

**TOWN OF CLARKSTOWN**  
**TOWN BOARD MEETING**  
**May 3, 2016, 8:00 pm**  
Town Hall Auditorium  
AGENDA

**SALUTE TO THE FLAG**

**CLERK CALLS THE ROLL**

**SPECIAL PRESENTATION:**

**\*\*\*Liz Gessel, Veteran of the Year\*\*\***

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

**PUBLIC HEARINGS:**

**RESOLUTIONS:**

1. Authorizing Execution and Acceptance of Stormwater Maintenance Agreement regarding New City Gardens Site Plan (Tax Map 43.11-2-35)
2. Authorizing Contract regarding NYS Department of Health Creating Healthy Schools and Communities Grant Allocation to the Tri-State Transportation Campaign.
3. Granting Permission to the West Nyack Fire Engine Co. #1, Inc. to have a licensed Fireworks Display at Germonds Park, West Nyack, N.Y.
4. Granting Permission to the Heritage of West Nyack to Dispense Alcoholic Beverages at the Traphagen Property.
5. Authorizing the Supervisor to enter into an Agreement with Tilcon New York for the Police Department to use Tilcon property for sniper training.
6. Granting the following Certificate(s) of Registration:  
16-33 – SDM Industries, Inc.
7. Authorizing the following Bid Awards:
  - a) Bid #13-2016 – One Prinoth Municipal Vehicle Model SW 4S
  - b) Bid #14-2016 – Asphalt Sidewalk Construction at various locations throughout Clarkstown.
  - c) Bid #6-2016 - First Aid/Safety Supplies
  - d) Bid #8-2016 - Work Clothing and Safety Accessory Items
  - e) Bid #9-2016 - Highway Signing and Road Maintenance Supplies

8. Authorizing funds for asphalt sidewalk reconstruction at various locations throughout Clarkstown.
9. Authorizing funds for the partial reconstruction of the Traphagen House, West Nyack.
10. Authorizing the Supervisor to enter into an Amendment to the Agreement with Cambridge Systematics for a Transit Oriented Development (TOD) Plan for the Hamlet of Nanuet.
11. Authorizing the Town to share the cost of legal services performed by Daniel P. Duthie as part of the Municipal Consortium in support of reasonable water rates.
12. Scheduling a Special Town Board Meeting for May 17, 2016.
13. Authorizing the following Personnel Changes:
  - a) Resignation (Retirement): Rita Maklin, Administrative Secretary, DEC
  - b) Resignation (Retirement): Martin Farrell, Police Officer, Police Department
  - c) Appointment: Scott Waters, Constituent Services Assistant, Supervisor's Office
  - d) Creation: Code Enforcement Officer I, Building Department.
  - e) Appointment: July Young, Crossing Guard (Substitute) – Police Department
  - f) Resignation: Rabbi David Fass, Member, Board of Ethics
  - g) Re-instatement: Cathy Conklin, Extension, part-time Acting Assessor
14. Authorizing the Purchasing Agent to advertise for the following:
  - Bid #15-2016 – Clarkstown Executive Blvd Roadway Resurfacing
15. Authorizing Amending Budget.
16. Authorizing the Supervisor to enter into Agreements with the County of Rockland and Maser Consulting P.A. for Germonds Road/Little Tor Road intersection evaluation.
17. Setting a Public Hearing on the Ward Local Law (June 7, 2016)
18. Authorizing Town to Retain Patterns for Progress to provide review of the Clarkstown Departments of Recreation and Parks, Environmental Control and Justice Court

**GENERAL PUBLIC COMMENTS**

(Limited to 3 minutes per person)

/

RESOLUTION AUTHORIZING EXECUTION AND ACCEPTANCE OF  
STORMWATER MAINTENANCE AGREEMENT REGARDING  
NEW CITY GARDENS SITE PLAN (TAX MAP 43.11-2-35)

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 New City Gardens site plan (tax map 43.11-2-35), Rem Associates Realty 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 the conveyance, in a form satisfactory to the Department of Environmental Control and the Town Attorney;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to execute the stormwater control facility maintenance agreement, pending review and approval by the Department of Environmental Control and the Town Attorney, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the approved stormwater control facility maintenance agreement from Rem Associates Realty LLC in connection with the New City Gardens site plan and orders it recorded in the Rockland County Clerk's Office, subject to the receipt of recording fees.

Dated: May 3, 2016

TB 05-03 TA RES NC Gardens Stormwater Agree-pm

**RESOLUTION AUTHORIZING CONTRACT REGARDING NYS DEPARTMENT OF HEALTH CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT ALLOCATION TO THE TRI-STATE TRANSPORTATION CAMPAIGN**

WHEREAS, the Town of Clarkstown is committed to the health and wellness of its residents, and

WHEREAS, the Rockland County Department of Health has received a grant from the New York State Department of Health to work with the Town of Clarkstown to implement the community component of the grant "Creating Healthy Schools and Communities" to reach portions of the town that are a part of the East Ramapo Central School District, and

WHEREAS, the purpose of the grant is to fund a coordinated, multi-sector effort to increase demand for and access to healthy food and opportunities for physical activity to reduce the risk of obesity. The specific focus will address Complete Streets, food standards, and healthy food retail for 5-years from October 1, 2015 - September 30, 2020, and

WHEREAS, the goals of this program support the goals and objectives of the Town of Clarkstown's Comprehensive Plan, and

WHEREAS, the Town of Clarkstown will work under contract with the County under a grant in the amount of \$12,000 from October 1, 2015- September 30, 2016, and

WHEREAS, the Town Board of the Town of Clarkstown approved the acceptance of a Creating Healthy Schools and Communities grant in the amount of \$12,000 from Rockland County Department of Health, a contractor which received a grant from the New York State Department of Health (NYS DOH) for the period from October 1, 2015 through September 30, 2016 by Resolution #78-2016 on February 9, 2016, and

WHEREAS, Rockland County and the Town of Clarkstown are in a unique position to move forward with Complete Streets policies and pilot projects, which promote safer streets and better mobility options, and

WHEREAS, the Tri-State Transportation Campaign is offering training workshops and a walking audit report on Complete Streets;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clarkstown will utilize a portion of the \$12,000 New York State Department of Health's Creating Healthy Schools and Communities grant to pay up to \$7,000 to the Tri-State Transportation Campaign to hold two training workshops on Complete Streets, for Rockland local leaders, stakeholders and the public, and a walking audit report, and be it

FURTHER RESOLVED, that the Supervisor, upon execution of the contract with the Rockland County Department of Health, be authorized to enter into a contract with the Tri-State Transportation Campaign.

Dated: May 3, 2016

RESOLUTION GRANTING PERMISSION TO WEST NYACK FIRE ENGINE CO. #1 INC.  
TO HAVE A LICENSED FIREWORKS DISPLAY AT  
GERMONDS PARK, WEST NYACK, NY

WHEREAS, the West Nyack Fire engine Co. #1 Inc. has requested permission to have a licensed fireworks display on May 22, 2016 and hold a carnival from May 19, 2016 through May 22, 2016 at Germonds Park, West Nyack, NY, and

WHEREAS, Police Chief Michael Sullivan, Clarkstown Police Department, James McCormick, Emergency Management Coordinator, and Stephen Ungerleider, Chief Fire Safety Inspector, have advised that the proposed fireworks display shall be in compliance with the National Fire Protection Assoc. Standards and New York State Penal Law Section 405 and have recommended permission be granted for such fireworks display subject to certain conditions;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to West Nyack Fire Engine Co. # 1 to sponsor a fireworks display at Germonds Park on May 22, 2016 subject to the following conditions:

1. Compliance with New York State Penal Law §405 and the National Fire Protection Assoc. Standards;
2. A Certificate of Insurance for an indemnity insurance policy with liability coverage and indemnity protection naming the Town of Clarkstown as an additional insured with coverage not less than \$5,000,000, each occurrence, and evidence of NYS Workers' Compensation and Disability Benefits coverage;
3. An on-site inspection by the Town of Clarkstown Fire Inspector prior to the fireworks display;
4. Compliance with the Rockland County Planning Department's recommendations, as set forth in the Commissioner's March 23, 2016 memo; and
5. Provide an Emergency Action Plan/Incident Action Plan to the Emergency Management Coordinator of the Town.

4

RESOLUTION GRANTING PERMISSION TO THE HERITAGE OF WEST NYACK TO  
DISPENSE ALCOHOLIC BEVERAGES AT THE  
TRAPHAGEN PROPERTY

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 Heritage of West Nyack wishes to obtain a permit from the Town Board to dispense alcohol at the Traphagen Property located at 131 Germonds Road, West Nyack, New York, on June 12, 2016 for a wine and cheese fundraiser;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission for the Heritage of West Nyack to dispense alcoholic beverages at the Traphagen Property located at 131 Germonds Road, West Nyack, New York, on June 12, 2016 from 2 p.m. to 5 p.m., in accordance with Section 93-3 of the Town Code of the Town of Clarkstown and subject to receipt of a Certificate of Insurance to the satisfaction of the Town Attorney naming the Town of Clarkstown as an additional insured, and be it

FURTHER RESOLVED, that this Resolution shall constitute the permit.

Dated: May 3, 2016

TB 05-03 TA RES Heritage alcohol permit-pm

LS

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH TILCON NEW YORK FOR THE POLICE DEPARTMENT TO USE TILCON PROPERTY FOR SNIPER 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 sniper 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 sniper training at various mutually agreed upon times during the period May 1, 2016 to April 30, 2017.

DATED: May 3, 2016

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

6

**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:

SDM INDUSTRIES, INC.  
21 S. Park Terrace  
Congers, NY 10920  
Sal Multari, Owner

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the issuance of a Certificate of Registration to:

16-33 SDM INDUSTRIES INC.

DATED: May 3, 2016

TB 05-03-16 - TA RES Certificate of Registration Sewers-sk

5

7A

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

BID #13-2016 – ONE (1) PRINOTH MUNICIPAL VEHICLE  
- MODEL SW 4S

is hereby awarded to the lowest responsible bidder:

TRIOUS, INC.  
458 JOHNSON AVENUE  
P.O. BOX 158  
BOHEMIA, NY 11716-0158  
PRINCIPALS: GARY CERVELLI  
FRANCES CERVELLI

as per their low bid proposal of \$178,828.00 for one (1) Prinoth – Model SW 4S in full accordance with Town of Clarkstown's specifications and be it

FURTHER RESOLVED, that said award shall constitute a proper charge to account #H-8769-400-409-0-92-1 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: May 3, 2016

7B

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

BID # 14-2016 – ASPHALT SIDEWALK CONSTRUCTION AT VARIOUS LOCATIONS THROUGHOUT CLARKSTOWN

is hereby awarded to: TILCON NEW YORK, INC.  
162 OLD MILL ROAD  
WEST NYACK, NY 10994  
PRINCIPAL: JOHN T. COONEY JR.

as per their proposed total project cost of \$66,239.00 plus an 18% contingency and be it

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

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

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

FURTHER RESOLVED, that this project shall be under the supervision of the Clarkstown Highway Department

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8769-400-409-0-92-4, 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: May 3, 2016

7c

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

BID #6-2016- FIRST AID/SAFETY SUPPLIES

is hereby awarded to: MEDCO SUPPLY COMPANY  
500 FILLMORE AVENUE  
TONAWANDA, NY 14150  
PRINCIPALS: A PUBLIC COMPANY

HENRY SCHEIN MATRIX, INC.  
P.O. BOX 3227  
IRMO, SC 29063  
PRINCIPALS: A PUBLIC CORPORATION

MOORE MEDICAL, LLC  
1690 NEW BRITAIN AVENUE  
FARMINGTON, CT 06032  
PRINCIPALS: A PUBLIC COMPANY

BOUND TREE MEDICAL, LLC  
5000 TUTTLE CROSSING BLVD  
DUBLIN, OH 43016  
PRINCIPALS: A PUBLIC COMPANY

as per the item/price schedule on file in the Purchasing Department

Dated: May 3, 2016

5

7D

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

**BID#8-2016 – WORK CLOTHING AND SAFETY ACCESSORY ITEMS**

is hereby awarded to:

ARAMARK UNIFORM SERVICES  
DIV. OF ARAMARK UNIFORM & CAREER APPAREL, INC.  
115 NORTH FIRST STREET  
BURBANK, CA 91502  
PRINCIPALS: A PUBLIC CORPORATION

STAUFFER GLOVE AND SAFETY  
361 E. SIXTH STREET  
P.O. BOX 45  
RED HILL, PA 18076  
PRINCIPALS: W. RANDELL STAUFFER  
JEFFREY STAUFFER  
REBEKAH STAUFFER PUTERA

MAG & SON CLOTHING  
171 PASCONE PLACE  
NEWINGTON, CT 06111  
PRINCIPALS: NATHAN MAG  
HENRY MAG

as per the attached price/item list

DATED: May 3, 2016

LS

7E

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

BID #9-2016- HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES

is hereby awarded to: CHEMUNG SUPPLY CORP.  
P.O. BOX 527  
ELMIRA, NY 14902  
PRINCIPAL: MYRA S. STEMERMAN  
MARC P. STEMERMAN

GARDEN STATE HIGHWAY PRODUCTS, INC.  
1740 E. OAK ROAD  
VINELAND, NJ 08361  
PRINCIPAL: SHARON L.GREEN  
ROBERT A. GREEN

VULCAN SIGNS  
P.O. BOX 1850  
FOLEY, AL 36536  
PRINCIPAL: AN EMPLOYEE OWNED CO.

AMERICAN TRAFFIC SAFETY MATERIALS, INC.  
P.O. BOX 1449  
ORANGE PARK, FL 32067-1449  
PRINCIPAL: A PUBLIC CORPORATION

TRAFFIC LANE CLOSURES, LLC  
1214 ROUTE 52  
CARMEL, NY 10512  
PRINCIPAL: TERESA ROSENFELD

as per attached item/price schedule on file in the Purchasing Department.

DATED: May 3, 2016

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,  
NEW YORK, ADOPTED MAY 3, 2016, AUTHORIZING  
ASPHALT SIDEWALKS RECONSTRUCTION AT VARIOUS  
LOCATIONS THROUGHOUT CLARKSTOWN, STATING  
THE ESTIMATED MAXIMUM COST THEREOF IS \$78,165,  
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,  
AND AUTHORIZING THE ISSUANCE OF BONDS IN THE  
PRINCIPAL AMOUNT OF \$78,165 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 undertake asphalt sidewalks reconstruction at  
various locations throughout Clarkstown, including resurfacing of various arterial and school  
zone asphalt sidewalks. The estimated maximum cost thereof, including preliminary costs and  
costs incidental thereto and the financing thereof, is \$78,165 and said amount is hereby  
appropriated for such purpose. The plan of financing includes the issuance of bonds in the  
principal amount of \$78,165 and any bond anticipation notes issued in anticipation of the sale of  
said bonds of the Town to finance said appropriation, and the levy and collection of taxes on all  
the taxable real property in the Town to pay the principal of and interest on said bonds and notes.

Section 2. Serial bonds of the Town in the principal amount of \$78,165 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 class of objects or purposes for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 24 of the Law, is ten (10) years; however it is hereby determined that the maximum term of such bonds will not exceed five (5) years.

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

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

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "*The Journal-News*," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,  
NEW YORK, ADOPTED MAY 3, 2016, AUTHORIZING  
PARTIAL RECONSTRUCTION OF THE TRAPHAGEN  
HOUSE LOCATED IN WEST NYACK, STATING THE  
ESTIMATED MAXIMUM COST THEREOF IS \$100,000,  
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,  
AND AUTHORIZING THE ISSUANCE OF BONDS IN THE  
PRINCIPAL AMOUNT OF \$100,000 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 undertake partial reconstruction of the  
Traphagen House located at 131 Germonds Road in West Nyack, including but not limited to  
asbestos removal. The estimated maximum cost thereof, including preliminary costs and costs  
incidental thereto and the financing thereof, is \$100,000 and said amount is hereby appropriated  
for such purpose. The plan of financing includes the issuance of bonds in the principal amount  
of \$100,000 and any bond anticipation notes issued in anticipation of the sale of said bonds of  
the Town to finance said appropriation, and the levy and collection of taxes on all the taxable  
real property in the Town to pay the principal of and interest on said bonds and notes.

Section 2. Serial bonds of the Town in the principal amount of \$100,000 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 existing building is of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 12.(a)(2) of the Law, is fifteen (15) years; however it is hereby determined that the maximum term of such bonds will not exceed five (5) years.

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

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

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

credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "*The Journal-News*," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

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RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AMENDMENT TO THE AGREEMENT WITH CAMBRIDGE SYSTEMATICS 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 for the New York State Energy Research and Development Authority (NYSERDA) Cleaner Greener Communities Program, Phase II, Category 2, and

WHEREAS, NYSERDA awarded a \$150,000.00 grant for a transit oriented development (TOD) plan for the Hamlet of Nanuet, and

WHEREAS, by Resolution No. 333-2015, adopted September 29, 2015, the Town Board authorized the Supervisor to enter into agreements with NYSERDA, Behan Planning and Design, and Cambridge Systematics, who were included in the grant application, to effectuate the TOD plan, and

WHEREAS, the fees for these services were not to exceed \$200,000.00 (consisting of \$104,000.00 for Behan Planning and Design, and \$96,000.00 for Cambridge Systematics), reimbursed in part up to \$150,000.00 from the NYSERDA grant with the balance being funded by the Town, and

WHEREAS, the Town has subsequently terminated its agreement with Behan Planning and Design, and

WHEREAS, the Town has compensated Behan Planning and Design, pursuant to the Town's agreement with Behan Planning and Design, for services rendered up to and including the date of termination, and

WHEREAS, Cambridge Systematics, which was included in the grant application, has submitted a proposal to provide the professional services detailed in the TOD plan for the Hamlet of Nanuet in its entirety, in lieu of Behan Planning and Design, and

WHEREAS, the Town Planner has reviewed the proposal submitted by Cambridge Systematics and finds it acceptable in terms of scope and price,

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the Supervisor, upon NYSERDA's express consent, in writing, to this change of subcontractor responsibilities pursuant to the Town's agreement with NYSERDA, to enter into an amendment to the agreement with Cambridge Systematics to provide the professional services to develop the transit oriented plan for the Hamlet of Nanuet, and be it

FURTHER RESOLVED, that the fees for these services shall not exceed \$196,000.00, including the \$96,000.00 previously authorized for Cambridge Systematics, and be it

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

Dated: May 3, 2016

TB 05-03-16 TA RES Cambridge Systematics-TOD-Nanuet-kh

11

RESOLUTION AUTHORIZING TOWN TO SHARE THE COST OF LEGAL SERVICES  
PERFORMED BY DANIEL P. DUTHIE AS PART OF THE MUNICIPAL  
CONSORTIUM IN SUPPORT OF REASONABLE WATER RATES

WHEREAS, the Town of Clarkstown has joined the Municipal Consortium in Support of Reasonable Water Rates in connection with Suez Water New York's 2016 Rate Case 16-W-0130 before the Public Service Commission, and

WHEREAS, Daniel P. Duthie, Esq. has submitted a proposal dated April 27, 2016 to represent and provide legal services to the Town of Clarkstown as part of its share in connection with the case before the Public Service Commission, and

WHEREAS, the Town Attorney finds said proposal to be reasonable in terms of scope and price, and recommends the hiring of Daniel P. Duthie, Esq.;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Daniel P. Duthie, Esq., in a form approved by the Town Attorney, to provide legal services pursuant to his proposal dated April 27, 2016, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$13,505.00 for the Town of Clarkstown's share of the fee, and said fee will be charged to Account No. A 1420-409.

Dated: May 3, 2016

RESOLUTION SCHEDULING A SPECIAL MEETING  
OF THE TOWN BOARD

RESOLVED, that the Town Board hereby schedules a Special Town Board Meeting for May 17, 2016 immediately following the Workshop meeting scheduled for 7:30 p.m., in the Room 301 of the Clarkstown Town Hall, at 10 Maple Avenue, New City, New York. The purpose of said meeting is to establish public hearings for June 7, 2016 and any such other matter that the Town Board may wish to consider.

Dated: May 3, 2016

TB 05-03 TA RES Special TB Meeting-pm

RESOLVED, that the resignation (by retirement)  
of Rita Maklin - Administrative Secretary - Department of  
Environmental Control - is hereby accepted effective and  
retroactive to April 30, 2016.

DATED: May 3, 2016

P

RESOLVED, that the resignation (by retirement)  
of Martin Farrell - Police Officer - Police Department  
- is hereby accepted effective and retroactive to  
April 30, 2016.

DATED: May 3, 2016

P

130

**RESOLVED, that Scott Waters - is  
hereby appointed to the position of Constituent Services  
Assistant (Town) - Office of the Town Supervisor - at the  
current 2016 annual salary of \$42,000- effective May 2, 2016.**

**DATED: May 3, 2016**

**P**

13D

RESOLUTION AMENDING RESOLUTION NO. 138-2016

WHEREAS, by Resolution No. 138-2016, the Town Board accepted the creation of the position Code Enforcement Officer I - Building Department, and

WHEREAS, there was an error regarding the abolishment of the position Code Enforcement Officer I - Town Attorney's Office;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 138-2016 to state the following:

WHEREAS, the Rockland County Personnel Office has certified on March 11, 2016, that the position of Code Enforcement Officer I, can be created,

NOW, therefore, be it

RESOLVED, that the position of Code Enforcement Officer I - Building Department - is hereby created - effective March 22, 2016.

DATED: May 3, 2016

P

13E

**RESOLVED, that July Young – is hereby appointed  
to the position of Crossing Guard (substitute) – Police Department –  
at the current 2016 rate of \$20.20 per crossing effective May 4, 2016.**

**DATED: MAY 3, 2016**

**P**

13F

**RESOLVED, that the resignation of Rabbi David Fass -  
Member - Board of Ethics - is hereby accepted effective and  
retroactive to April 22, 2016.**

**DATED: May 3, 2016  
P**

14

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

**BID#15-2016 – CLARKSTOWN EXECUTIVE BLVD ROADWAY RESURFACING**

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: May 3, 2016

**RESOLUTION AUTHORIZING AMENDING BUDGET**

**WHEREAS** the Town has received \$1,000 from the Rockland County Kennel Club and \$1,000 from the Wallkill Kennel Club,

**NOW THEREFORE BE IT,**

**Resolved** to increase Revenue Account A-01-9-2705-0 (General Fund-Gifts and Donations) and Expense Account A-3120-293-0 (Police-Law Enforcement Equipment) by \$2,000 and

**WHEREAS** various accounts require additional funding,

**NOW THEREFORE BE IT,**

**RESOLVED,** to decrease Expense B-3620-111-0 (Building-Salaries) and increase B-3620-438-0 (Building-Maintenance Agreements) by \$9,325.

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AGREEMENTS  
WITH THE COUNTY OF ROCKLAND AND MASER CONSULTING P.A. FOR  
GERMONDS ROAD/LITTLE TOR ROAD INTERSECTION EVALUATION

WHEREAS, the Town of Clarkstown proposes to conduct a traffic study at the intersection of Germonds and Little Tor Roads to evaluate the current intersection operation and to examine potential modifications in the intersection operation, and

WHEREAS, Maser Consulting P.A. has submitted a proposal, dated April 5, 2016, to provide professional services to conduct the study, and

WHEREAS, the Superintendent of Highways has reviewed the proposal and finds it reasonable in scope and price, and

WHEREAS, the County of Rockland and the Town of Clarkstown desire to enter into an agreement for the County to reimburse the Town for a portion of the cost of such services in connection with the intersection evaluation and the County has agreed to reimburse the Town for said costs at the rate of fifty percent (50%) of such costs paid to the contractor not to exceed THIRTEEN THOUSAND EIGHT HUNDRED (\$13,800.00) DOLLARS;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into agreements with the County of Rockland and Maser Consulting, P.A. in connection with the Little Tor/Germonds Roads intersection evaluation project, in a form approved by the Town Attorney, and for the County of Rockland to pay for fifty percent (50%)

of the aforementioned costs not to exceed THIRTEEN THOUSAND EIGHT HUNDRED (\$13,800.00) DOLLARS, and be it

FURTHER RESOLVED that said fees should be a proper charge to Account No. H 8769 400 409 0 92 5.

DATED: May 3, 2016

TB 05-03-16 TA RES County/Maser Little Tor/Germonds Traffic Study-kh

1.7

RESOLUTION SETTING A PUBLIC HEARING ON WARD LOCAL LAW

WHEREAS, Councilperson \_\_\_\_\_, a member of the Town Board of the Town of Clarkstown, has introduced a proposed Ward Local Law, and

WHEREAS, this proposed local law is intended to give the Town Board the power to establish the boundary lines for ward districts;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York on June 7, 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: May 3, 2016

TB 05-03 TA RES Local Law P.H.-Ward Districts-pm

VTD

**RESOLUTION AUTHORIZING TOWN TO RETAIN PATTERNS FOR PROGRESS TO PROVIDE REVIEW OF THE CLARKTOWN DEPARTMENTS OF RECREATION AND PARKS, ENVIRONMENTAL CONTROL AND JUSTICE COURT FOR THE TOWN OF CLARKSTOWN**

WHEREAS, The Patterns for Progress has submitted a proposal dated April 15, 2016 to provide a review of Clarkstown Departments of Recreation and Parks, Environmental Control and Justice Court by serving as Municipal Government Consultants 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 Patterns for Progress, in a form approved by the Town Attorney, to provide aforementioned services pursuant to its proposal dated April 15, 2016 commencing upon closure of the agreement between the Supervisor and Patterns for Progress, and be it

FUTHER RESOLVED, that the fee for said work shall not exceed \$ 22,000.00 and will be charged to Account No. A 1420-409.

Dated: April 5, 2016