cities Agreement"
 - b) New York State Energy Research and Development Authority (YSERDA), Behan Planning and Design and Cambridge Systematics with Regard to Developing Initiatives for a Transit Oriented Development (TOD) Plan for the Hamlet of Nanuet.
 - c) SBA Communications, Inc. and Amending the Agreement with Varnum, LLP for Legal Assistance and Consulting Services for the Sale of Germonds Park Cell Tower Lease and Easement.
6. Authorizing Acceptance of Deed and Execution and Acceptance of Stormwater Maintenance Agreement regarding Snake Hill Homes, Inc. Subdivision (Tax Map 44.07-1-5).
7. Authorizing the Preparation of a Preliminary Appraisal for a Tax Certiorari Matter regarding Eckerson Partners, LLC (Tax Map No. 57.19-1-16).
8. Amending Resolution No. 156-2015 concerning an Agreement with the County of Rockland, Acting on Behalf of the Youth Bureau/Rockland County Americorps, for Summer Member Program (Planning Department).
9. Authorizing Execution and Acceptance of Stormwater Maintenance Agreement regarding DPM Nanuet Self Storage, LLC Site Plan (Tax Map 58.17-1-41 & 42).
10. Amending Resolution No. 36-2015 (Pride of Clarkstown.)
11. Authorizing the Supervisor to Execute an Agreement with the County of Rockland Office of Community Development with Respect to Community Development Funds for 2015.

12. Defaulting Performance Bond on the Davies Farm LLC, Phase II Subdivision, Congers, N.Y. (Tax Map 35.18-1-5, 6, 7, 11, 12 & P/O 4)
13. *~Withdrawn~*
14. Authorizing Amending the Budget.
15. Authorizing the following Personnel Changes:
 - a) Sick Leave of Absence: Robert Lobbe, Custodian I, Parks & Recreation Department
 - b) Reassignment: Kathleen Vellardito, Senior Clerk Typist, from Justice Court to Purchasing
 - c) Reclassification: Clerk-Typist (PT) Personnel Dept. to Clerk-Typist (FT) Personnel Dept. Abolishment: Clerk-Typist (PT) Personnel Dept.
 - d) Appointment (Permanent): Nicholas Camadeco, Asst. Automotive Mechanic, Town Garage
 - e) Resignation: Lorraine Gelormino, Crossing Guard (FT), Clarkstown Police Dept.
 - f) Resignation: Florence B. Gorsky, Crossing Guard (Sub), Clarkstown Police Dept.
 - g) Resignation (by Retirement): Donna Curry, Crossing Guard (FT), Clarkstown Police Dept.
 - h) Appointment: Lawrence Brogna, Crossing Guard (FT), Clarkstown Police Dept.
 - i) Appointment: Pieranna D'Ambrosio, Crossing Guard (FT), Clarkstown Police Dept.
 - j) Appointment: Carmela Smith, Crossing Guard (Sub), Clarkstown Police Dept.
 - k) Appointment: Rosa H. Plata, Crossing Guard (Sub), Clarkstown Police Dept.
 - l) Appointment: Francesco Dattilo, Crossing Guard (Sub), Clarkstown Police Dept.
 - m) Appointment: Kylie G. Armstrong, Crossing Guard (Sub), Clarkstown Police Dept.
16. Authorizing the Installation of "No Commercial Traffic" Signs on Doscher Avenue, W. Nyack
17. Setting a Public Hearing to Consider the Designation of Historical Site. (Tax Map 51.10-3-1) (Oct. 20, 2015)
18. Scheduling a Special Meeting of the Town Board (Nov. 17, 2015)

Additional Tentative Resolutions:

19. Authorizing the following Personnel Changes:
 - a) Appointment: Thomas P. Rolston, Police Officer (Permanent), Clarkstown Police Dept.
 - b) Appointment: Ryan T. Fay, Police Officer (Permanent), Clarkstown Police Dept.
20. Authorizing funds for Resurfacing of Clarkstown Executive Park Roadway.
21. Authorizing the following Bid Award:
 - a) Bid #22-2015: Clarkstown Executive Park Roadway Resurfacing.
22. Authorizing the Supervisor to Enter into an Agreement with the Town of Haverstraw to Participate in a Joint Traffic Study concerning the Proposed "New Planet Waste to Fuel Facility".
23. Accepting Quote and Authorizing Stump Removal Work (Grinding and Restoration) at Various Town Locations.

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

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

Additional items may be added to this agenda

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

PH-1

RESOLUTION OF THE TOWN BOARD
ADOPTING LOCAL LAW NO. - 2015

WHEREAS, a proposed local law entitled,

"TEXT AMENDMENT TO CHAPTER 290 (ZONING) OF THE CODE OF THE TOWN OF CLARKSTOWN AND THE TOWN ZONING MAP WITH RESPECT TO THE WEST NYACK COMMERCIAL OFFICE (CO) ZONE CHANGE AND COMMERCIAL OFFICE (CO) AND COMMERCIAL OFFICE SUPPORT (COS)"

was introduced by Councilperson Hausner at a Town Board meeting held on August 11, 2015, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on August 11, 2015, directed that a public hearing be held on September 29, 2015, at 8:00 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 September 23, 2015, and

WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on September 29, 2015, and

WHEREAS, the Town Board referred the proposed local law to the Town of Clarkstown Planning Board pursuant to Chapter 290-33 and to the Rockland County Planning Department pursuant to GML Sections 239 l and m, and

WHEREAS, the Rockland County Planning Department provided their written report dated September 17, 2015, recommending approval and remanding the matter for local determination since the proposed local law will have no adverse impacts on any County-wide interests, and

WHEREAS, the Town of Clarkstown Planning Board, by resolution dated September 16, 2015, recommended in favor of amending the zoning

map and the proposed text amendment to Chapter 290 contained in the proposed local law, and

WHEREAS, a copy of the proposed local law in final form 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 September 17, 2015, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the Short Environmental Assessment Form and the September 21, 2015 report prepared pursuant to SEQRA by its agent Jose Simoes, Principal Planner for the Town of Clarkstown, and which the Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Jose Simoes, acting as staff to the Town Board as lead agency, it is hereby determined that the proposed action is a Type I action and shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required at this time, and be it

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

FURTHER RESOLVED, that Local Law No. - 2015 entitled:

"TEXT AMENDMENT TO CHAPTER 290 (ZONING) OF THE CODE OF THE TOWN OF CLARKSTOWN AND THE TOWN ZONING MAP WITH RESPECT TO THE WEST NYACK COMMERCIAL OFFICE (CO) ZONE CHANGE AND COMMERCIAL OFFICE (CO) AND COMMERCIAL OFFICE SUPPORT (COS)"

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

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

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

Dated: September 29, 2015

TB 09-29 TA RES Adopting LL-Amend Chap 290-Text Amendment-CO & COS Zones-pm

awm

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

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

Date: September 21, 2015

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

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

Name of Action: West Nyack Commercial Office (CO) Zone Change and Commercial Office (CO) and Commercial Office Support (COS) Truck Traffic, Shipping and Receiving Hours Restrictions

Location: Congers, Valley Cottage & West Nyack, NY

SEQRA Status: Type I

Description of Proposed Action: The proposed zoning map amendment will rezone an area of West Nyack to the north and south of West Nyack Road and to the east of the Palisades Interstate Parkway. Generally, areas currently zoned LIO and LO will be rezoned to CO. A minimal amount of land is proposed to be rezoned R-15 to better reflect its current use. In addition, a small portion of R-15 zoned land currently bisected by a zoning line is proposed to be changed to CO to better reflect its current commercial use. The CO zone will permit mixed-use commercial/industrial/office uses within these areas, and allow for limited retail uses which complement the character of these areas. Provisions for alternative fuel vehicle infrastructure are also included under this zoning.

The proposed zoning text amendment will prohibit truck traffic and shipping and receiving of supplies, materials and goods between the hours of 7:00 PM and 7:00 AM on properties in the CO and COS Zoning Districts with connections to Local Residential Town streets. These zones are currently located in and around the Town's industrial/office parks in Valley Cottage and Congers, and are proposed for an area of West Nyack.

Intent of Proposed Action: The CO zone change will allow for increased development flexibility within and around the Town's largest office/industrial parks. Additionally, changes

introduced under the CO will promote pedestrian connectivity and walkability in these areas by incorporating a mix of commercial uses proximate to one another and by introducing new design requirements improving pedestrian infrastructure.

The CO/COS truck traffic, shipping and receiving hours restriction is intended to reduce disruptive commercial traffic on residential streets. As described above, the proposed text amendment will reduce noise generated from truck traffic along residential streets to access industrial and office parks.

Potential Impacts and Support of Determination: Approximately 200 acres of land will be rezoned to the CO zoning district under this amendment. Of this area, approximately 80 acres south of West Nyack Road was previously reviewed under the provisions of SEQRA in July, 2014 and a negative declaration made. Of the remaining 120 acres, 37 acres are under the ownership of the Palisades Interstate Parkway Commission (PIPC) and New York State as parts of the right-of-ways of both the Palisades Interstate Parkway and the New York State Thruway. No development on this land is anticipated. Additionally, 23.27 acres are owned by the Clarkstown School District, and also not anticipated to be developed. The remaining 60 acres are all currently developed and house such major institutions as the JCCY and Salvation Army Headquarters, as well as several smaller commercial enterprises and three residential lots comprising 1.68 acres. The properties upon these lands are currently zones LIO and LO, which carry a maximum floor area ratio (FAR) of 0.4; the CO zone to which they are proposed to be rezoned also carries a maximum FAR of 0.4. Thus, the maximum development intensity of these properties remains unchanged.

Significant changes to demand for public services, public transportation, traffic, air quality, energy use and demand, stormwater runoff and the community character of the area proposed for rezoning or affected by the proposed text amendment are not anticipated. All development within these areas will be analyzed on a per site basis and additional studies will be mandated by the Planning Board as required under the provisions of SEQRA.

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

PH-3

RESOLUTION OF THE TOWN BOARD
ADOPTING LOCAL LAW NO. - 2015

WHEREAS, a proposed local law entitled,

"MORATORIUM ON DEVELOPMENT APPROVALS IN RESIDENTIAL ZONES
IN THE TOWN OF CLARKSTOWN"

was introduced by Supervisor Gromack and Councilpersons Lasker
and Hausner at a Town Board meeting held on August 11, 2015, and

WHEREAS, the Town Board of the Town of Clarkstown, by
resolution adopted on August 11, 2015, directed that a public
hearing be held on September 29, 2015 at 8:00 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 September 23, 2015, 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 September 21, 2015, and

WHEREAS, a public hearing was held by the Town Board of the
Town of Clarkstown on September 29, 2015;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. - 2015 entitled:

"MORATORIUM ON DEVELOPMENT APPROVALS IN RESIDENTIAL ZONES
IN 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: September 29, 2015

TB 09-29 TA RES Adopt LL-Moratorium on Dev-pm

awm

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RESOLVED, that the Town Board Minutes of August 11, 2015 are hereby
accepted, as submitted by the Town Clerk.

DATED: September 29, 2015

RESOLUTION CONCERNING PRELIMINARY BUDGET FOR 2016
AND SCHEDULING A PUBLIC HEARING

WHEREAS, the Town Clerk has received the Tentative Budget from the Town Comptroller and presented same to the Town Board in accordance with the provisions of Town Law §106, and

WHEREAS, pursuant to Resolution No. 509-2014, adopted by the Town Board on December 18, 2014, the Town Board scheduled a Town Board meeting for November 4, 2015, at 7:00 p.m., in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that the Tentative Budget, as received by the Town Clerk, is hereby designated the Preliminary Budget and the Town Clerk is directed to prepare 25 copies of the Budget for public distribution pursuant to Town Law §106, and be it

FURTHER RESOLVED, that the Town Board hereby schedules a public hearing for November 4, 2015, at 7:00 p.m., at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, pursuant to Town Law §108 concerning the Clarkstown Preliminary Budget for 2015, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law.

Dated: September 29, 2015

TB 09-29 TA RES Town Budget 2016-pm



RESOLUTION GRANTING PERMISSION TO THE ANDEAN BREWING COMPANY (KUKA) TO DISPENSE ALCOHOLIC BEVERAGES AT THE ANNUAL ITALIAN FESTIVAL IN CONGERS

WHEREAS, Section 93-3 of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to any person, company or organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown, and

WHEREAS, the Andean Brewing Company (KUKA) wishes to obtain a permit from the Town Board to dispense alcohol at the Italian Festival sponsored by the Congers-Valley Cottage Rotary Club to be held on Town property, the Congers Train Station Square Park, 20 Burnside Avenue, Congers, New York, on September 27, 2015 with a rain date of October 4, 2015;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission for the Andean Brewing Company to dispense alcoholic beverages at 20 Burnside Avenue, Congers, New York, in accordance with and subject to Section 93-3 of the Town Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to September 27, 2015, and be it

FURTHER RESOLVED, that this Resolution shall constitute the permit.

Dated: September 29, 2015

Amy Mel...

RESOLUTION AUTHORIZING ADDITIONAL SIGNS AT VARIOUS TOWN PARKS/BALLFIELDS

WHEREAS, by Resolution No. 484-2014, adopted on November 5, 2014, as amended by Resolution No. 566-2014, adopted on December 18, 2014, the Town Board authorized work to be performed at various Town parks/ballfields in the Town of Clarkstown, and

WHEREAS, additional signage needed to be installed at the various Town parks/ballfields, and

WHEREAS, upon the recommendation of the Superintendent of Recreation and Parks, American Woodcarving was hired to install the additional signs, and

WHEREAS, American Woodcarving submitted an invoice in the amount of \$1,450.00 to install said signs, and

WHEREAS, this invoice has been reviewed by the Superintendent of Recreation and Parks and found to be acceptable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that, based upon the recommendation of the Superintendent of Recreation and Parks, the Town Board hereby authorizes payment to American Woodcarving in the amount of \$1,450.00 for the installation of the additional signs at the various Town parks/ballfields, and be it

FURTHER RESOLVED, that said amount shall be a proper charge to Account No. H-8767-409-0-90-19.

Dated: September 29, 2015

TB 09-29 TA RES Addtl Signs Invoice-Amer Wood-pm

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RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND TO REIMBURSE THE CLARKSTOWN POLICE DEPARTMENT FOR PACKEYE AND PRD TRAINING AS OUTLINED IN THE SECURE THE CITIES AGREEMENT

WHEREAS, the County of Rockland wishes to reimburse the Town of Clarkstown Police Department for Packeye and Portable Radiological Device (PRD) training as outlined in the Secure the Cities Agreement in an amount not to exceed SIX THOUSAND NINE HUNDRED FIFTY-FIVE DOLLARS and FIFTY-ONE CENTS (\$6, 955.51),

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 Packeye and PRD training for the Town of Clarkstown Police Department in the amount not to exceed SIX THOUSAND NINE HUNDRED FIFTY-FIVE DOLLARS and FIFTY-ONE CENTS (\$6,955.51) for the period May 13, 2014 through May 15, 2014.

DATED: September 29, 2015

TB 09-29-15 TA RES County Agree-Reimbursement-Packeye and PRD Training-kh

awm

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AGREEMENTS WITH NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA), BEHAN PLANNING AND DESIGN AND CAMBRIDGE SYSTEMATICS WITH REGARD TO DEVELOPING INITIATIVES FOR A TRANSIT ORIENTED DEVELOPMENT (TOD) PLAN FOR THE HAMLET OF NANUET

WHEREAS, by Resolution No. 276-2014, adopted June 10, 2014, the Town Board authorized the Supervisor to file an application for funding through the Consolidated Funding Application process to the New York State Energy Research and Development Authority (NYSERDA) Cleaner Greener Communities Program, Phase II, Category 2 Planning Initiatives (Project #CGC41249), and

WHEREAS, the Town wishes to accept the \$150,000 grant from NYSEDA for transit oriented development (TOD) planning initiatives for the Hamlet of Nanuet and to enter into agreements with NYSEDA and Behan Planning and Design and Cambridge Systematics, who were included in the grant application, to effectuate said TOD Plan, and

WHEREAS, Behan Planning and Design and Cambridge Systematics have submitted proposals to provide services to carry out the TOD Plan for the Hamlet of Nanuet and for grant program delivery to obtain reimbursement of a portion of the cost, and

WHEREAS, the Town Planner has reviewed the proposals submitted by Behan Planning and Design and Cambridge Systematics and finds them acceptable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into agreements with the New York State Energy Research and Development Authority (NYSERDA) Cleaner Greener Communities Program, Phase II, Category 2, Behan

Planning and Design and Cambridge Systematics, in a form approved by the Town Attorney, to provide professional planning and design and engineering services, and grant program delivery, in connection with the transit oriented development (TOD) Plan for the Hamlet of Nanuet, and be it

FURTHER RESOLVED, that the fees for these services shall not exceed \$200,000.00 (consisting of \$104,000.00 for Behan Planning and Design and \$96,000.00 for Cambridge Systematics), and be it

FURTHER RESOLVED, that the cost of the TOD Plan shall be reimbursed in part up to \$150,000 from the proceeds of the NYSERDA Cleaner Greener Communities Program, Phase II, Category 2 Planning Initiatives (Project #CGC41249) funds with the balance being funded by the Town, and be it

FURTHER RESOLVED, that said fees shall be a proper charge to Account No. A-8021-409.0.

Dated: September 29, 2015

TB 09-29 TA RES NYSERDA-Behan-Cambridge-TOD Plan-Nanuet-pm

awm

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH SBA COMMUNICATIONS, INC. AND AMENDING THE AGREEMENT WITH VARNUM, LLP FOR LEGAL ASSISTANCE AND CONSULTING SERVICES FOR THE SALE OF GERMONDS PARK CELL TOWER LEASE AND EASEMENT

WHEREAS, by Resolution No. 557-2014, adopted on December 18, 2014, the Town Board authorized the Supervisor to enter into an agreement with John W. Pestle, Esq. of Varnum, LLP to provide legal assistance to the Town of Clarkstown with respect to the potential sale of the Germonds Park Cell Tower Lease and Easement, and

WHEREAS, Varnum, LLP has been paid \$15,656.19 thus far for said legal assistance, and

WHEREAS, the Town of Clarkstown is continuing to finalize discussions and negotiations toward the consummation of the sale of the Germonds Park Cell Tower Lease and Easement to SBA Communications, Inc. for 1.75 million dollars, and

WHEREAS, the proposed sales price for the sale of the cell tower lease contains an additional percentage of certain revenues and reimbursement to the Town of \$15,000 for legal fees, and

WHEREAS, John W. Pestle, Esq. has been performing additional services in order to attempt to close the transaction and the Town Attorney recommends extending the agreement with John W. Pestle, Esq. of Varnum, LLP to allow him to continue to do so;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with SBA Communications, Inc. for the sale of the Germonds Park Cell Tower Lease and

Easement for 1.75 million dollars, in a form approved by the Town Attorney, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes an amendment to the agreement with John W. Pestle, Esq. of Varnum, LLP in a form approved by the Town Attorney, to provide additional legal assistance and consulting services with respect to consummating the sale of the Germonds Park Cell Tower Lease and Easement, and be it

FURTHER RESOLVED, that the fee for said additional work shall not exceed \$10,000, and said fee will be charged to Account No. A-1420-409.

Dated: September 29, 2015

TB 09-29 TA RES Amend Varnum (Pestle) Agree-Sale of Cell Tower Lease-pm

awm

RESOLUTION AUTHORIZING ACCEPTANCE OF DEED AND EXECUTION AND ACCEPTANCE OF STORMWATER MAINTENANCE AGREEMENT REGARDING SNAKE HILL HOMES, INC. SUBDIVISION (TAX MAP 44.07-1-5)

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 Snake Hill Homes, Inc. subdivision (44.07-1-5), Snake Hill Homes, Inc. provided a deed for road widening and 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 the conveyances; and the Town Attorney has advised that all documents are in proper legal form;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the deed and stormwater control facility maintenance agreement from Snake Hill Homes, Inc. in connection with the Snake Hill Homes, Inc. subdivision and orders them recorded in the Rockland County Clerk's Office, at the expense of the grantor.

Dated: September 29, 2015

awm

**RESOLUTION AUTHORIZING PREPARATION OF A
PRELIMINARY APPRAISAL FOR A TAX CERTIORARI MATTER
REGARDING ECKERSON PARTNERS LLC
TAX MAP NO.: 57.19-1-16**

WHEREAS, Eckerson Partners LLC has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Tax Map No.(s) 57.19-1-16, and more commonly known as 200 E. Eckerson Road, New City, New York, for the year(s) 2013/14, 2014/15 and 2015/16;

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 an appraiser be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$6,000; and such fee shall be charged to Account No. A 1420-439-1.

Dated: September 29, 2015

TB 09-29-15 TA RES Eckerson Partners LLC-Prelim. Appraisal-dt



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RESOLUTION AMENDING RESOLUTION NO. 156-2015 CONCERNING AN AGREEMENT WITH THE COUNTY OF ROCKLAND, ACTING ON BEHALF OF THE YOUTH BUREAU/ROCKLAND COUNTY AMERICORPS, FOR SUMMER MEMBER PROGRAM (PLANNING DEPARTMENT)

WHEREAS, by Resolution No. 156-2015, adopted on May 3, 2015, the Town Board authorized the Supervisor to enter into an agreement with the County of Rockland, acting on behalf of the Youth Bureau/Rockland County Americorps, for the calendar year ending August 31, 2015, to utilize the services of not more than two (2) Americorps members to participate in the collection of data for application within the Town of Clarkstown Geographic Information System (GIS) and work related to the implementation Town of Clarkstown Comprehensive Plan, for a program total not to exceed 250 service hours for each member, and

WHEREAS, said resolution authorized a cost not to exceed \$3,000.00, and

WHEREAS, said cost inadvertently did not reflect the increase of \$100.00 per member (\$200.00 in total) for the 2015 program,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby amends Resolution 156-2015 to read "at a cost not to exceed \$3,200.00."

DATED: September 29, 2015

TB 09-29-2015 TA RES Amend Res. No. 156-2015 - Americorps--kh



**RESOLUTION AUTHORIZING EXECUTION AND ACCEPTANCE OF
STORMWATER MAINTENANCE AGREEMENT REGARDING
DPM NANUET SELF STORAGE, LLC SITE PLAN (TAX MAP 58.17-1-41 & 42)**

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 DPM Nanuet Self Storage, LLC site plan (tax map 58.17-1-41 & 42), DPM Nanuet Self Storage, LLC has provided a stormwater control facility maintenance agreement to the Town, and

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

NOW, THEREFORE, be it

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

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

Dated: September 29, 2015

TB 09-29 TA RES DPM Nanuet Stormwater Agree-pm

awm

RESOLUTION AMENDING RESOLUTION NO. 36-2015
(PRIDE OF CLARKSTOWN)

WHEREAS, by Resolution No. 36-2015, adopted January 6, 2015, the Town Board of the Town of Clarkstown reappointed members of the Pride of Clarkstown Committee and inadvertently omitted appropriating funds for conducting the contest;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 36-2015 is hereby amended to add a Further Resolved clause to read as follows:

“and be it

FURTHER RESOLVED, that the Town Board hereby endorses the contest for the best maintained commercial property, and shall appropriate \$2,000.00 to the committee to conduct the contest, prepare award certificates and for incidental expenses, which shall be a proper charge to Account No. A-1010-409.”

DATED: September 29, 2015

A handwritten signature in black ink, appearing to be 'AW' followed by a flourish.

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RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE COUNTY OF ROCKLAND OFFICE OF COMMUNITY DEVELOPMENT WITH RESPECT TO COMMUNITY DEVELOPMENT FUNDS FOR 2015

WHEREAS, the County of Rockland has, in cooperation and agreement with the Town of Clarkstown, applied for and received funds from the United States Government under Title 1 of the Housing and Community Development Act of 1974, as amended, Public Law 93-383; and for Program Year 2015,

NOW THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes and directs the Supervisor to execute an agreement with the County of Rockland, in a form satisfactory to the Town Attorney, for the allocation of the 2015 Community Development Block Grant Program funds to the Town of Clarkstown with regard to a bus dedicated to senior citizen services in an amount not to exceed \$60,000.00.

DATED: September 29, 2015

TB 09-29-15 TA RES County Agree-Comm Dev Funds (2015)-kh



**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 July 1, 2015 to reflect a firm expiration date of October 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 October 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: September 29, 2015

TB 09-29-15 TA RES Davies Farm, Phase II Default-dt

Awm

RESOLUTION AUTHORIZING AMENDING BUDGET

WHEREAS, the Town has received \$118,451.13 from the Rockland County Sewer District #1 and \$44,960 from the County of Rockland,

NOW, THEREFORE BE IT,

RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Revenue) and Expense Account H-8760-409-0-84-9 (Capital-Sewer Pump Station & Collection System Upgrade) by \$118,451.13 and be it

FURTHER RESOLVED, to increase Revenue Account H-15-11-4995-0 (Capital-Community Development Funds) and Expense Account H-8767-409-0-90-14 (Capital-Audible Pedestrian Signal & Detectors) by \$44,960 and

WHEREAS, various accounts require additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease Account A-7180-114-0 (Swimming-Part-Time) and increase Account A-7180-323-0 (Swimming-Chemicals) by \$5,000 and be it

FURTHER RESOLVED, to decrease Account A-7180-412-0 (Swimming-Refuse Pickup/Windows) and increase A-7180-323-0 (Swimming-Chemicals) by \$5,000 and be it,

FURTHER RESOLVED, to decrease Account A-7310-114-0 (Youth Programs-Part-Time) and increase A-7310-409-0 (Youth Programs-Fees for Services) by \$20,000.

Dated September 29, 2015

L: TB 9-29 2015 COM RES Amending Budget

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., Robert Lobbe,
15 Verona Court, New City, New York - Custodian I - Parks and
Recreation Department is hereby granted a Sick Leave of
Absence at one-half pay effective and retroactive to
September 1, 2015 through November 20, 2015.

DATED: September 29, 2015
P

15B

RESOLVED, that Kathleen Vellardito, 128 North Middletown Rd, Nanuet, New York - is hereby reassigned from the Town Justice - to the Purchasing Department - as a Senior Clerk Typist - at the 2015 annual salary of \$62,059., - effective and retroactive to September 29, 2015.

DATED: September 29, 2015

P

150

WHEREAS, the Rockland County Personnel Office has certified on August 28, 2015 that the position of Clerk-Typist (PT) #500896 – Personnel Department can be reclassified to the position of Clerk-Typist (FT) #501196 ,

Now, therefore, be it

RESOLVED, that the position of Clerk-Typist (PT) – Personnel Department – is hereby abolished and reclassified to the position of Clerk-Typist (FT) – Personnel Department – effective August 30, 2015.

DATED: September 29, 2015

P

15D

RESOLVED, that Nicholas Camadeco, 16 Colonial Drive,
New City, New York - is hereby appointed (permanent) to
the position of Assistant Automotive Mechanic - Town Garage -
at the current 2015 annual salary of \$50,926 - effective and
retroactive to August 12, 2015.

DATED: September 29, 2015
P

15E

**RESOLVED, that the resignation of Lorraine Gelormino, 25 Beech Street,
Nanuet, New York- Crossing Guard (FT) – Police Department - is hereby accepted
effective and retroactive to August 30, 2015.**

DATED: September 29, 2015

P

154

RESOLVED, that the resignation of Florence B. Gorsky,
14 Arbor Lane, Bardonia, New York – Crossing Guard (substitute) –
Police Department – is hereby accepted effective and retroactive
to August 31, 2015.

DATED: September 29, 2015

P

15G

**Resolved, that the resignation (by retirement) of Donna Curry,
P.O. Box 9304 Bardonia, New York – Crossing Guard (FT) –
Police Department – is hereby accepted effective and retroactive to
August 30, 2015.**

DATED: September 29, 2015

P

15H

RESOLVED, that Lawrence Brogna, 151 Third Street, New City,
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 September 1, 2015.

DATED: September 29, 2015

P

151

RESOLVED, that Pieranna D'Ambrosio, 16 S. Grant Avenue,
Congers, 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 September 8, 2015.

DATED: September 29, 2015

P

155

RESOLVED, that Carmela Smith, 84 N. Rte. 303, Congers, New York –
Crossing Guard (full-time) – 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 September 18, 2015.

September 29, 2015

P

15k

RESOLVED, that Rosa H. Plata, 8 Cooper Drive, Nanuet,
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 September 21, 2015.

DATED: September 29, 2015

P

152

RESOLVED, that Francesco Dattilo, 349 W. Clarkstown Road,
New City, 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
September 21, 2015.

DATED: September 29, 2015

P

15M

RESOLVED, that Kylie G. Armstrong, 21 West Street,
West Nyack, 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
September 21, 2015.

DATED: September 29, 2015

P

RESOLUTION AUTHORIZING THE INSTALLATION OF "NO COMMERCIAL TRAFFIC" SIGNS ON DOSCHER AVENUE, WEST NYACK

WHEREAS, a number of residents have been regularly complaining about the amount of truck traffic and the noise created by the trucks on Doscher Avenue, West Nyack and have requested that truck traffic be restricted, particularly during the overnight hours, and

WHEREAS, in an effort to help alleviate this situation, the Town Board is desirous of curtailing overnight truck traffic on Doscher Avenue by restricting the hours of use for commercial vehicles;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install "**NO COMMERCIAL TRAFFIC 7PM – 7AM DAILY**" signs on Doscher Avenue, West Nyack, and be it

FURTHER RESOLVED, that the Town Clerk shall forward copies of this resolution to the Chief of Police for enforcement and the Traffic & Traffic Fire Safety Advisory Board for information.

DATED: September 29, 2015

TB 09-29 TA RES Signs Doscher Ave-Trucks-pm

awm

RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER
THE DESIGNATION OF AN HISTORICAL SITE
TAX MAP 51.10-3-1

WHEREAS, the Historical Review Board of the Town of Clarkstown has proposed that the house and barn and the immediate property surrounding both known as the Cropsey House and Barn (as shown on the attached aerial map), located at 230 South Little Tor Road, New City, New York, which is designated on the Clarkstown Tax Map as Map 51.10-3-1, be designated as an historical site pursuant to Chapter 25-3(C) of the Town Code of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing will be held on October 20, 2015, at 8:00 P.M., or as soon thereafter as possible, at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, to consider the designation of the aforesaid house, barn and immediate surrounding property as an historical site, and be it

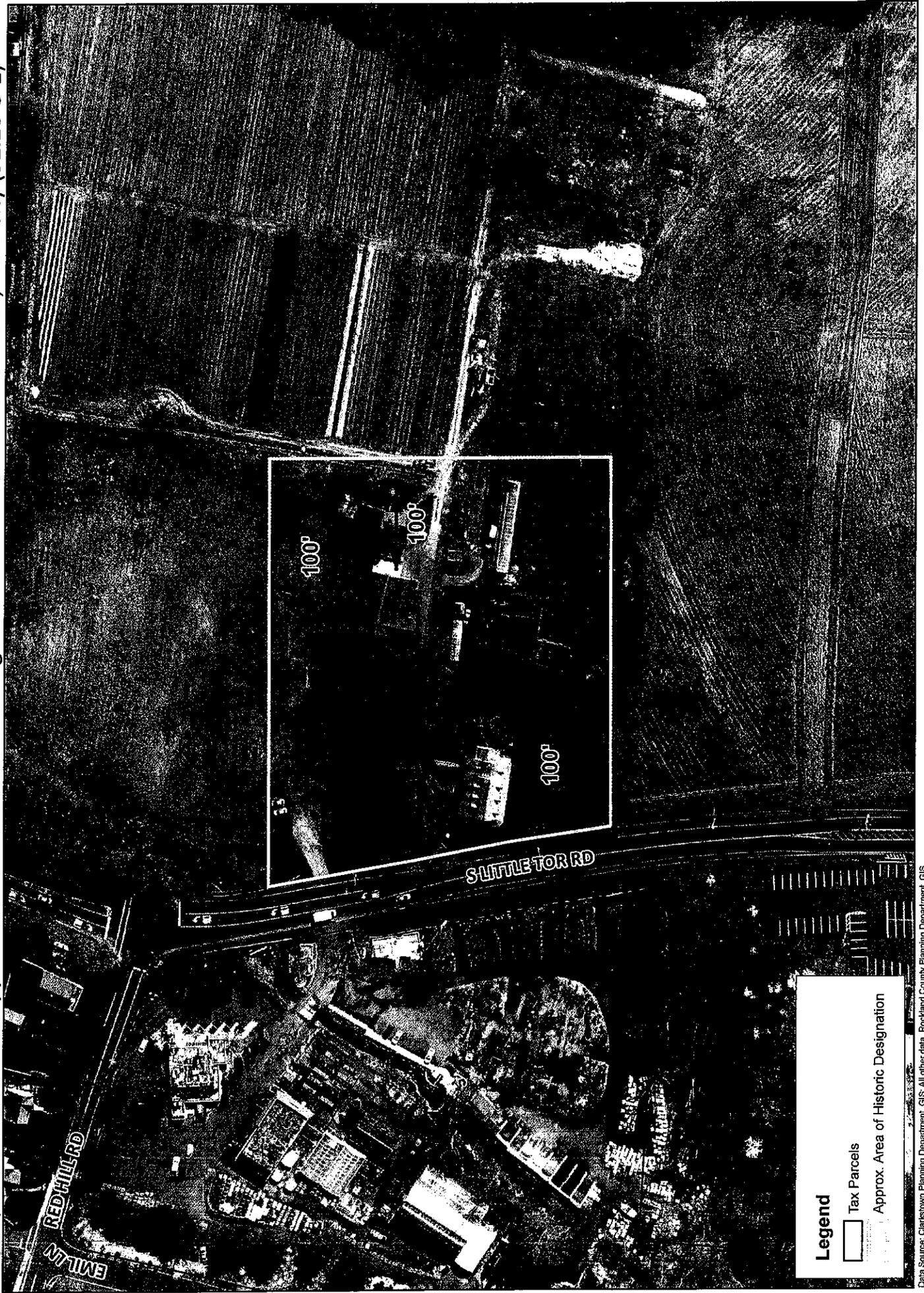
FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk.

Dated: September 29, 2015

TB 09-29 TA RES Historical Site-Cropsey-pm



Cropsey House and Barn - Approximate Area of Historic Designation - 230 South Little Tor Road, New City (51.10-3-1)



Legend

- Tax Parcels
- Approx. Area of Historic Designation

Data Sources: Clarkstown Planning Department, GIS; All other data, Rockland County Planning Department, GIS; Prepared by: Clarkstown Planning Department, GIS, March 16, 2015. ONLY FOR INTERVAL USE BY TOWN OF CLARKSTOWN PERSONNEL. Not for publication in the form of Clarkstown makes no warranties express or implied, as to the accuracy of the data on this map. This map is for general information purposes and must not be relied upon for engineering or site specific purposes.

0 50 100 200 300 400 Feet
1:1,600

RESOLUTION SCHEDULING A SPECIAL MEETING
OF THE TOWN BOARD

RESOLVED, that the Town Board hereby schedules a Special Town Board Meeting for November 17, 2015 at 7:00 p.m. on said day in the Auditorium of the Clarkstown Town Hall, at 10 Maple Avenue, New City, New York. The purpose of said meeting is for the adoption of the Annual Budget for 2016 for the Town of Clarkstown and any such other matter that the Town Board may wish to consider.

Dated: September 29, 2015

TB 09-29 TA RES Special TB Meeting-pm

awm

19A

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12100 Police Officer which contains the name of Thomas P. Rolston,

NOW, therefore, be it

RESOLVED, that Thomas P. Rolston, 19 S. Greenbush Road, West Nyack, New York, is hereby appointed to the position of (Permanent) Police Officer - Clarkstown Police Department effective September 17, 2015.

September 29, 2015

P

19B

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12100 Police Officer which contains the name of Ryan T. Fay,

NOW, therefore, be it

RESOLVED, that Ryan T. Fay, 317 Brewery Road, West Nyack, New York, is hereby appointed to the position of (Permanent) Police Officer - Clarkstown Police Department effective September 17, 2015.

September 29, 2015
P

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
 NEW YORK, ADOPTED SEPTEMBER 29, 2015,
 AUTHORIZING THE RESURFACING OF CLARKSTOWN
 EXECUTIVE PARK ROADWAY, STATING THE ESTIMATED
 MAXIMUM COST THEREOF IS \$1,600,000,
 APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
 AND AUTHORIZING THE ISSUANCE OF BONDS IN THE
 PRINCIPAL AMOUNT OF \$1,600,000 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 resurface Clarkstown Executive Park
 roadway. The estimated maximum cost thereof, including preliminary costs and costs incidental
 thereto and the financing thereof, is \$1,600,000 and said amount is hereby appropriated for such
 purpose. The plan of financing includes the issuance of bonds in the principal amount of
 \$1,600,000 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 \$1,600,000 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. 20 (c) 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 September 29, 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 September 29, 2015, authorizing the resurfacing of Clarkstown Executive Park roadway, stating the estimated maximum cost thereof is \$1,600,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$1,600,000 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 resurface Clarkstown Executive Park roadway; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$1,600,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$1,600,000 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 \$1,600,000 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

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

* * *

awm

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

BID # 22-2015 – CLARKSTOWN EXECUTIVE PARK ROADWAY RESURFACING

is hereby awarded as follows:

PRINCIPAL:

CAL MART ENTERPRISES, INC.
 4 BURTS ROAD
 CONGERS, NY 10920
 MARTIN C. WORTENDYKE
 CARL V. WORTENDYKE
 PETER T. WORTENDYKE

as per their proposed Base Bid price of \$1,535,131.00 plus Add Alternate of \$64,820.00 for a sum total of \$1,599,951.00, 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

FURTHUR RESOLVED, that this project shall be under the supervision of the Highway Superintendent and the Project Engineer, and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8768-400-409-0-91-5, 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: September 29, 2015

awm

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE TOWN OF HAVERSTRAW TO PARTICIPATE IN A JOINT TRAFFIC STUDY CONCERNING THE PROPOSED "NEW PLANET WASTE TO FUEL FACILITY"

WHEREAS, the Supervisors of the Town of Clarkstown and Town of Haverstraw have expressed opposition to a proposed "New Planet Waste to Fuel Facility" which will be located on Holt Drive in Stony Point, and

WHEREAS, the proposed new facility will generate truck traffic containing hazardous materials through the Town of Clarkstown, and

WHEREAS, the Town Board of the Town of Clarkstown deems it to be in the best interest of the citizens of the Town to participate in a joint study with the Town of Haverstraw to research the environmental and traffic impacts from said proposed facility;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Town of Haverstraw to participate in a joint traffic study regarding the "New Planet Waste to Fuel Facility" located in Stony Point, and be it

FURTHER RESOLVED, that the fee for said study shall not exceed \$10,000 and shall be a proper charge to Account # A-1420-409.

Dated: September 29, 2015

TB 09-29 TA RES Town Haverstraw Agree-Joint Study-pm

awm

RESOLUTION ACCEPTING QUOTE AND AUTHORIZING STUMP REMOVAL
WORK (GRINDING & RESTORATION) AT VARIOUS TOWN LOCATIONS

WHEREAS, Stump Removal (Grinding & Restoration) work needs to be done at various locations within the Town of Clarkstown, and

WHEREAS, the Superintendent of Highways solicited proposals from five (5) vendors to perform said work, and

WHEREAS, Bob Wilson Tree & Lawn Experts was the only contractor to submit a proposal in the amount of \$14,255.00 to complete said work, and

WHEREAS, the estimate provided by Bob Wilson Tree & Lawn Experts has been reviewed by the Superintendent of Highways, who has deemed it acceptable in terms of scope and price and recommends hiring said company;

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Superintendent of Highways, the Town Board hereby authorizes that the Stump & Removal work be performed by Bob Wilson Tree & Lawn Experts at various locations in the Town of Clarkstown in a total amount not to exceed \$14,225.00, as outlined in its estimate, and be it

FURTHER RESOLVED, that said amount shall be a proper charge to Account No. DB 5110-409.

Dated: September 29, 2015

TB 09-29 HIGHWAY RES Stump Removal-pm

