

**TOWN OF CLARKSTOWN**  
**TOWN BOARD MEETING**  
**December 17, 2015 – 12:00 Noon**  
Town Hall Auditorium  
AGENDA

**SALUTE TO THE FLAG**

**CLERK CALLS THE ROLL**

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

**RESOLUTIONS:**

1. Accepting Minutes of Town Board Meeting of November 4, 2015, as submitted by Town Clerk.
2. Approving 2016 Schedule for Town Workshops and Town Board Meetings.
3. Authorizing Removal of Snow on Undedicated Streets in Clarkstown.
4. Adopting Fee Schedules for 2016 as Recommended by Various Departments and Boards within Town of Clarkstown.
5. Establishing Mileage for Use of Personal Vehicles on Town Business.
6. Confirming and Readopting the Town of Clarkstown Police Department Rules & Regulations.
7. Setting Hourly Rates for Student Office Workers and Summer Recreation Positions.
8. Authorizing the Town Comptroller to Credit, as Additional Income, the Appropriate Taxable Fringe Benefit to Employees who Use Town Owned Vehicles Commuting To and From Work.
9. Authorizing the Supervisor to Enter into the following Agreements:
  - a) County of Rockland to Provide Maintenance and Upkeep for Certain Park & Ride Lots
  - b) Partners in Safety, Inc. concerning Drug & Alcohol Testing Program.
  - c) Town of Ramapo – Town of Ramapo for Use of Police Firing Range.
  - d) Hudson Archival for a Records Digitization Project of Payroll Records for Town of Clarkstown
  - e) Tilcon New York for the Police Department to use Tilcon property for Blasting Training
10. Authorizing the following Bid Award:  
Bid #1-2016 – Athletic and Recreation Supplies
11. Authorizing Obtaining Insurance Coverage from CLG Insurance.
12. Granting Certificates of Registration:
  - 16-1 Pearl River Plumbing, Heating & Electric, Inc. d/b/a Bertussi's
  - 16-2 Paul Bitts Co.
  - 16.3 RR Plumbing Services Co. d/b/a Roto-Rooter
  - 16-4 Turco Golf, Inc.
  - 16-5 JGC Heating Inc.
  - 16-6 Sasso Plumbing
  - 16-7 Richard Orsini Inc. d/b/a Green Horizons Construction
  - 16-8 Suffern Excavating Inc.
  - 16-9 Rino Paving & Construction

25. Authorizing the Purchasing Agent to Advertise for:  
Bid No. 23-2015 – Refuse Pick-Up Service from Town Facilities
26. Authorizing the Purchase of Police Equipment
27. Authorizing the Town to Retain the Law Firm of Wilson, Elser, Moskowitz, Edelman and Dicker, LLP to Provide Legal and Legislative Representation for the Town of Clarkstown.
28. Referring & Setting a Public Hearing on a Proposed Local Law entitled: “A Local Law Regulating Non-Residential Uses in Residential Zoning Districts” (March 8, 2016)
29. Authorizing Installation of following Signs, per Traffic & Traffic Fire Safety Advisory Board:
  - a) One “Turn Left” w/15 MPH on Deerfield Drive & Tucker Avenue and One “Turn Right” with 15 MPH on Tucker Avenue, New City.
  - b) “STOP” Sign on Greensward Drive & Forest View Court, Valley Cottage.
  - c) Three signs at Intersection of Lake Road & Sherman Avenue, Congers: Two Pedestrian Symbol Signs and One Pedestrian Crossing Sign.
  - d) 4-Ton Weight Limit Sign on Prospect St, w/b, between Lenox & Grandview Avenue, Nanuet.
  - e) “Trucks Use Snake Hill Road to Route 303” Sign on Crusher Hill Road and W1-15 Sign above the “No Trucks” Sign on Crusher Hill Road.
  - f) “No Turn on Red” Sign at Intersection of W. Clarkston Rd & N. Middletown Rd., Nanuet
  - g) “No Parking Here to Corner” and Removal of “No Parking Anytime” on Waldberg Avenue and Kings Highway, Congers.
  - h) Two 30mph Speed Signs on South Harrison Avenue, Congers.
  - i) Six “No Parking This Side of Street” Signs along the n/b Lane of Lenox Avenue, Congers.
30. Authorizing an Agreement with H2M Architects and Engineers to Provide Additional Professional Architectural and Engineering Services for the Emergency Equipment Storage Facility.

Additional Tentative:

31. Accepting Roads in the Town of Clarkstown (Davies Farm, Phase II Subdivision – 35.18-1-12+)
32. Authorizing Installation of Lighting Between #95 and #97 Robinhood Lane, New City.
33. Requesting the Rockland County Consortium to Consider Several Projects for Community Development Block Grant Funding.
34. CSEA Contract
35. Authorizing the Purchase of a Parcel of Property for the West Nyack Downtown Revitalization Project (Map No.64.08-3-30).

**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\*\*\***

1

**RESOLVED**, that the Town Board Minutes of November 4, 2015 are hereby  
accepted, as submitted by the Town Clerk.

**DATED: December 17, 2015**

RESOLUTION SCHEDULING TOWN BOARD WORKSHOPS  
AND TOWN BOARD MEETINGS FOR THE YEAR 2016

RESOLVED, that the Town Board meetings and the Town Board Workshop meetings, for the year 2016, shall be held at the Clarkstown Town Hall on Tuesday nights, except where noted, on the following days:

\*Workshop Meeting  
7:30 PM - Room 301

Town Board Meeting  
8:00 PM - Auditorium  
(except where noted)

January	19	January	4 (Monday - Reorganization)
February	23	February	9
March	22	March	8
April	19	April	5
May	17	May	3
June	21	June	7
July	26	July	19
August	<u>No Meeting</u>	August	9
September	20	September	6
October	18	October	25
November	9 (Wed at 7:30 pm)	November	9 (Wed at 7:00 pm)
December	6	December	15 (Thurs at Noon)

\*Police Department matters will be discussed at the Workshop Meetings.

PLEASE NOTE: The November 9, 2016 Meeting will be a combination of Town Board and Workshop.

Dated: December 17, 2015

*awm*

RESOLUTION FOR REMOVAL OF SNOW ON  
UNDEDICATED STREETS IN CLARKSTOWN

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

NOW, THEREFORE, be it

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

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

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

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

Dated: December 17, 2015

TB 12-17 TA RES Snow Removal-pm

*awm*

RESOLUTION ADOPTING FEE SCHEDULES FOR 2016  
RECOMMENDED BY VARIOUS DEPARTMENTS AND BOARDS  
WITHIN TOWN OF CLARKSTOWN

WHEREAS, the following departments and/or boards within the  
Town of Clarkstown charge fees for various permits, rentals  
and/or applications to cover the costs of processing and  
approving said permits, rentals and/or applications:

- Assessor
- Town Attorney
- Building Department
- Town Clerk
- Department of Environmental Control
- Highway Department
- Planning Department/Board
- Police Department
- Parks Board & Recreation Commission,

and

WHEREAS, the above referenced departments and/or boards  
recommend adopting the fees outlined in the attached Exhibit "A"  
for their respective departments and/or boards;

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby establishes and adopts the  
fee schedules for 2016 for the above referenced departments  
and/or boards, which are attached as Exhibit "A," and be it

FURTHER RESOSOLVED, that in the event of a conflict with  
the Clarkstown Town Code, this resolution shall prevail.

Dated: December 17, 2015

TB 12-17 TA RES Dept Fees 2016-pm

*awm*

5

RESOLUTION ESTABLISHING MILEAGE FOR  
USE OF VEHICLES ON TOWN BUSINESS

RESOLVED, that mileage at the current reimbursable rate as per the Internal Revenue Service, be paid to designated personnel for use of their personal automobiles in performance of their official duties:

- Members of the Town Board
- Deputy Supervisor
- Town Clerk and Deputies
- Superintendent of Highways
- Building Inspector and Assistants
- Assessor and Assistants
- Town Attorney and Deputy Town Attorneys
- Zoning Enforcement Officer/Community Liaison
- Paralegal Specialists
- Secretarial Assistant (Legal)
- Legal Stenographer
- Members of the Parks Board and Recreation Comm.
- Director of Environmental Control and Aides
- Town Comptroller
- Deputy Comptroller
- Building Maintenance Mechanic
- Members of the Planning Board
- Members of the Zoning Board of Appeals
- Confidential Assistant
- Safety Manager
- Mail Clerk
- Computer Network Specialist
- Insurance and Claims Manager

Dated: December 17, 2015  
TB 12-17 TA RES Vehicle rate for mileage-pm

*awm*

RESOLUTION CONFIRMING AND READOPTING THE TOWN OF CLARKSTOWN POLICE DEPARTMENT RULES AND REGULATIONS

WHEREAS, the Town Board of the Town of Clarkstown, pursuant to Town Law and the Rockland County Police Act has governance and control of the Clarkstown Police Department, and by this resolution intends to confirm and readopt the existing Town of Clarkstown Police Department Rules and Regulations;

NOW, THEREFORE, be it

RESOLVED, that such Rules and Regulations as may have been amended by administrative act of the Police Chief since December 18, 2014 are hereby ratified and re-adopted and such Rules and Regulations, as amended, shall remain in full force and effect until such time as the Town Board may modify or rescind same by further resolution.

Dated: December 17, 2015

*awm*

TB 12-17 TA RES PD Rules & Regs-pm

**RESOLUTION SETTING HOURLY RATES FOR STUDENT  
OFFICE WORKERS AND SUMMER RECREATION POSITIONS**

WHEREAS, the attached Exhibit A reflects the starting salaries for the part-time titles in the Town of Clarkstown;

NOW, therefore, be it

RESOLVED, that the Town Board adopts the attached Exhibit A starting salary schedule for the part-time titles for the fiscal year 2016.

DATED: December 17, 2015

TB 12-17 TA RES Part-time Salary Sched-pm

*awm*

EXHIBIT A

Part-Time Starting Salaries 2016

TITLES

Office Worker (Student)	\$9.00
Recreation Aide	\$9.00
Recreation Assistant	\$9.00
Recreation Activity Specialist (PT/Seasonal)	\$10.50
Recreation Leader (PT/Seasonal)	\$10.50
Laborer (Student) (min. age 18 years)	\$9.00
Laborer (Seasonal)	\$10.50
Groundswoker (Seasonal)	\$10.50
Lifeguard (Seasonal)	\$10.50
Head Lifeguard (Seasonal)	\$13.50
Water Safety Instructor	\$12.50

8

RESOLUTION AUTHORIZING THE TOWN COMPTROLLER TO CREDIT, AS  
ADDITIONAL INCOME, THE APPROPRIATE TAXABLE FRINGE BENEFIT TO  
EMPLOYEES WHO USE TOWN OWNED VEHICLES COMMUTING TO AND FROM WORK

WHEREAS, Regulations of the Internal Revenue Service have been promulgated which require employers, including municipal employers, to include for personal income tax purposes, the value of employer owned vehicles used for private purposes or for commuting to and from work;

NOW, THEREFORE, be it

RESOLVED, that the Town Comptroller is hereby authorized and directed for the period commencing January 1, 2016 and ending December 31, 2016 to credit as additional income the appropriate taxable fringe benefit, as per the Internal Revenue Service regulations, to those employees who have the use of Town owned vehicles for commuting to and from work, and be it

FURTHER RESOLVED, that the employer provided vehicles as set forth below shall be excluded from the taxable fringe benefit calculation:

- (a) Clearly marked police and fire vehicles;
- (b) Delivery trucks with seating only for the driver, or only for the driver plus a folding jump seat;
- (c) Flatbed trucks;
- (d) Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds;

- (e) Passenger buses used as such with a capacity of at least twenty (20) passengers;
- (f) Ambulances used as such or hearses used as such;
- (g) Bucket trucks (cherry pickers);
- (h) Cranes and derricks;
- (i) Forklifts;
- (j) Cement Mixers;
- (k) Dump trucks (including garbage trucks);
- (l) Refrigerated trucks;
- (m) Tractors;
- (n) Combines;
- (o) School buses used as such;
- (p) Qualified moving vans;
- (q) Qualified specialized utility repair trucks;
- (r) Officially authorized use of unmarked vehicles by law enforcement officers.

Dated: December 17, 2015

TB 12-17 TA RES Vehicles-Comptroller to Credit Additional Income-pm

*awm*

9A

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND TO PROVIDE MAINTENANCE AND UPKEEP FOR CERTAIN PARK AND RIDE LOTS

WHEREAS, the County of Rockland, through its Department of Public Transportation, is desirous of entering into an agreement with the Town of Clarkstown for maintenance and upkeep of park and ride lots located at:

1. Exit 12 – Route 303 P&R Lot 1
2. Exit 12 – Route 303 P&R Lot 2
3. Exit 14 – East P&R Lot
4. Exit 14 – West P&R Lot
5. Exit 14 – North P&R Lot
6. Nanuet RR @ Fisher Ave. P&R Lot
7. Middletown Rd. @ Exxon P&R Lot
8. Valley Cottage P&R Lot
9. Smith Street P&R Lot
10. Middletown Rd./PIP Exit 10 P&R Lot
11. Route 304/Cavalry Dr. P&R Lot

and

WHEREAS, the County of Rockland agrees to pay the Town the sum of \$355,000.00 in connection with the maintenance of the designated park and ride lots;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into such agreement with the County of Rockland, in a form approved by the Town Attorney, for the period January 1, 2016 and terminating December 31, 2016, to provide maintenance and upkeep of park and ride lots located at sites referred to herein, and be it

FURTHER RESOLVED, that the County of Rockland agrees to reimburse the Town of Clarkstown for said work in a sum not to exceed \$355,000.00.

Dated: December 17, 2015

*awm*

9B

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN  
AGREEMENT WITH PARTNERS IN SAFETY, INC.  
CONCERNING THE DRUG AND ALCOHOL TESTING PROGRAM

WHEREAS, PARTNERS IN SAFETY, INC. has submitted a proposal for the renewal of an agreement with the Town of Clarkstown, to provide alcohol and drug testing of safety-sensitive employees, including transportation employees and those holding commercial driver's licenses, and

WHEREAS, John W. Coyle, Safety Manager, has recommended acceptance of said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a renewal agreement, in a form satisfactory to the Town Attorney, with Partners in Safety, Inc., 800 Route 17M, Middletown, New York, for the period commencing January 1, 2016 and terminating on December 31, 2016, to provide alcohol and drug testing of safety-sensitive employees, including transportation employees and those holding commercial driver's licenses, and be it

FURTHER RESOLVED, that the agreement shall provide for contract indemnification and professional and other liability insurance coverage, as required by the Town Attorney, and be it

FURTHER RESOLVED, that the fee for the year 2016 for such services shall be \$3,798.50, with additional hourly fees in accordance with said proposal dated November 10, 2015, which fees shall be charged to Account No. A 9000-409.

Dated: December 17, 2015

TB 12-17-15 TA RES-Partners in Safety-Drug & Alcohol Testing-kh

*AKC*

9c

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE TOWN OF RAMAPO FOR USE OF POLICE RANGE

WHEREAS, the Town of Clarkstown annually enters into an extension of a license agreement with the Town of Ramapo for use of the Town of Ramapo Firing Range Facility by the Clarkstown Police Department, and

WHEREAS, the Clarkstown Police Department wishes to extend the license agreement for the calendar year 2016, and

WHEREAS, Clarkstown Chief of Police Michael Sullivan recommends extending said license agreement pursuant to the same terms and conditions for another year, subject to adoption of a resolution by the Town Board of the Town of Ramapo authorizing the extension of the license agreement with the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an extension of a license agreement with the Town of Ramapo, subject to receipt of an agreement in a form approved by the Town Attorney, for use of the Town of Ramapo's Police Range Facility by the Clarkstown Police Department for the calendar year 2016.

Dated: December 17, 2015

TB 12-17-15 TA RES Police-Town of Ramapo Firing Range-kh

*awm*

9D

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

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

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

WHEREAS, Hudson Archival has made a proposal dated April 14, 2015 for the digitization of payroll records of the Town of Clarkstown,

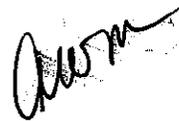
NOW, THEREFORE, be it

RESOLVED, that, based on the recommendation of the Clarkstown Town Clerk, the Supervisor is hereby authorized to enter into an agreement with Hudson Archival, as per their total project cost not to exceed the amount of \$10,103.00, the amount of the Local Government Records Management Grant, and be it

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

DATED: December 17, 2015

TB 12-17-15 TA RES Hudson Archival Payroll Records-kh



9E

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH TILCON NEW YORK FOR THE POLICE DEPARTMENT TO USE TILCON PROPERTY FOR BLASTING TRAINING

WHEREAS, the Town of Clarkstown and Clarkstown Police Department desire to enter into an Agreement with Tilcon New York permitting the Clarkstown Police Department to conduct blasting training at Tilcon New York's Tomkins Cove Facility, and

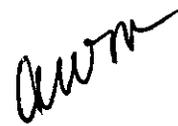
WHEREAS, Tilcon New York has agreed to permit such training at its facility at no cost to the Town,

NOW, THEREFORE, be it

RESOLVED that, at the recommendation of Chief Michael Sullivan of the Clarkstown Police Department, the Town Board hereby authorizes the Supervisor to enter into an agreement with Tilcon New York, in a form approved by the Town Attorney, to permit the Clarkstown Police Department to use Tilcon New York's Tomkins Cove Facility to conduct blasting training at various mutually agreed upon times during the period January 1, 2016 to December 31, 2016.

DATED: December 17, 2015

TB 12-17-15 TA RES Police-Tilcon Blasting Training-kh



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

**Bid#1-2016 Athletic and Recreation Supplies**

Kenmar Shirts, Inc., 1578 White Plains Road, Bronx, NY 10462 for item # 95, 96, 98, and 103 as per specifications at a net bid price of \$5,911.50.

Mainly Monograms, 260 West Nyack Road, West Nyack, NY 10994 for items # 102, 104, 109, 111, 112, 115 as per specifications at a net bid price of \$2,034.60.

Passon's Sports (Sports Supply Group), P.O. Box 49, Jenkintown, PA 19046 for items # 1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 20, 21, 24, 25, 29, 33, 34, 43, 44, 45, 51, 52, 54, 57, 58, 59, 61, 62, 63, 65, 71, 89, and 91 as per specifications at a net bid price of \$5, 509.94.

Riddell/All American, 669 Sugar Lane, Elyria, OH, 44035 for items # 4, 97, 100, 101, 105, 110, and 113 as per specifications at a net bid price of \$1,171.97.

S&S Worldwide, 75 Mill Street, Colchester, CT 06415 for items # 9, 18, 19, 22, 23, 26, 27, 28, 30, 31, 32, 35, 36, 37, 38, 40, 41, 46, 47, 48, 53, 56, 60, 64, 66, 67, 69, 70, 75, 80, 81, 83, 86, 88, 90, and 93 as per specifications at a net bid price of \$1, 791.99.

Gross total for all items: \$16, 420.00

*Acem*

RESOLUTION OBTAINING INSURANCE COVERAGE FROM  
CLG INSURANCE

RESOLVED, that at the recommendation of Robert S. Berdy, Insurance and Claims Manager, the Supervisor is hereby authorized to purchase through CLG Insurance, insurance coverage including Commercial General and Automobile Liability, Excess Liability, Property, and Excess Workers Compensation, for a period of one year, commencing on January 1, 2016 and expiring December 31, 2016, and be it

FURTHER RESOLVED, that the cost of insurance policies shall not exceed \$1,463,485 and be it

FURTHER RESOLVED, that at the recommendation of Robert S. Berdy, Insurance and Claims Manager, the Supervisor is hereby authorized to enter into a claims-administration agreement with PMA Management Corporation, for a period of one year, commencing on January 1, 2016 and expiring December 31, 2016, and be it

FURTHER RESOLVED, that the cost of said agreement shall not exceed \$76,800.00.

Dated: December 17, 2015

*awm*

**RESOLUTION GRANTING CERTIFICATES OF REGISTRATION  
PURSUANT TO SECTION 236-48 OF THE TOWN CODE**

WHEREAS, the following have applied for a Certificate of Registration pursuant to Section 236-48 of the Town Code of the Town of Clarkstown:

PEARL RIVER PLUMBING, HEATING & ELECTRIC, INC. d/b/a  
BERTUSSI'S  
60-70 Dexter Plaza  
Pearl River, NY 10965  
Louis Bertussi, Vice President

PAUL BITTS CO.  
9 Germonds Road  
New City, NY 10956  
Paul Bitts, President

RR PLUMBING SERVICES CO. d/b/a Roto-Rooter  
525 Waverly Avenue  
Mamaroneck, NY 10543  
Terence R. O'Shea, Master Plumber

TURCO GOLF, INC.  
212 Orange Avenue  
Suffern, New York 10901  
Dennis Turco, President

JGC HEATING INC.  
8 Fairmont Terrace  
West Nyack, NY 10994  
Gerard Campitiello, President

SASSO PLUMBING  
P.O. Box 507  
New City, New York 10956  
Michael A. Sasso, President

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

SUFFERN EXCAVATING INC.  
71 Montebello Commons Drive  
Suffern, NY 10901  
Albert Lepori, President

RINO PAVING & CONSTRUCTION  
20 Viola Rd.  
Suffern, NY 10901  
Robert Rino, President

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

- 16-1 - PEARL RIVER PLUMBING, HEATING & ELECTRIC, INC. d/b/a  
BERTUSSI'S
- 16-2 - PAUL BITTS CO.
- 16-3 - RR PLUMBING SERVICES CO. d/b/a Roto-Rooter
- 16-4 - TURCO GOLF, INC.
- 16-5 - JGC HEATING INC.
- 16-6 - SASSO PLUMBING
- 16-7 - RICHARD ORSINI INC.
- 16-8 - SUFFERN EXCAVATING INC.
- 16-9 - RINO PAVING & CONSTRUCTION

DATED: DECEMBER 17, 2015

TB 12-17-15 - TA RES Certificate of Registration Sewers-sk

13A

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI  
REGARDING ISB REALTY LLC  
TAX MAP NO.: 51.14-4-11**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, ISB Realty LLC v. The Town of Clarkstown, the Assessor of the Town of Clarkstown, Rockland County, New York and the Board of Assessment Review for the Town of Clarkstown, Index No(s). 033762/2014, affecting parcel designated as Tax Map No. 51.14-4-11 and more commonly known as 7 Jodi Lane, New City, New York for the year(s) 2014, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice and without costs on the terms and conditions set forth herein, and that RPTL 727 shall not apply to this settlement, and

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Clarkstown Central School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 51.14-4-11 be reduced for the year(s) 2014 from \$199,500 to \$180,000 at a cost to the Town of \$430.39;
2. Reimbursement for the year(s) 2014 on the parcel(s) described as Tax Map No. 51.14-4-11 as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted

by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

3. 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: December 17, 2015

TB 12-17-15 TA RES ISB Realty LLC Settlement-dt

*awm*

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI  
REGARDING THE RETAIL PROPERTY TRUST,  
A MASSACHUSETTS BUSINESS TRUST  
TAX MAP NO.: 63.08-3-3 & 6**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland, entitled The Retail Property Trust, a Massachusetts Business Trust v. The Board of Assessors and/or The Assessor of The Town of Clarkstown and The Board of Assessment Review, Index No(s). 07285/10, 030703/11 and 033937/12, affecting parcels designated as Tax Map No. 63.08-3-3 & 6, and more commonly known as 75 West Route 59, West Nyack, New York, for the year(s) 2010/11, 2011/12 and 2012/13, and

WHEREAS, a trial was held before the Hon. Margaret Garvey, J. S.C., concerning the assessments of the aforementioned property in which she rendered an Opinion, Decision and Order dated April 2, 2015, and issued an Order and Judgment Reducing the Assessments of the aforementioned property, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice, without costs and interest on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Nanuet Union Free School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 63.08-3-3 & 6 are to be reduced in accordance with Hon. Margaret Garvey's Order and Judgment Reducing the Assessments;

2. That petitioner waives any interest and costs associated with the reductions thereby saving the Town in excess of \$29,950 provided that reimbursement is 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 following county levy;

3. 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: December 17, 2015

TB 12-17-15 TA RES The Retail Property Trust Settlement-pks

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

RESOLUTION AUTHORIZING THE RELEASE OF  
MAINTENANCE BOND (SKY RIDGE SUBDIVISION - 42.12-2-55)

WHEREAS, Joy Builders, Inc. furnished to the Town of Clarkstown a Maintenance Bond secured by Bank Check No. 59000278 in the amount of \$10,516.24 to guaranty the road(s) and improvements in the Sky Ridge Subdivision, as shown on the final plat of Sky Ridge (42.12-2-55), which was filed in the Rockland County Clerk's Office on April 21, 2011, and

WHEREAS, the First Deputy Director of Environmental Control of the Town of Clarkstown, with the concurrence of the Superintendent of Highways, has advised that the security may be released, as the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that Maintenance Bond in the amount of \$10,516.24, in connection with the dedication of the road(s) and improvements in a subdivision known as Sky Ridge (42.12-2-55) is hereby terminated; and the sum of \$10,516.24 may be released to the guarantor.

Dated: December 17, 2015

TB 12-17 TA RES Sky Ridge-Release Bond-pm

*awm*

RESOLUTION AUTHORIZING A PARTIAL REFUND OF SEWER PERMIT FEE TO  
PETER DICHIARO FOR PROPERTY LOCATED AT  
283 PHILLIPS HILL ROAD, NEW CITY

WHEREAS, Peter Dichiaro has requested a refund of a Sewer Permit fee paid in the amount of \$250.00 for property located at 283 Phillips Hill Road, New City, New York, more particularly described as Tax Map No. 42.16-3-15; and

WHEREAS, it has been determined by the Department of Environmental Control that the sewer main on New Hempstead Road which Mr. Dichiaro will be connecting to is under the jurisdiction of the Rockland County Sewer District #1 and not the Town of Clarkstown; and

WHEREAS, the Director of the Department of Environmental Control has recommended a partial refund with retention of a processing review fee of \$50.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control, the Town Board hereby authorizes a partial refund in the amount of \$200.00 to Richard Dichiaro of 283 New Hempstead Road, New City to be charged to Account No. B-02-3-2776-0.

Dated: December 17, 2015

*awm*

RESOLUTION AUTHORIZING INSTALLATION OF STREET LIGHTS AT CONGERS ROAD, LAKE ROAD,  
N. ROCKLAND AVENUE AND S. ROCKLAND AVENUE, CONGERS

16A

WHEREAS, Sergeant James McCormick of the Clarkstown Police Department, the Emergency Management Coordinator for the Town of Clarkstown, has requested that Four (4) 100 Watt LED street lights 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 Clarkstown Police Department in conjunction with the NYS Department of Transportation Rail Crossing Division, Rockland County Highway Department, CSX Rail Road, Federal Railroad Administration, the Clarkstown Department of Environmental Control and the Clarkstown Highway Department, and

WHEREAS, the Clarkstown Emergency Management Coordinator has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved to provide electric facilities on poles along the railroad crossing;

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 locations at the intersections of Congers Rd, Lake Rd, N Rockland Ave and S Rockland Ave in Congers:

- One 100 watt LED streetlight on pole 60774/41938 (c/o Rockland Ave & Congers Lake Rd)
- One 100 watt LED streetlight on pole 60776/41950 (Rockland Ave)
- One 100 watt LED streetlight on pole 60781/41931 (Congers Rd S/E corner)
- One 100 watt LED streetlight on pole 60770/41934 (Congers Lake Rd),

and be it

FURTHER RESOLVED, that the installation of these municipal street lights 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 \$20.73 each per month for each LED fixture, plus market supply and fuel adjustment charge, which shall be charged to Account No. SL 5182 461.

Dated: December 17, 2015



110B

**WHEREAS**, a resident of Annabelle Lane, 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**, 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 #58634/42009;

**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 #58634/42009 located between house #6 and #8 Annabelle Lane, New city.

**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 \$14.07 per month (\$168.84 per year) for each sodium vapor fixture, plus market supply and fuel adjustment charge, which shall be charged to Acct. #SL 5182 461.

**Dated: December 17, 2015**

TB 12-17 DEC Annabelle Lane Street Light



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

WHEREAS, the Board of Fire Commissioners of the  
Congers Fire District has requested that the Town Board of  
the Town of Clarkstown approve the final map of the  
boundary lines of the Congers 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 Congers 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 February 9, 2016 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 Congers 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: December 17, 2015

*awm*

RESOLUTION AUTHORIZING THE SUPERINTENDENT OF HIGHWAYS TO ENTER INTO A SHARED SERVICES AGREEMENT BETWEEN TOWN OF CLARKSTOWN AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT)

WHEREAS, the New York State Department of Transportation (NYSDOT) has invited the Town of Clarkstown to establish a Shared Services Agreement with NYSDOT in the event that the Town may need to request the assistance of the NYSDOT for snow and ice control when local resources have been exhausted, and

WHEREAS, Wayne T. Ballard, Superintendent of Highways, has recommended establishing such an Agreement,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to enter into a Shared Services Agreement with NYSDOT on behalf of the Town of Clarkstown for the period of one year, and be it

FURTHER RESOLVED, that the amount of the Agreement shall not exceed ten thousand dollars (\$10,000.00).

Dated: December 17, 2015

TB 12-17-15 TA RES Highway-NYSDOT Shared Services-kh

*AWM*

RESOLUTION ACCEPTING PROPOSAL FOR HISTORIC STRUCTURE REPORT FOR THE VANDERBILT-BUDKE HOUSE ON THE TRAPHAGEN PROPERTY

WHEREAS, the Town Board wishes to obtain an Historic Structure Report for the Vanderbilt-Budke House located on the Traphagen property in West Nyack, which is Town-owned property, and

WHEREAS, Tim Adriance Historic Restoration and Consulting has submitted a proposal, dated September 8, 2015, to produce said report;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby accepts the proposal submitted by Tim Adriance Historic Restoration and Consulting to produce an Historic Structure Report for the Vanderbilt-Budke House for a fee not to exceed \$9,000.00, and be it

FURTHER RESOLVED, that said cost shall be a proper charge to Account No. H 8768-409-0-91-10.

Dated: December 17, 2015

TB 12-17 TA RES Historic Structure Report-Traphagen-pm

*aurm*

**RESOLUTION AUTHORIZING AMENDING  
TOWN GARAGE BUDGET**

**WHEREAS**, the Town Garage requires additional funding,

**NOW THEREFORE BE IT,**

**RESOLVED**, to decrease A-01-14-2999-0 (General Fund-Unexpended Balances) by \$435,000 and increase Expense Account A-1640-312-0 (Town Garage-Auto Maintenance Supplies) by \$435,000.

*awm*

Dated December 17, 2015

L: TB 12--17 2015 COM RES Amending Town Garage Budget

**RESOLUTION AUTHORIZING AMENDING BUDGET**

**WHEREAS**, the Town has received \$251,030.70 from the Rockland County Sewer District #1, \$5,051 from New York State Education Department and \$7,486.13 from DARE donations,

**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 Stations) by \$251,030.70 and be it,

**FURTHER RESOLVED**, to increase Revenue Account H-15-10-3060-0 (Capital-State Aid) and Expense Account H-8758-409-0-82-37 (Capital-Records Management Improvement Project) by \$5,051 and be it,

**FURTHER RESOLVED**, to increase Revenue Account A-01-9-2705-0 (General-Gifts & Donations) and Expense Account A-3230-319-0 (Police-Misc Supplies) by \$7,486.13.

RESOLUTION AUTHORIZING ACCEPTANCE OF A DONATION OF LAND TO TOWN AND THE TOWN ATTORNEY TO PURSUE ACQUISITION

WHEREAS, Philip DiGiovanni, owner of property located at 8 Route 304, Bardonia, New York (tax map designation 64.6-2-60), a vacant parcel of land adjacent to Town-owned open space property, has approached the Town and would like to donate this parcel to the Town for no consideration, and

WHEREAS, the Open Space Committee has recommended that the Town accept this parcel for general municipal purposes, and

WHEREAS, K. Luke Kalarickal, PE, PLS, Director of the Department of Environmental Control (DEC), as agent for the Town Board under the New York State Environmental Quality Review Act (SEQRA), has determined that the acquisition of this parcel is an Unlisted Action and is of the opinion that the proposed action will not result in any significant adverse environmental impacts, and

WHEREAS, no change of use or activity is currently planned for this parcel;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby accepts the recommendation of the Open Space Committee and the Director of DEC and hereby adopts a negative declaration under SEQRA regarding this matter, and be it

FURTHER RESOLVED, that the Town Board hereby accepts the donation of land from Philip DiGiovanni and authorizes the Supervisor to execute the necessary paperwork, in a form approved by the Town Attorney, to effectuate the closing on said parcel (tax map designation 64.6-2-60) without cost to the donor, subject to the following:

- 1. Easements, covenants and restrictions of record, if any;
- 2. Zoning Laws of the Town of Clarkstown;
- 3. Such state of facts as an accurate survey or personal inspection may reveal,

and be it

FURTHER RESOLVED, that this donation of land to the Town shall be subject to Permissive Referendum.

Dated: December 17, 2015

*AWM*

**RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF  
ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF A  
CONTRACTOR TO PERFORM IMPROVEMENTS TO THE DRAINAGE SYSTEM  
AT 14 HAMDEN HEIGHTS COURT, NEW CITY**

**WHEREAS**, an adverse drainage condition exists at 14 Hamden Heights Court, New City; and

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

**WHEREAS**, the Department of Environmental Control has solicited proposals from five (5) qualified contractors to perform the work in accordance with the plan; and

**WHEREAS**, the Department of Environmental Control has received four (4) proposals in response to its solicitation; and

**WHEREAS**, Department of Environmental Control staff has reviewed the low proposal submitted by Girls Gone Green, LLC., and has found it to be acceptable in terms of scope and price; and

**WHEREAS**, the Director of the Department of Environmental Control recommends that the work be awarded to Girls Gone Green, LLC., for their low proposal of \$24,000.00;

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

**Girls Gone Green, LLC.,  
617 North Broadway  
Upper Nyack, N.Y. 10960**

to perform this work in accordance with their proposal for an amount not to exceed **\$24,000.00**; and be it

**FURTHER RESOLVED** that this amount shall be a proper charge to account # H-8768-409-0-91-12.

DATED: DECEMBER 17, 2015

TB-12-17-15-DEC-Hamden Heights Drainage

*AWM*

24A

RESOLVED, that the resignation (by retirement) of Edward Lettre, 34 Avner Lane, West Nyack, New York, - Clerk of the Works I - Public Works Department - is hereby accepted effective January 1, 2016.

DATED: December 17, 2015  
P

RESOLVED, that the resignation (by retirement) of  
Cathy Conklin, 25 Ball Road, Warwick, New York, - Assessor  
- Assessor's Office - is hereby accepted effective  
January 22, 2016.

DATED: December 17, 2015

P

240

RESOLVED, that the resignation (by retirement) of  
Jessica Hauser, 4 Harmon Place, New City, New York, -  
Deputy Town Attorney - Town Attorney's Office - is hereby  
accepted effective January 1, 2016.

DATED: December 17, 2015  
P

24D

**RESOLVED, that the resignation (by retirement) of Evens J. Georges,  
228 Johnson Avenue #2, Hackensack, New Jersey - (Part-Time) Municipal Bus Driver –  
Mini Trans Department – is hereby accepted effective December 31, 2015.**

**December 17, 2015**

**P**

24E

RESOLVED, that the resignation of Keith Cornell, 333  
Deer Track Lane, Valley Cottage, New York, - Deputy Town  
Attorney - Town Attorney's Office - is hereby accepted  
effective December 31, 2015.

DATED: December 17, 2015  
P

24F

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., Gregory Barra,  
42 Thompson Dr., Washingtonville, New York 10992 - Automotive  
Mechanic I & Body Repairer - Town Garage is hereby granted a  
Sick Leave of Absence at one-half pay effective November 27,  
2015 through December 22, 2015.

DATED: December 17, 2015  
P

246

WHEREAS, in accordance with Article VIII, Section (5) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., has received a request for a reallocation of the title Highway Maintenance Supervisor III, that is currently a grade 29 to be reallocated to a grade 31.

NOW, therefore, be it

RESOLVED, that the Town Board has reviewed the request and has determined that the title of Highway Maintenance Supervisor - should be reclassified to a grade 31.

DATED: December 17, 2015

P

24H

WHEREAS, in accordance with Article VIII, Section (5) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., has received a request for a reallocation of the title Environmental Control Technician, that is currently a grade 30 to be reallocated to a grade 33.

NOW, therefore, be it

RESOLVED, that the Town Board has reviewed the request and has determined that the title of Environmental Control Technician - DEC - should remain as a grade 30.

Dated: December 17, 2015  
P

241

RESOLVED, that the resignation of Mary Jane O'Connor,  
4 Balsam Court, New City, New York, - Member - Planning  
Board - is hereby accepted effective December 31, 2015.

DATED: December 17, 2015  
P

245

RESOLVED, that Erika A. Moschetti, 23 Kenwood Lane,  
New City, New York - Public Information Specialist -  
Office of the Town Supervisor - is hereby granted, as  
per her request, a leave without pay, pursuant to the  
Family and Medical Leave Act - effective November 18, 2015.

DATED: December 17, 2015  
P

24K

WHEREAS, in accordance with Article VIII, Section (5) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., has received a request for a reallocation of the title Groundskeeper, that is currently a grade 21 to be reallocated to a grade 25.

NOW, therefore, be it

RESOLVED, that the Town Board has reviewed the request and has determined that the title of Groundskeeper should remain as a grade 21.

Dated: December 17, 2015

P

242

WHEREAS, in accordance with Article VIII, Section (5) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., has received a request for a reallocation of the title Highway Maintenance Supervisor I, that is currently a grade 27 to be reallocated to a grade 29.

NOW, therefore, be it

RESOLVED, that the Town Board has reviewed the request and has determined that the title of Highway Maintenance Supervisor I should remain as a grade 27.

Dated: December 17, 2015

P

24M

WHEREAS, in accordance with Article VIII, Section (5) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., has received a request for a reallocation of the title Highway Maintenance Supervisor II, that is currently a grade 28 to be reallocated to a grade 30.

NOW, therefore, be it

RESOLVED, that the Town Board has reviewed the request and has determined that the title of Highway Maintenance Supervisor II should remain as a grade 28.

Dated: December 17, 2015

P

24N

RESOLVED, that Anastasia Culianos, 114 Lakewood Drive,  
Congers, New York - is hereby appointed to the position  
of Member - Board of Assessment Review - term effective  
December 18, 2015 and to expire on December 17, 2020 - at  
the per diem rate of \$175., per attendance, when the board  
is in session.

DATED: December 17, 2015

P

240

RESOLVED, that Daniel Caprara, 159 Strawtown Road,  
New City, New York - is hereby appointed to the position  
of Member - Traffic Advisory Board - (to fill the unexpired  
term of Matthew Katchmar) - at the current 2015 annual  
salary of \$2,856., term effective December 18, 2015 and to  
expire on March 31, 2019.

DATED: December 17, 2015  
P

24P

RESOLVED, that Gail Moggio, 10 Clark Drive,  
Nanuet, New York is hereby appointed to the position of  
Member - Sanitation Commission - at the current 2015 annual  
salary of \$3,468., term effective December 18, 2015 and to  
expire on December 17, 2020.

DATED: December 17, 2015  
P

242

RESOLVED, that Mary Healy, 169 Parrot Road,  
West Nyack, New York - is hereby appointed to the Position of  
Member - Board of Assessment Review - (to fill the unexpired  
term of Dolores Alvaras) term effective December 18, 2015 and  
to expire on September 30, 2017 - at the per diem rate of  
\$175., per attendance, when the board is in session.

DATED: December 17, 2015

P

24R

RESOLVED, that Christopher C. Wagner, 56 Williams Street,  
New City, New York - is hereby appointed (promotional)  
(provisional) to the position of Environmental Control  
Supervisor (Operations) - Department of Environmental Control -  
at the current 2015 annual salary of \$113,299., - pending  
application approval by Rockland County Personnel.

DATED: December 17, 2015  
P

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

**BID#23-2015 – REFUSE PICK-UP SERVICE FROM TOWN FACILITIES**

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: December 17, 2015



RESOLUTION AUTHORIZING THE PURCHASE OF POLICE EQUIPMENT

WHEREAS, Michael Sullivan, Chief of Police, Clarkstown Police Department, has requested authorization to purchase various equipment for the Clarkstown Police Department, and

WHEREAS, a capital account needs to be created to fund these purchases;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes a budget of \$200,000.00 to fund a capital account for equipment purchases for the Police Department for the year 2016, and be it

FURTHER RESOLVED, that the cost of \$200,000.00 shall be a proper charge to Account Number H 8768-409-0-91-11.

Dated: December 17, 2015

TB 12-17 TA RES Police Equipment-pm



RESOLUTION AUTHORIZING TOWN TO RETAIN THE LAW FIRM OF WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP TO PROVIDE LEGAL AND LEGISLATIVE REPRESENTATION FOR THE TOWN OF CLARKSTOWN

WHEREAS, Wilson, Elser, Moskowitz, Edelman & Dicker LLP has submitted a proposal dated December 4, 2015 to provide legal and legislative representation by serving as Government Affairs Counsel in New York State on behalf of the Town of Clarkstown, and

WHEREAS, the Town Attorney finds said proposal to be reasonable in terms of scope and price, and recommends the hiring of this firm;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Wilson, Elser, Moskowitz, Edelman & Dicker LLP, in a form approved by the Town Attorney, to provide legal services pursuant to its proposal dated December 4, 2015, commencing on January 1, 2016 until December 31, 2016, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$ 50,000.00, and will be charged to Account No. A 1420-409.

Dated: December 17, 2015

TB 12-17-15 TA RES Wilson Elser Agree-kh

RESOLUTION REFERRING AND SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW REGULATING NON-RESIDENTIAL USES IN RESIDENTIAL ZONING DISTRICTS"

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

"A LOCAL LAW REGULATING NON-RESIDENTIAL USES IN RESIDENTIAL ZONING DISTRICTS"

and

WHEREAS, the proposed local law is to regulate non-residential uses in residential zoning districts;

NOW, THEREFORE, be it

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

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

FURTHER RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New

AG

York on March 8, 2016 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

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

Dated: December 17, 2015

TB 12-17 TA RES Refer-Public Hearing LL Land Development-Residential Areas-pm

29A

RESOLUTION AUTHORIZING THE INSTALLATION OF ONE (1)  
“TURN LEFT” SIGN WITH SUPPLEMENTARY  
15 MPH ADVISORY SPEED PLAQUE SIGN ON  
DEERFIELD DRIVE AND TUCKER AVENUE  
AND ONE (1) “TURN RIGHT” SIGN WITH SUPPLEMENTARY  
15 MPH ADVISORY SPEED PLAQUE SIGN ON TUCKER AVENUE, NEW CITY

WHEREAS, an investigation by the Traffic & Traffic Fire Safety Advisory Board resulted in the following recommendations:

- 1.) One (1) “Turn Left” advisory sign (W1-1L) with supplementary 15 mph advisory speed plaque (W13-1P) be installed across from Deerfield Drive and 50 Tucker Avenue;
- 2.) One (1) “Turn Right” advisory sign (W1-1R) with supplementary 15 mph advisory speed plaque (W13-1P) be installed on Tucker Avenue near the fire hydrant and 18 Tucker Avenue;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install such signs, 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: December 17, 2015

29B

RESOLUTION AUTHORIZING THE INSTALLATION OF A  
STOP SIGN ON GREENSWARD DRIVE AT THE INTERSECTION  
OF FOREST VIEW COURT, VALLEY COTTAGE

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the recommendation that a stop sign be installed on Greensward Drive at the intersection of Forest View Court;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a stop 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: December 17, 2015

29C

RESOLUTION AUTHORIZING THE INSTALLATION OF THREE (3)  
SIGNS AT THE INTERSECTION OF LAKE ROAD AND SHERMAN AVENUE, CONGERS

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the following recommendations:

- 1.) Two (2) W11-2 pedestrian symbol signs be installed east of the crosswalk at the intersection of Lake Road and Sherman Avenue and west of the crosswalk at the intersection of Lake Road and Sherman Avenue;
- 2.) One (1) R-1-6 In-street Pedestrian Crossing sign be installed at the intersection of Lake Road and Sherman Avenue;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install such 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: December 17, 2015

(29D)

RESOLUTION AUTHORIZING THE INSTALLATION OF A  
WEIGHT LIMIT 4 TON, NO TRUCKS EXCEPT LOCAL DELIVERIES SIGN  
BE INSTALLED ON PROSPECT STREET, WESTBOUND, BETWEEN  
LENOX AVENUE AND GRANDVIEW AVENUE, NANUET

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the recommendation that a "Weight Limit 4 Ton, No Trucks Except Local Deliveries" sign be installed on Prospect Street (westbound), between Lenox Avenue and Grandview Avenue;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install such 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 and the Traffic and Traffic Fire Safety Advisory Board for file and information.

DATED: December 17, 2015

RESOLUTION AUTHORIZING THE INSTALLATION OF ONE (1)  
"TRUCKS USE SNAKE HILL ROAD TO ROUTE 303" SIGN ON CRUSHER HILL ROAD  
AND ONE (1) W1-15 SIGN ABOVE THE "NO TRUCKS" SIGN ON CRUSHER HILL ROAD

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the following recommendations:

- 1.) One (1) "Trucks Use Snake Hill Road to Route 303" sign be installed just before the current sign on Crusher Hill Road, West Nyack;
- 2.) One (1) W1-15 sign be installed above the "No Trucks" sign currently located on Crusher Hill Road, West Nyack;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install two (2) signs; one "Trucks Use Snake Hill Road to Route 303" and one W1-15 sign above the "No Trucks" 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: December 17, 2015

29F

RESOLUTION AUTHORIZING THE INSTALLATION OF A  
NO TURN ON RED SIGN AT THE INTERSECTION OF  
WEST CLARKSTOWN ROAD AND NORTH MIDDLETOWN ROAD, NANUET

WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the recommendation that one (1) "No Turn on Red Sign" sign be installed on the east bound lane by the traffic light on West Clarkstown Road and North Middletown Road, Nanuet;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a "No Turn on Red" 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: December 17, 2015

296

RESOLUTION AUTHORIZING THE INSTALLATION OF ONE (1)  
“NO PARKING HERE TO CORNER” SIGN AND  
THE REMOVAL OF ONE (1) “NO PARKING ANYTIME” SIGN ON  
WALDBERG AVENUE AND KINGS HIGHWAY, CONGERS

WHEREAS, an investigation by the Traffic & Traffic Fire Safety Advisory Board  
resulted in the following recommendations:

- 1.) One (1) “No Parking Here to Corner” sign be installed with an advisory arrow (R-71)  
on the northwest corner of Waldberg Avenue at the intersection of Waldberg Avenue  
and Kings Highway;
- 2.) One (1) “No Parking Anytime” sign with arrow pointing east be removed;

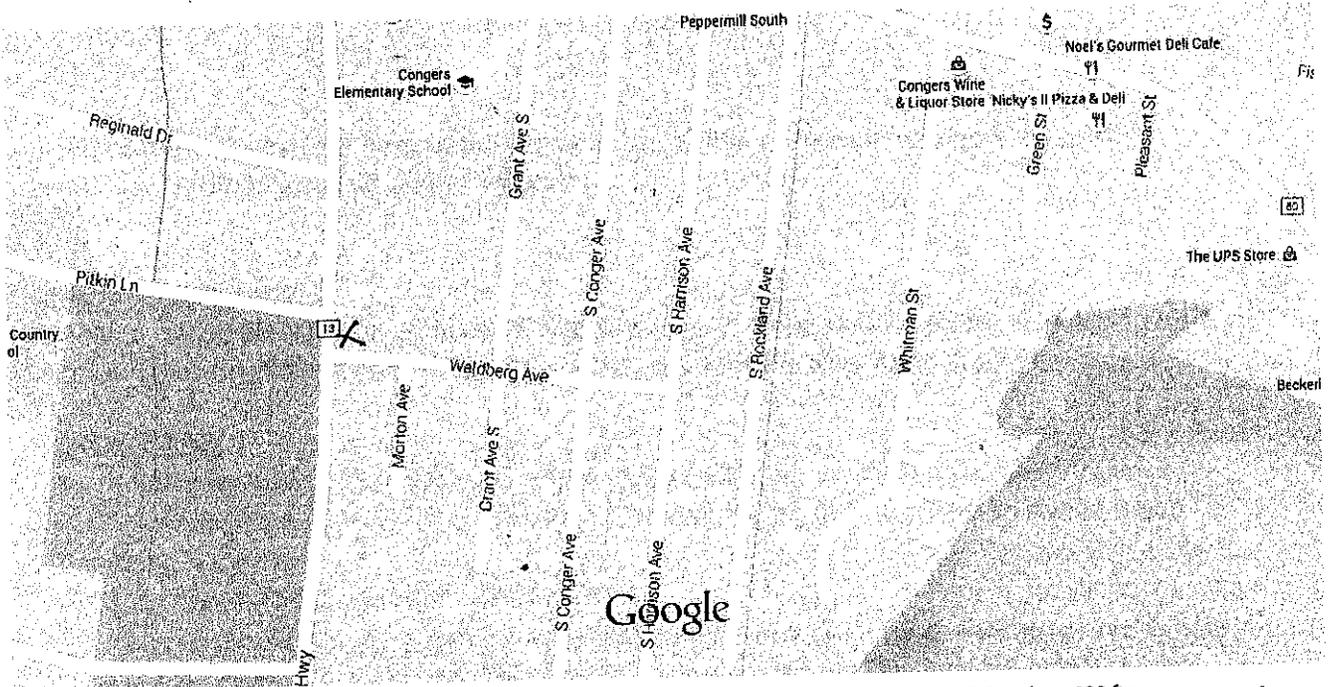
NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the  
Superintendent of Highways to install and remove such signs, and be it

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: December 17, 2015



Google Google Maps



Map data ©2015 Google 200 ft

29H

RESOLUTION AUTHORIZING THE INSTALLATION OF TWO (2)  
30 mph SPEED SIGNS ON  
SOUTH HARRISON AVENUE, CONGERS

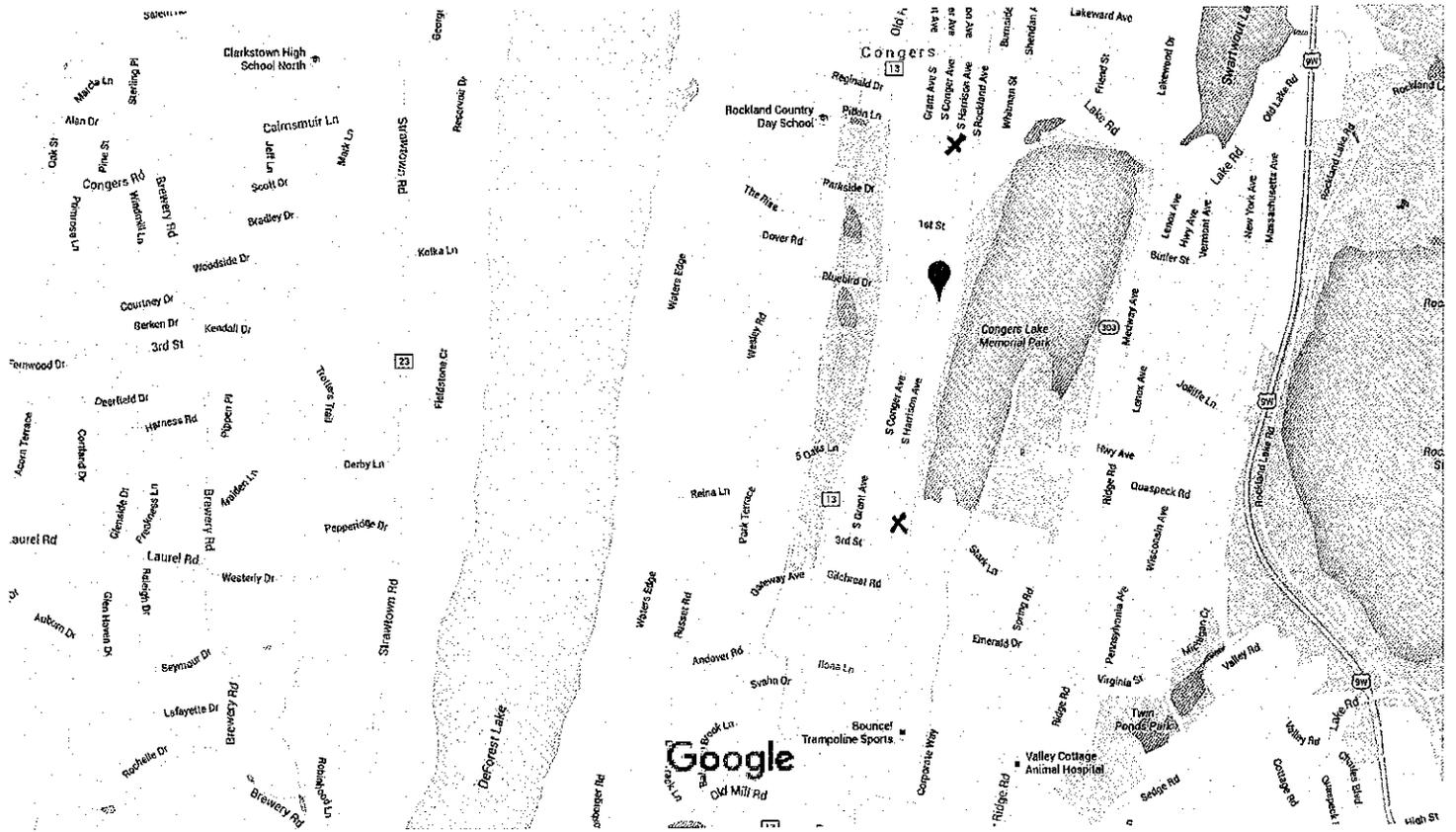
WHEREAS, an investigation by the Traffic & Traffic Fire Safety Advisory Board resulted in the recommendation that two (2) 30 mph speed signs be installed at the entrance of South Harrison Avenue at Lake Road on the southbound side and at the entrance of South Harrison Avenue at Third Street on the northbound side, Congers;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install these signs 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: December 17, 2015

# Google Maps S Harrison Ave



S Harrison Ave  
 Congers, NY 10920

291

RESOLUTION AUTHORIZING THE INSTALLATION OF SIX (6)  
NO PARKING THIS SIDE OF STREET SIGNS ALONG THE NORTHBOUND LANE  
OF LENOX AVENUE, CONGERS

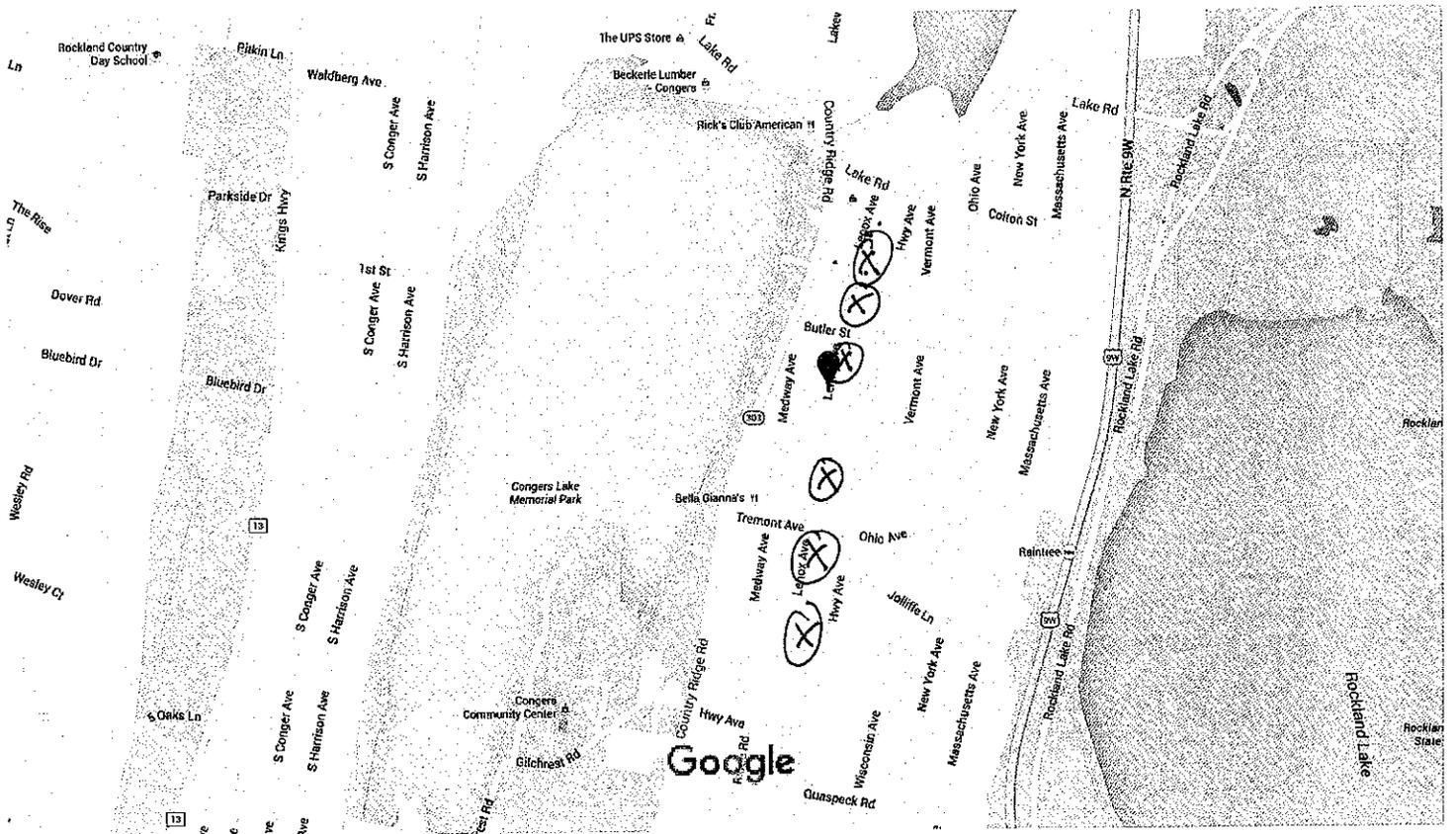
WHEREAS, an investigation by the Traffic and Traffic Fire Safety Advisory Board resulted in the recommendation that six (6) "No Parking This Side of Street" signs be installed along the northbound lane of Lenox Avenue, Congers;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install such 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 and the Traffic and Traffic Fire Safety Advisory Board for file and information.

DATED: December 17, 2015

# Google Maps Lenox Ave



Map data ©2015 Google 500 ft

Lenox Ave  
Congers, NY 10920

RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT  
WITH H2M ARCHITECTS + ENGINEERS

WHEREAS, by Resolution No. 536-2014, adopted on December 18, 2014, the Town Board authorized H2M to perform services for the completion of the new emergency storage facility based on changes to the design scope during the design phase, at a fee not to exceed \$ 34,650.00, and

WHEREAS, since those services were completed, there have been additional engineering services found by Town Officials to be necessary to the completion of the project, and

WHEREAS, H2M has submitted a proposal, dated November 20, 2015, to perform these additional engineering services, and

WHEREAS, the Director of Environmental Control 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 amendment to the agreement with H2M to provide the additional required engineering services, and be it

FURTHER RESOLVED, that the fee for said additional services shall not exceed \$16,860.00, and shall constitute a proper charge to Account No. H-8760-409-0-84-9 and shall be reimbursed to the Town by the Rockland County Sewer District #1.

Dated: December 17, 2015

TB 12-17-15 TA RES H2M additional services-emergency storage facility-kh

*awm*

RESOLUTION ACCEPTING ROADS IN THE TOWN OF CLARKSTOWN  
(DAVIES FARM, PHASE II SUBDIVISION - 35.18-1-12+)

RESOLVED, that upon the recommendations of the Director of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, a deed from Subdivision Improvements Corp. conveying the following roads:

Meriwether Trail	1060 L.F.
Gala Court	345 L.F.
Norfolk Avenue	570 L.F.

to the Town of Clarkstown in a subdivision as shown on the Final Plat of Davies Farm, Phase II is hereby accepted by the Town of Clarkstown, subject to approval as to form by the Town Attorney and Director of Environmental Control, and ordered recorded in the Rockland County Clerk's Office at the expense of the grantor, and be it

FURTHER RESOLVED that the Town shall retain cash security in an amount to be determined by the Department of Environmental Control to guarantee completion of those public improvements which are not accepted for dedication by this action, and be it

FURTHER RESOLVED that the Town shall retain additional cash security in an amount to be determined by the Department of Environmental Control to perform work related to drainage systems, sewer systems, sidewalks or other elements of the public improvements which are being accepted hereby, and be it

FURTHER RESOLVED that the Developer shall provide a maintenance guaranty with cash security in the amount to be determined by the Department of Environmental Control, in accordance with the procedures of Chapter A308 of the Town Code, to guarantee that all the public improvements have been constructed in a good workmanlike manner, which guaranty shall remain in full force and effect for a period of five (5) years, and be it

FURTHER RESOLVED, that said cash securing the above improvements and maintenance guaranty, as determined by the Department of Environmental Control, once deducted from the money being held by the Town which secured the performance agreement, the balance of said funds may, upon direction of the applicant, be released to the bank which issued the letter of credit initially.

Dated: December 17, 2015

TB 12-17 TA RES Davies Farm, Phase II Road Dedication-pm

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

**WHEREAS**, a resident of Robinhood Lane, 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**, 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 #60016/41148;

**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 #60016/41148 located between house #95 and #97 Robinhood Lane, New city.

**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 \$14.07 per month (\$168.84 per year) for each sodium vapor fixture, plus market supply and fuel adjustment charge, which shall be charged to Acct. #SL 5182 461.

Dated: December 17, 2015

TB 12-17 DEC RES Robinhood Lane Street Light

*awm*

RESOLUTION REQUESTING THE ROCKLAND COUNTY CONSORTIUM CONSIDER SEVERAL PROJECTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

WHEREAS, the Town Board of the Town of Clarkstown wishes to request that the Rockland County Consortium consider several projects for Community Development Block Grant Funding in 2016, and

WHEREAS, the Town Board of the Town of Clarkstown supports each of these applications in their request for funding;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby requests that the Rockland County Consortium consider Community Development Funding for the following purposes:

1<sup>st</sup> Priority: Town of Clarkstown – Lawrence Street, Nanuet - Drainage improvements and Sidewalk construction in the vicinity of New Jersey Transit Railroad track;

2<sup>nd</sup> Priority: ARC of Rockland - equipment and manpower related to the expansion of their recycling program;

and be it

FURTHER RESOLVED, that the Town Board hereby requests that from this list, the Consortium prioritize the applications in the same order they are listed in this resolution when considering each of these projects submitted by the Town of Clarkstown.

Dated: December 17, 2015

TB 12-17 TA RES Comm Dev Block Grant-pm

*awm*

RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING AND AUTHORIZING EXECUTION OF COLLECTIVE BARGAINING AGREEMENT

WHEREAS, negotiations have been ongoing between the bargaining team for the Town of Clarkstown and the bargaining team for the Town of Clarkstown Bargaining Unit of Rockland County Local 1000 of CSEA, Inc. for a successor agreement to the 2012-2015 Agreement between the parties, and

WHEREAS, those negotiations have resulted in a tentative agreement contained in a Memorandum of Understanding, and

WHEREAS, the membership of the Union has ratified the terms of the Memorandum of Understanding, and

WHEREAS, the Town Board has reviewed the terms of the Memorandum of Understanding and finds that a settlement consistent with the terms contained therein is in the best interest of the Town;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and ratifies the terms of the aforesaid Memorandum of Understanding and hereby authorizes the Supervisor to execute a collective bargaining agreement consistent with the terms thereof.

Dated: December 17, 2015

TB 12-17 TA RES CSEA Contract-pm

*awm*

RESOLUTION AUTHORIZING THE PURCHASE OF A PARCEL OF  
PROPERTY FOR THE WEST NYACK DOWNTOWN REVITALIZATION PROJECT  
MAP NO. 64.08-3-30

WHEREAS, the Town of Clarkstown is in the process of  
designing the revitalization of downtown West Nyack; and

WHEREAS, the Town has identified certain parcels for  
potential acquisition which may be of value in the  
revitalization process; and

WHEREAS, the owner of certain property located at 23  
Sickletown Road, West Nyack, New York (Map No. 64.08-3-30), one  
of the properties identified by the Town (the "Parcel"), has  
indicated a willingness to negotiate a sale of said parcel;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney's office is hereby  
authorized and directed to pursue the acquisition of the Parcel  
located at 23 Sickletown Road, West Nyack, New York for a sale  
price up to \$300,000.00; and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized  
to enter into a Purchase and Sale Agreement for the acquisition  
of said premises, and is further authorized to execute any  
ancillary documents necessary to effect the purchase, including  
obtaining an updated appraisal and SEQRA review.

Dated: December 17, 2015

TB 12-17 TA RES Owens Parcel-pm

