TOWN OF CLARKSTOWN
TOWN BOARD MEETING
June 7, 2016, 8:00 pm
Town Hall Auditorium
AGENDA

SALUTE TO THE FLAG

CLERK CALLS THE ROLL

SPECIAL PRESENTATIONS:

~ **Sr. Stephen Gerard** ~
60 Years as a Dominican Sister of Sparkill
41 Years as Principal of St. Paul's Elementary School, Congers

~ **Youth Academy Graduation** ~

PUBLIC HEARINGS:

- Proposed Local Law entitled: "A Local Law Establishing Ward District Boundary Lines within the Town of Clarkstown."

RESOLUTIONS:

1. Accepting the Minutes of the Town Board Meeting of May 3, 2016 as submitted by the Town Clerk.

2. Authorizing the following Personnel Changes:
   a) Creation: Director of Facilities and Grounds, Maintenance Department.
   b) Reclassification: Sr. Stenographer to Sr. Clerk Typist, Supervisor's Office.
   c) Resignation (Retirement): Mariann Kilduff, Municipal Bus Driver, Mini Trans
   d) Resignation: Rita Maklin, Secretary (P/T), Architecture & Landscape Commission.
   e) Appointment: Scott Shedler, Assessor
   f) Rescinding Resolution 198-2015, dated June 9, 2015 – Zoning Enforcement Officer and Community Liaison, Building Department.

3. Authorizing the following Bid Awards:
   a) Bid #12-2016 – Canine Harassment of Canadian Geese
   b) Bid #15-2016 – Town of Clarkstown Executive Blvd. Roadway Resurfacing

4. Authorizing the Purchasing Agent to advertise for the following:
   Bid #16-2016 – Micro Paving at various locations.

5. Authoring the installation of a Hydrant #X11888 located across 17 Woodthrush Dr., W. Nyack

6. Authorizing the Installation of One (1) 30 MPH Speed Sign on Eberling Drive, New City.

7. Authorizing Partial Refunds of Building Permit fees to the following:
   a) Roof Diagnostics Solar Holdings LLC, Tax Map No. 50.20-4-76 (Sacco)
   b) Roof Diagnostics Solar Holdings LLC, Tax Map No. 43.12-3-11 (Gopalaswamy)
   c) Vivint Solar, Inc., Tax Map No. 43.13-1-10 (Ferran)

8. Authorizing the Building Inspector to issue a Permit to Fair Productions, Inc. for Carnival.

9. Authorizing the Purchase of a Large Format Plotter

10. Authorizing the cost of the following Reconstruction to be treated as a Capital Project:
    a) Badger Street, New City.
    b) Crusher Road, Valley Cottage.
    c) Leona Avenue, New City
    d) Red Hill Road, New City
    e) Storms Road, Valley Cottage
    f) Summit Drive, New City
    g) Tennyson Drive, Nanuet
    h) Westview Avenue, Congers

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

12. Setting a Public Hearing and Referring to the Rockland County Commissioner of Planning and the Clarkstown Planning Board the Application of Benim Scholastic Academy for a Special Permit to conduct a Child Day Care Center. (July 19th)

13. Authorizing Settlement of Tax Certiorari regarding Route 59 Spring Valley Gasoline Corp. (Tax Map #s: 57.56-2-2, 57.56-2-2.1 and 57.56-2-3.

14. Authorizing Amending Budget

15. Authorizing the Town to Pursue Negotiations regarding contributing funds to purchase property adjacent to Hook Mountain State Park (Marydell Prroperty)

16. Authorizing funds for the resurfacing of Executive Boulevard and Corporate Way.

PUBLIC COMMENTS REGARDING AGENDA ITEMS
(Limited to 3 minutes

PH

RESOLUTION OF THE TOWN BOARD
ADOPTING LOCAL LAW NO. - 2016

WHEREAS, a proposed local law entitled,

"A LOCAL LAW ESTABLISHING WARD DISTRICT BOUNDARY LINES WITHIN THE TOWN OF CLARKSTOWN"

was introduced by Councilperson Borelli at a Town Board meeting held on May 3, 2016, and

WHEREAS, the Town Board of the Town of Clarkstown, by resolution adopted on May 3, 2016, directed that a public hearing be held on June 7, 2016, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on May 24, 2016, and

WHEREAS, a pdf copy of the proposed local law was sent in electronic format by electronic means to the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on May 17, 2016;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. - 2016 entitled:

"A LOCAL LAW ESTABLISHING WARD DISTRICT BOUNDARY LINES WITHIN THE TOWN OF CLARKSTOWN"

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

George Hoehmann, Supervisor . . . . .
Frank Borelli, Councilman . . . . . .
Stephanie G. Hausner, Councilwoman . .
John J. Noto, Councilman . . . . . .
Adrienne D. Carey, Councilwoman . . . . .

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

Dated: June 7, 2016

TB 06-07 TA RES Adopt LL-Ward Districts-pm

RESOLVED, that the Town Board Minutes of May 3, 2016 are hereby accepted as submitted by the Town Clerk.

DATED: June 7, 2016

2A

WHEREAS, the Rockland County Personnel Office has certified on April 21, 2016 that the position of Director of Facilities and Grounds, can be created,

NOW, therefore, be it

RESOLVED, that the position of Director of Facilities and Grounds - Maintenance Department - is hereby created - effective May 25, 2016.

DATED: June 7, 2016
P

2B

WHEREAS, the Rockland County Personnel Office has certified on May 13, 2016 that the position of Senior Stenographer - Supervisor's Office can be reclassified to the position of Senior Clerk Typist,

NOW, therefore, be it

RESOLVED, that the position of Senior Clerk Typist - Supervisor's Office - is hereby created - effective And retroactive to May 17, 2016.

DATED: June 7, 2016
P

2C

RESOLVED, that the resignation (by retirement) of Mariann Kilduff - Municipal Bus Driver - Mini Trans - is hereby accepted effective and retroactive to May 28, 2016.

DATED: June 7, 2016
P

2D

RESOLVED, that the resignation of Rita Maklin - Secretary (PT) - Architecture and Landscape Commission- is hereby accepted effective and retroactive to April 26, 2016.

DATED: June 7, 2016
P

2E

RESOLVED, that Scott Shedler, is hereby appointed to the position of Assessor – Assessor's Office – subject to employment contract review and approval by Supervisor and Town Attorney and application approval by Rockland County Personnel Office - at the annual salary of $160,000, effective June 21, 2016.

DATED: June 7, 2016

P

2F

RESOLVED, that Resolution No. (198-2015) appointing the position of (Provisional) Zoning Enforcement Officer & Community Liaison – Building Department - passed on June 9, 2015, is hereby rescinded effective June 7, 2016,

and be it,

FURTHER RESOLVED, that the provisional appointee will return to former status as a Code Enforcement Officer II.

DATED: June 7, 2016

P

3A

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

BID # 12-2016 – CANINE HARASSMENT OF CANADIAN GEESE

is hereby awarded to:	HUDSON VALLEY WILD GOOSE CHASERS, INC. 10 WALDRON AVENUE, SUITE #3 NYACK, NY 10960
PRINCIPAL:	FRANCESCA SALINA RIZZO PETER RIZZO

as per their proposed total cost as follows:

$1,625.00 - Total Base bid price per month for one twelve (12) month period with an option for extension of the agreement of two (2) additional twelve (12) month periods for Kings Park, Congers Memorial Park and Twin Ponds with no additional charge per call-out for additional sites;
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

DATED: June 7, 2016

LS

3B

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

BID # 15-2016 Town of Clarkstown Executive Blvd Roadway Resurfacing

is hereby awarded to: Intercounty Paving Associates, LLC
859 Willow Grove Street, Hackettstown, NJ 07840

PRINCIPAL: John Perrocci Jr. Member

as per their proposed project cost of $1,364,716.84 plus 10 % contingency and be it

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

a) Signed Contract Documents – four sets
b) Performance Bond - 100% of project cost
c) Labor and Materials Payment Bond - 100% of proposed project cost
d) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
e) Certificate of Automobile Liability Coverage
f) Certificate of Worker's Compensation insurance coverage
g) Certificate of Worker's Disability Insurance coverage
h) Evidence that the Contractor/Sub-contractor has entered into an Apprenticeship Agreement which has been registered with and approved by the NYS Commissioner of Labor in accordance with Article 23 of the New York Labor Law. The Town will consider the use of project labor agreements in Public Works Contracts involving multiple trades in furtherance of the Apprenticeship Policy

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

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H- 8769-409-0-92-8 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: June 7, 2016

LS

4

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

BID#16-2016 – MICRO PAVING AT VARIOUS LOCATIONS

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

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

DATE: June 7, 2016

LS

5

RESOLVED, that based upon the recommendation of the Director of Environmental Control, SUEZ WATER NEW YORK, INC. is hereby authorized to install the following hydrant in conjunction with Hydrant Investigation No. 13106,

Hydrant #X11888 – located across 17Woodthrush Dr., West Nyack

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Clarkstown Chief Fire Safety Inspector.

6

RESOLUTION AUTHORIZING THE INSTALLATION OF ONE (1) 30 MPH SPEED SIGN ON EBERLING DRIVE, NEW CITY

WHEREAS, an investigation by the Traffic & Traffic Fire Safety Advisory Board resulted in the recommendation that one (1) Town Speed Limit 30 mph sign be installed at the entrance of Eberling Drive from New Hempstead Road, New City;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install this sign and be it

FURTHER RESOLVED, that a copy of this resolution be forward 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.

DATE: June 7, 2016

L.S

7A

RESOLUTION AUTHORIZING A PARTIAL REFUND OF BUILDING PERMIT FEE TO ROOF DIAGNOSTICS SOLAR HOLDINGS LLC CONCERNING PROPERTY DESIGNATED AS TAX MAP NO. 50.20-4-76 (SACCO)

WHEREAS, Roof Diagnostics Solar Holdings LLC has requested a refund of Building Permit Fee (#15-1428) paid in the amount of $456.00 for property located at 11 Baylor Road, New City, New York, more particularly described as Tax Map No. 50.20-4-76, due to cancellation of work, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of $190.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of $266.00 to Roof Diagnostics Solar Holdings LLC, 2333 Highway 34, Wall, New Jersey 08736 to be charged to Account No. B-02-6-2555-0.

Dated: June 7, 2016

TB 06-07 TA RES Bldg Permit Partial Refund Roof Diagnostics-Sacco-pm

7B

RESOLUTION AUTHORIZING A PARTIAL REFUND OF BUILDING PERMIT FEE TO ROOF DIAGNOSTICS SOLAR HOLDINGS LLC CONCERNING PROPERTY DESIGNATED AS TAX MAP NO. 43.12-3-11 (GOPALASWAMY)

WHEREAS, Roof Diagnostics Solar Holdings LLC has requested a refund of Building Permit Fee (#16-0090) paid in the amount of $762.00 for property located at 33 King Arthur Court, New City, New York, more particularly described as Tax Map No. 43.12-3-11, due to cancellation of work, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of $190.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of $572.00 to Roof Diagnostics Solar Holdings LLC, 2333 Highway 34, Wall, New Jersey 08736 to be charged to Account No. B-02-6-2555-0.

Dated: June 7, 2016

TB 06-07 TA RES Bldg Permit Partial Refund Roof Diagnostics-Gopalaswamy-pm

LS

7c

RESOLUTION AUTHORIZING A PARTIAL REFUND OF BUILDING PERMIT FEE TO VIVINT SOLAR INC. CONCERNING PROPERTY DESIGNATED AS TAX MAP NO. 43.13-1-10 (FERRAN)

WHEREAS, Vivint Solar Inc. has requested a refund of Building Permit Fee (#16-0303) paid in the amount of $492.00 for property located at 3 Crieff Lane, New City, New York, more particularly described as Tax Map No. 43.13-1-10, due to cancellation of work, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of $190.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of $303.00 to Vivint Solar Inc., 3301 N Thanksgiving Way, Suite 500, Lehl, UT 84043 to be charged to Account No. B-02-6-2555-0.

Dated: June 7, 2016

TB 06-07 TA RES Bldg Permit Partial Refund Vivint- Ferran-pm

RESOLUTION AUTHORIZING THE BUILDING INSPECTOR TO ISSUE A PERMIT TO FAIR PRODUCTIONS, INC. FOR CARNIVAL

WHEREAS, Fair Productions, Inc. has submitted an application to the Town Building Inspector to hold a fair at the Palisades Center Mall in Lot J, West Nyack, New York to begin on June 24, 2016 and end on July 10, 2016 (the set up time will begin on June 20, 2016 and continue through June 24, 2016; the move-out time will begin on July 11, 2016 and end on July 13, 2016), and

WHEREAS, pursuant to Section 117-13 of Town Code, the Town Board may, for good cause, from time to time, authorize the Building Inspector to issue a permit for circuses and carnivals to operate in excess of fourteen (14) days;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Building Inspector to issue a permit to Fair Productions, Inc. to hold a fair at the Palisades Center Mall Parking Lot J, West Nyack, New York, for the period referred to herein.

Dated: June 7, 2016

TB 06-07 TA RES Fair Productions – Lot J Carnival-pm

RESOLUTION AUTHORIZING THE PURCHASE OF A LARGE FORMAT PLOTTER

WHEREAS, Corporate Computer Solutions has submitted a proposal, dated May 26, 2016, to provide the Town with a large format plotter, hardware, materials, software, support, and training, and

WHEREAS, Jose Simoes, Principal Planner, and William Withington, GIS Coordinator, have reviewed the proposal and find it reasonable both in scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the purchase of a large format plotter and that the fee for such equipment shall not exceed the total amount of $16,616.48, and be it

FURTHER RESOLVED, that the fee as authorized by the Principal Planner, shall be charged to Account No. H-8769-409-92-7, and be it

FURTHER RESOLVED, that it is the intent of the Town Board that this project shall be funded through the issuance of serial bonds.

Dated: June 7, 2016

Agreement Corporate Computer Solutions

10A

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF BADGER STREET, NEW CITY TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Frank DiZenzo, Sr., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Badger Street, New City determined to be a capital improvement, and

WHEREAS, Badger Street, New City is in such disrepair that it requires reconstruction and installation of new piping, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pipe:	60 linear ft. @ $6.40	=	$ 384.00
Catch Basins, Frame & Grate:	2 units @ $1,150.00 each	=	$ 2,300.00
			$ 2,684.00

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces and materials from the following bid, County of Duchess New Storm Drain and Culvert Pipe Accessory Fittings & Hardware RFB-DCP-16-15.

NOW THEREFORE, be it

RESOLVED, that Frank DiZenzo, Sr., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of $2,684.00 is hereby determined to be a proper charge to capital account # H-8769-409-0-92-6 and it is the intent of the Board that this is to be funded by serial bonds.

Dated: June 7, 2016

LS

10B

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF CRUSHER ROAD, VALLEY COTTAGE TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Frank DiZenzo, Sr., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Crusher Road, Valley Cottage determined to be a capital improvement, and

WHEREAS, Crusher Road, Valley Cottage is in such disrepair that it requires reconstruction and installation of new piping, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pipe:	260 linear ft. @ $9.45	=	$ 2,457.00
			$ 2,457.00

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces and materials from the following bid, County of Duchess New Storm Drain and Culvert Pipe Accessory Fittings & Hardware RFB-DCP-16-15.

NOW THEREFORE, be it

RESOLVED, that Frank DiZenzo, Sr., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of $2,457.00 is hereby determined to be a proper charge to capital account # # H-8769-409-0-92-6 and it is the intent of the Board that this is to be funded by serial bonds.

Dated: June 7, 2016

10C

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF LEONA AVENUE, NEW CITY TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Frank DiZenzo, Sr., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Leona Avenue, New City determined to be a capital improvement, and

WHEREAS, Leona Avenue, New City is in such disrepair that it requires reconstruction and installation of new piping, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pipe:	120 linear ft. @ $4.90	=	$ 588.00
Catch Basins, Frame & Grate:	2 units @ $1,150.00 each	=	$ 2,300.00
			$ 2,888.00

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces and materials from the following bid, County of Duchess New Storm Drain and Culvert Pipe Accessory Fittings & Hardware RFB-DCP-16-15.

NOW THEREFORE, be it

RESOLVED, that Frank DiZenzo, Sr., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of $2,888.00 is hereby determined to be a proper charge to capital account # H-8769-409-0-92-6 and it is the intent of the Board that this is to be funded by serial bonds.

Dated: June 7, 2016

LS

10D

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF RED HILL ROAD, NEW CITY TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Frank DiZenzo, Sr., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Red Hill Road, New City determined to be a capital improvement, and

WHEREAS, Red Hill Road, New City is in such disrepair that it requires reconstruction and installation of new piping, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pipe:	200 linear ft. @ $6.40	=	$ 1,280.00
Catch Basins, Frame & Grate:	3 units @ $1,150.00 each	=	$ 3,450.00
Catch Basin Reconstruction:	19 @ $750.00 each	=	$ 14,250.00
			$ 18,980.00

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces and materials from the following bid, County of Duchess New Storm Drain and Culvert Pipe Accessory Fittings & Hardware RFB-DCP-16-15.

NOW THEREFORE, be it

RESOLVED, that Frank DiZenzo, Sr., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of $18,980.00 is hereby determined to be a proper charge to capital account # H-8769-409-0-92-6 and it is the intent of the Board that this is to be funded by serial bonds.

Dated: June 7, 2016

LS

10E

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF STORMS ROAD, VALLEY COTTAGE TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Frank DiZenzo, Sr., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Storms Road, Valley Cottage determined to be a capital improvement, and

WHEREAS, Storms Road, Valley Cottage is in such disrepair that it requires reconstruction and installation of new piping, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pipe:	60 linear ft. @ $9.45	=	$ 567.00
	40 linear ft. @ $4.90	=	$ 196.00
Misc. Asphalt & Item #4 Stone:	1 unit @ $350.00 each	=	$ 350.00
			$ 1,113.00

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces and materials from the following bid, County of Duchess New Storm Drain and Culvert Pipe Accessory Fittings & Hardware RFB-DCP-16-15.

NOW THEREFORE, be it

RESOLVED, that Frank DiZenzo, Sr., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of $1,113.00 is hereby determined to be a proper charge to capital account # H-8769-409-0-92-6 and it is the intent of the Board that this is to be funded by serial bonds.

Dated: June 7, 2016

LS

10F

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF SUMMIT DRIVE, NEW CITY TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Frank DiZenzo, Sr., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Summit Drive, New City determined to be a capital improvement, and

WHEREAS, Summit Drive, New City is in such disrepair that it requires reconstruction and installation of new piping, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pipe:	30 linear ft. @ $6.40	=	$ 192.00
Catch Basins, Frame & Grate:	2 units @ $1,150.00 each	=	$ 2,300.00
			$ 2,492.00

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces and materials from the following bid, County of Duchess New Storm Drain and Culvert Pipe Accessory Fittings & Hardware RFB-DCP-16-15.

NOW THEREFORE, be it

RESOLVED, that Frank DiZenzo, Sr., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of $2,492.00 is hereby determined to be a proper charge to capital account # H-8769-409-0-92-6 and it is the intent of the Board that this is to be funded by serial bonds.

Dated: June 7, 2016

LS

10G

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF TENNYSON DRIVE, NANUET TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Frank DiZenzo, Sr., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Tennyson Drive, Nanuet determined to be a capital improvement, and

WHEREAS, Tennyson Drive, Nanuet is in such disrepair that it requires reconstruction and installation of new piping, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pipe:	160 linear ft. @ $4.90	=	$ 784.00
Catch Basins, Frame & Grate:	1 unit @ $1,150.00 each	=	$ 1,150.00
			$ 1,934.00

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces and materials from the following bid, County of Duchess New Storm Drain and Culvert Pipe Accessory Fittings & Hardware RFB-DCP-16-15.

NOW THEREFORE, be it

RESOLVED, that Frank DiZenzo, Sr., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of $1,934.00 is hereby determined to be a proper charge to capital account # H-8769-409-0-92-6 and it is the intent of the Board that this is to be funded by serial bonds.

Dated: June 7, 2016

LS

10H

RESOLUTION AUTHORIZING THE COST OF RECONSTRUCTION OF WESTVIEW AVENUE, CONGERS TO BE TREATED AS A CAPITAL PROJECT

WHEREAS, Frank DiZenzo, Sr., Superintendent of Highways is requesting that the cost of a drainage and resurfacing project on Westview Avenue, Congers determined to be a capital improvement, and

WHEREAS, Westview Avenue, Congers is in such disrepair that it requires reconstruction and installation of new piping, so that the project may be considered a capital project, and

WHEREAS, the Superintendent of Highways has estimated the cost as follows:

Pipe:	220 linear ft. @ $6.40	=	$ 1,408.00
Catch Basins, Frame & Grate:	3 units @ $1,150.00 each	=	$ 3,450.00
Catch Basin Reconstruction:	4 @ $750.00 each	=	$ 3,000.00
			$ 7,858.00

and

WHEREAS, the work will be completed utilizing the Clarkstown Highway Department forces and materials from the following bid, County of Duchess New Storm Drain and Culvert Pipe Accessory Fittings & Hardware RFB-DCP-16-15.

NOW THEREFORE, be it

RESOLVED, that Frank DiZenzo, Sr., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of $7,858.00 is hereby determined to be a proper charge to capital account # H-8769-409-0-92-6 and it is the intent of the Board that this is to be funded by serial bonds.

Dated: June 7, 2016

LS

11

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

WHEREAS, the Offices of the Building Inspector, Fire Inspector or Code Enforcement Officials handle complaints and perform Town-wide inspections of the vacant, foreclosed, and/or abandoned properties in Clarkstown, the owners or responsible parties of which have failed to perform required lawn and landscape maintenance pursuant to Town of Clarkstown Town Code Chapter 216-4, (Property Maintenance, Landscaping Maintenance), and

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

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

51 E. Lake Road, Congers (44.15-3-59) fka (127-D-23)
6 Scott Drive, New City (43.20-2-40) fka (77-A-2.28)
3 Farview Court, New City (42.16-2-31 fka (169-A-11.9)
42 Susan Drive, New City (43.6-1-52) fka (40-A-159)
6 Gem Court, New City (30.20-3-81) fka (165-A-31)
20 Caringorm Road, New City (43.13-1-41) fka (21-A-2.3)
7 Green Hill Court, Nanuet (63.12-1-80) fka (162-C-4.9)
4 Barbara Road, New City (42.16-2-9) fka (169-A-4.17)
8 Thomas Court, Valley Cottage (59.10-1-3) fka (108-B-84)

NOW, THEREFORE, be it

RESOLVED, that subject to a reasonable grace period and final re-inspection, the Town Board hereby authorizes the Code Enforcement Official, retroactive to May 1st, 2016, to arrange for the appropriate property maintenance through the tasking of available Town forces, subcontractors or agents to perform the required trimming of grass, weeds, trees and shrubs on the above properties along with any and/or all associated debris removal, throughout the 2016 mowing and growing season, after which a bill of costs will be submitted to said office for the purpose of levying said costs incurred by the Town as a property tax lien on the property by the Town Assessor.

DATED: June 7, 2016

RESOLUTION SETTING A PUBLIC HEARING AND REFERRING TO THE ROCKLAND COUNTY COMMISSIONER OF PLANNING AND THE CLARKSTOWN PLANNING BOARD THE APPLICATION OF BENIM SCHOLASTIC ACADEMY FOR A SPECIAL PERMIT TO CONDUCT A CHILD DAY CARE CENTER

WHEREAS, Benim Scholastic Academy, by Dr. Lana Benim, school psychologist/owner, has petitioned the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Section 290-17Z of the Zoning Local Law, to conduct a Child Day Care Center on a portion of premises known as Tax Map 43.19-2-24, for property located at 114 S. Main Street, New City, New York, and

WHEREAS, said petitioner has duly applied to the Clarkstown Planning Board for site plan approval;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to Section 290-17Z of the Zoning Local Law, shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on July 19, 2016, at 8:00 p.m., or as soon thereafter as possible, to consider the application of Benim Scholastic Academy relative to said Special Permit, and be it

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

FURTHER RESOLVED, that on or before said public hearing the petitioner shall file with the Town of Clarkstown, the following:

1. An affidavit executed by the officer of the corporation stating that the corporation is licensed by the New York State Department of Social Services to operate the type of facility sought or, in the alternative, that the corporation shall be able to meet all requirements to obtain said license.

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 Town Planner, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning pursuant to Sections 239-L and 239-M of the General Municipal Law for report, the Clarkstown Planning Board, and to the following agencies for comment or study and report as soon as possible:

1. Clarkstown Department of Environmental Control
2. Clarkstown Building Inspector
3. Rockland County Health Department

Dated: June 7, 2016

TB 06-07 TA RES special permit pub hearing-referral-Benim-pm

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI REGARDING ROUTE 59 SPRING VALLEY GASOLINE CORP. TAX MAP #s: 57.56-2-2, 57.56-2-2.1 and 57.56-2-3

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Route 59 Spring Valley Gasoline Corp. v. The Town of Clarkstown, its Assessor and The Board of Assessment Review, Index Nos. 030731/11, 033871/12, 033596/13, 033032/14 and 033425/15, affecting parcels designated as Tax Map Nos. 57.56-2-2, 57.56-2-2.1 and 57.56-2-3and more commonly known as 146 E. Route 59, Spring Valley, New York; 142 E. Route 59, Spring Valley, New York, and 140 E. Route 59, Spring Valley, New York, respectively, for the year(s) 2011/12, 2012/13, 2013/14, 2014/15 and 2015/16, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice pursuant to Section 727 of Real Property Tax Law of the State of New York and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor and the Tax Certiorari Counsel for the Town of Clarkstown, who believe the best interests of the Town 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. 57.56-2-2 be reduced for the years 2011/12, 2012/13, 2013/14, 2014/15 and 2015/16 from $41,100 to $29,100 at a cost to the Town of $2,108.81;

2. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map Nos. 57.56-2-2.1 and 57.56-2-3 for the year(s) 2011/12, 2012/13, 2013/14, 2014/15 and 2015/16;

3. Reimbursement for the year(s) 2011/12, 2012/13, 2013/14, 2014/15 and 2015/16 on the parcel(s) described as Tax Map No. 57.56-2-2, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

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

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

Dated: June 7, 2016

TB 06–07-16 TA RES Route 59 Spring Valley Gasoline Corp. Settlement-dt

LS

RESOLUTION AUTHORIZING AMENDING BUDGET

WHEREAS various accounts require additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease Expense Account A-1640-311-0 (Town Garage-Gasoline) by $14,000 and increase Expense Account A-1640-409-0 (Town Garage-Fees for Services) by $10,000 and A-1640-209-0 (Town Garage-Other Equipment) by $4,000 and be it,

FURTHER RESOLVED, to decrease Expense Account A-1680-409-0 (Data Processing-Fees for Services) by $4,707.29 and Increase Expense Accounts A-1680-226-2 (Data Processing-Computer Software Town Hall) by $2,179.55 and A-3020-409-0 (Central Communications-Fees for Services) by $2,527.74 and be it,

FURTHER RESOLVED, to decrease Expense Account A-3120-293-0 (Police-Law Enforcement Equipment) and increase Expense Account A-3140-293-0 (Police Canine-Law Enforcement Equipment) by $2,000 and be it,

FURTHER RESOLVED, to decrease Expense Account A-3120-319-0 (Police-Misc Supplies) and increase Expense Account A-3270-319-0 (Police-Auxiliary-Misc Supplies) by $515.

Dated June 7, 2016
L: TB 6-07 2016 COM RES Amending Town Budget

15

RESOLUTION AUTHORIZING THE TOWN TO PURSUE NEGOTIATIONS REGARDING CONTRIBUTING FUNDS TO PURCHASE PROPERTY ADJACENT TO HOOK MOUNTAIN STATE PARK (MARYDELL PROPERTY)

WHEREAS, the Town Board of the Town of Clarkstown wishes to assist The Trust for Public Land acquire the Marydell property in Upper Nyack to aid in the preservation of Hook Mountain State Park, and

WHEREAS, The Trust for Public Land has applied for a grant to the New York State Office of Parks, Recreation and Historic Preservation to help fund the purchase, and

WHEREAS, the Town Board, in concert with the State, County and Village, would like to contribute toward the purchase price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to pursue negotiations to potentially fund up to $300,000.00 toward the purchase price, subject to conditions, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute any and all ancillary documents necessary to pursue these negotiations.

DATED: June 7, 2016

CERTIFICATION OF CLERK

I, JUSTIN SWEET, Town Clerk of the Town of Clarkstown hereby certify that the above Resolution was passed by the Town Board of the Town of Clarkstown, and that this is a true and exact copy thereof.

_____
Justin Sweet

TB 06-07 TA RES Trust for Public Land-Marydell-pm

16

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED JUNE 7, 2016, AUTHORIZING ROADWAY RESURFACING OF EXECUTIVE BOULEVARD AND CORPORATE WAY IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $1,502,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $1,502,000 TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to resurface the roadway of Executive Boulevard and Corporate Way in the Town, including, drainage improvements, new catch basins, storm sewer, underdrains, water quality treatment structures and sidewalk ramps. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $1,502,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of $1,502,000 and any bond anticipation notes issued in anticipation of the sale of said bonds 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. Bonds of the Town in the principal amount of $1,502,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness applicable to the specific object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20(c) of the Law, is fifteen (15) years.

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

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

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

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

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

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

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

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

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in *"The Journal-News,"* a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on June 7, 2016, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

> "Bond resolution of the Town of Clarkstown, New York, adopted June 7, 2016, authorizing roadway resurfacing of Executive Boulevard and Corporate Way in the Town, stating the estimated maximum cost thereof is $1,502,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of $1,502,000 to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to resurface the roadway of Executive Boulevard and Corporate Way in the Town, including, drainage improvements, new catch basins, storm sewer, underdrains, water quality treatment structures and sidewalk ramps; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $1,502,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of $1,502,000 bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of $1,502,000 pursuant to the Local Finance Law of the State of New York to finance said additional appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

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

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

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

DATED: June 7, 2016

Justin Sweet
Town Clerk

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

* * *