

**TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING**

June 28, 2016, 7:15 pm

Town Hall – Room 301

AGENDA

SALUTE TO THE FLAG:

CLERK CALLS THE ROLL:

PUBLIC HEARINGS:

- *Continuation:* Proposed Local Law entitled: “A Local Law abolishing the Architecture and Landscape Commission and Historic Review Board and creating the Architectural Historic Review Board of the Town of Clarkstown”

RESOLUTIONS:

1. Setting a Public Hearing and Referring Proposed Local Law Amending Chapter 157 and 290 (*Aug 9, 2016*)
2. Authorizing the following Personnel Changes:
 - a) *~withdrawn~*
 - b) Appointment: Susan Resnick, Confidential Assistant to Supervisor
 - c) Resignation (Retirement): Peter Beary, Building Inspector
 - d) Appointment: Erik Asheim, Acting Building Inspector.
3. Authorizing Amending Budget.
4. Authorizing Installation of Street light on Central Avenue, Congers.
5. Setting a Public Hearing and Referring to the Rockland County Commissioner of Planning and the Clarkstown Planning Board the application of “Kid’s Kingdom” for a Special Permit to conduct a Child Day Care Center. (*Aug. 9, 2016*)

SPECIAL TOWN BOARD WORKSHOP

Police Matters:

- Chief Michael Sullivan to present.

Discussion:

- Presentation of 2015 Audit Report by Kathleen Haubner, CPA,
Partner – Korn, Rosenbaum Certified Public Accountants.
- Presentation of Multi-Year Fiscal Plan by Thomas Morr, Comptroller.

PH

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

WHEREAS, a proposed local law entitled,

"A LOCAL LAW ABOLISHING THE ARCHITECTURE AND LANDSCAPE
COMMISSION AND HISTORIC REVIEW BOARD AND CREATING THE
ARCHITECTURAL HISTORIC REVIEW BOARD OF THE TOWN OF CLARKSTOWN"

was introduced by Councilperson Borelli at a Town Board meeting
held on May 17, 2016, and

WHEREAS, the Town Board of the Town of Clarkstown, by
resolution adopted on May 17, 2016, directed that a public
hearing be held on June 21, 2016, immediately following the 7:30
p.m. Workshop meeting, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and
published in the Journal News on June 13, 2016, and

WHEREAS, a copy of the proposed local law was hand
delivered to the Supervisor and the Councilpersons at their
office at the Clarkstown Town Hall, 10 Maple Avenue, New City,
New York, on June 21, 2016;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. - 2016 entitled:

"A LOCAL LAW ABOLISHING THE ARCHITECTURE AND LANDSCAPE
COMMISSION AND HISTORIC REVIEW BOARD AND CREATING THE
ARCHITECTURAL HISTORIC REVIEW BOARD OF 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 28, 2016

TB 06-28 TA RES Adopt LL-AHRB-pm

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW
ENTITLED, "A LOCAL LAW AMENDING CHAPTER 157 (HOUSING STANDARDS
APPLICABLE TO RESIDENTIAL PREMISES) AND CHAPTER 290 (ZONING)
OF THE CODE OF THE TOWN OF CLARKSTOWN" AND REFERRING CHAPTER 290
TO THE CLARKSTOWN PLANNING BOARD AND THE ROCKLAND COUNTY
DEPARTMENT OF PLANNING

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

"A LOCAL LAW AMENDING CHAPTER 157 (HOUSING STANDARDS
APPLICABLE TO RESIDENTIAL PREMISES) AND CHAPTER 290
(ZONING) OF THE CODE OF THE TOWN OF CLARKSTOWN"

and

WHEREAS, this proposed local law is intended to amend the
definitions of "Senior Citizen Housing", "Senior Citizen
Congregate Housing" and "Assisted Care Living Quarters" in the
Zoning Code and the definition of "Family" in the Zoning and
Housing Code, and to allow for the creation of a rental registry
for all rental units within the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the portion of the proposed local law
amending Chapter 290 (Zoning) 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, Town Planner, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review of the amendment to Chapter 290 (Zoning), 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 York on August 9, 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: June 28, 2016

TB 06-28 TA RES Set Public Hearing & Refer 290-LL-Amend Chap 290 & 157-pm

28

RESOLVED, that Susan Resnick, is hereby appointed to the position of Confidential Assistant to the Supervisor – Supervisor’s Office – at the annual salary of \$55,000, effective July 05, 2016.

DATED: June 28, 2016

P

RESOLVED, that the Town Board hereby accepts the resignation by retirement of Peter Beary, Building Inspector, effective July 7, 2016.

DATED: June 28, 2016

P

RESOLVED, that Erik Asheim is hereby appointed Acting Building Inspector- Building Department, effective, July 7, 2016.

DATED: June 28, 2016

RESOLUTION AUTHORIZING AMENDING BUDGET

WHEREAS various accounts require additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease Expense Account A-3120-326-0 (Police-Law Enforcement Supplies) and increase Expense Account A-3140-326-0 (Police Canine-Law Enforcement Supplies) by \$409.63 and be it,

FURTHER RESOLVED, to decrease Expense Account A-3120-409-0 (Police-Fees for Services) and increase Expense Account A-3260-409-0 (Special Investigations-Fees for Services) by \$84.60 and be it,

FURTHER RESOLVED, to decrease Expense Account DA-5130-408-0 (Highway/Machinery-Building Repairs) and increase DA-5140-380-0 (Highway/Snow-Paint Supplies) by \$500.



TOWN OF CLARKSTOWN

Office of the Comptroller

Budget Amendment Request

Department Highway Dept

Date 6/6/16

Signature Frank R. Zyzanski

Please transfer the following funds :

Decrease		Increase		
Account #	Description	Account #	Description	Amount
DA5130-408	Bldg Repairs	DA5140380	Paint Supplies	500.00
DB5110-408	Bldg Repairs	DB5110-462	Water	1,000.00

Purpose of Transfer :

To cover overdrawn lines

Approved _____ Date _____

funds.doc

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

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

WHEREAS, the Department of Environmental Control has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved to provide electric facilities on pole #60620/42405;

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 # 60620/42405 located between house #1 and house #3 Central Avenue, Congers

AND BE IT FURTHER RESOLVED, that the installation of this municipal street light shall be at no cost to the Town of Clarkstown, and that an annual charge for basic fuel delivery, which charge shall include maintenance of this street lighting equipment, will be at \$14.07 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: June 28, 2016

TOWN OF CLARKSTOWN
Department of Environmental Control
INTER OFFICE MEMORANDUM

DATE: 6/3/2016
FROM: K. Luke Kalarickal, P.E., P.L.S., Director, DEC
TO: Hon. George Hoehmann, Supervisor
SUBJECT: Street Light – Central Avenue, Congers

Attached here is a proposal from Orange & Rockland Utilities ^{to install} for a street light requested by a resident of Central Avenue, Congers, NY 10920 on the following pole:

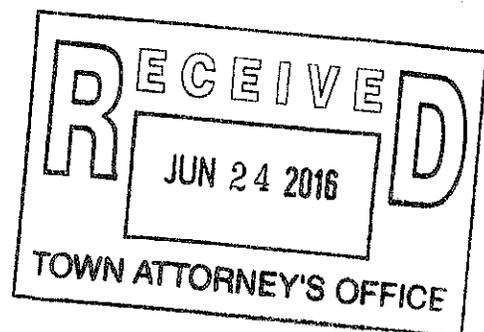
Pole # 60620/42405

It is recommended that the Town Board accept this proposal. A sample resolution is attached should you choose to do so.



K. Luke Kalarickal, P.E., P.L.S.
Director

KLK:rd
Enclosure 2
Cc: Town Attorney



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

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Dated: July 2016



Orange & Rockland
Pike County Light & Power Co.
Rockland Electric Company

New
Construction
Services
845-577-3324

Orange and Rockland Utilities, Inc. and Subsidiaries
390 West Route 59 Spring Valley NY 10977-5320
500 Route 208 Monroe NY 10950-9986
71 Dolson Avenue Middletown NY 10940-6501
One Lehighbridge Plaza Mahwah NJ 07430-2113
www.oru.com

March 22, 2016

RECEIVED
MAR 23 2016

Environmental Control
Town of Clarkstown

Mr. Luke Kalarickal
Dept of Environmental Control
10 Maple Ave
New City, NY 10956

Re: Central Ave, Congers

Dear Mr. Kalarickal:

As per the Town's request for the installation of two streetlights at the above mentioned location, Orange and Rockland proposes the following:

Install

- One 5,800 lumen 70 watt sodium vapor streetlight on pole ~~60646/42397~~
- One 5,800 lumen 70 watt sodium vapor streetlight on pole 60620/42405

Increase to the Town will be ~~\$337.68~~ ^{\$168.84} per year, plus energy and fuel adjustment charges.

If this proposal meets with your approval, please sign the enclosed application and return to my attention.

If you have any questions, please contact me at 845-577-3193.

Sincerely,

Teri Johnson

Teri Johnson
Sr Project Manager

RESOLUTION SETTING A PUBLIC HEARING AND REFERRING TO THE
ROCKLAND COUNTY COMMISSIONER OF PLANNING AND THE CLARKSTOWN
PLANNING BOARD THE APPLICATION OF KID'S KINGDOM FOR A SPECIAL
PERMIT TO CONDUCT A CHILD DAY CARE CENTER

WHEREAS, Kid's Kingdom, by Stacie Scollo, President, has
petitioned the Town Board of the Town of Clarkstown for a
Special Permit, pursuant to Sections 290-15 and 290-17Z of the
Zoning Local Law, to conduct a Child Day Care Center on a
portion of premises known as Tax Map 64.6-1-4, for property
located at 121 West Nyack Road, Nanuet, 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 August 9, 2016, at 8:00 p.m., or as soon
thereafter as possible, to consider the application of Kid's
Kingdom 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 28, 2016

TB 06-28 TA RES special permit pub hearing-referral-Kids Kingdom-pm