

**TOWN OF CLARKSTOWN**  
**TOWN BOARD MEETING**  
**Town Hall Auditorium**  
**August 9, 2016**  
**AGENDA**

**SALUTE TO THE FLAG**

**CLERK CALLS THE ROLL**

**PUBLIC HEARINGS:**

1. Application of Chabad Lubavitch of Rockland a/k/a Chabad Synagogue of New City and the Hebrew Academy for a Special Permit to conduct a Child Day Care Center. *(to be continued to September 6, 2016)*
2. 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" . *(to be continued to September 6, 2016)*
3. Application of "Kid's Kingdom" for a Special Permit to conduct a Child Day Care Center. *(to be continued to September 6, 2016)*
4. Proposed Local Law Amending Chapter 262 (Taxation) of the Code of the Town of Clarkstown regarding Senior Citizen Tax Exemptions".
5. *Continuation:* Application of Benim Scholastic Academy for a Special Permit to Conduct a Child Day Care Center.

**RESOLUTIONS:**

1. Accepting Minutes of the Town Board Meeting of July 19, 2016, as submitted by the Town Clerk.
2. Authorizing the Supervisor to enter into the following Agreements:
  - a) North Rockland Central School District – Universal Pre-Kindergarten Program
  - b) Clarkstown Central School District – Universal Pre-Kindergarten Program
  - c) Ramapo Central School District – Universal Pre-Kindergarten Program
3. Amending Resolution #340-2016
4. Adopting a Determination of Significance under the Provisions of 6NYCRR Part 617 State Environmental Quality Review (SEQR) for West Nyack Revitalization Hamlet Center Flood Protection and Wetland Restoration Project.
5. Amending Resolution #477-2015 regarding Proposed Acquisition of Property in West Nyack (\$300,000)
6. Granting permission to the Andean Brewing Company (KUKA) to dispense Alcoholic Beverages at the Annual Italian Festival in Congers.
7. Authorizing installation of Street Light between #23 Tarry Hill Drive and #1 Cricket Court, New City (\$2,892.64; annual maintenance - \$168.84/year)

8. Authorizing the purchase of a tax delinquent parcel from the County of Rockland. (\$240,000)
9. Authorizing the Supervisor to accept proposal to enter into an Agreement with the New York Power Authority regarding LED Street Lighting in the Town.
10. Authorizing Settlement of the following Tax Certiorari matters:
  - a) SJN LLC (60.17-3-1) (\$3,207)
  - b) G&J 59 LLC (43.19-1-16, 51.7-1-15, 63.8-3-12 & 65.6-1-62) (\$5,506)
11. Authorizing the following Personnel changes:
  - a) Rescinding Resolution #329-2016
  - b) Appointment (Permanent): Stacy Kuo, Secretarial Assistant (Legal), Town Attorney's Office
  - c) Appointment: Anthony Guglielmo, Sr. Groundswoker, Maintenance Dept.
  - d) Appointment: Lawrence Kigler, Member, Architectural Historic Review Board
  - e) Appointment: Barbara Hess, Member, Architectural Historic Review Board
  - f) Appointment: Stephen Botto, Member, Architectural Historic Review Board
  - g) Resignation (Retirement): Kevin Shannon, Police Officer, Clarkstown Police Department
  - h) Resignation (Retirement): Jacqueline Bambauer, Principal Clerk Typist, ZBA
12. Authorizing the Supervisor to enter into the following Agreements:
  - a) Board of Education of Rockland BOCES for the School Resource Officer Program for the 2016-2017 School Term.
  - b) Board of Education of the Clarkstown Central School District for the School Resource Officer Program for the 2016-2017 School Term.
  - c) Board of Education of the Nanuet School District for the School Resource Officer Program for the 2016-2017 School Term.
  - d) Board of Education of the Nyack School District for the School Resource Officer Program for the 2016-2017 School Term.
13. Authorizing the Appointment of William P. Harrington, Esq. of Bleakley Platt & Schmidt, LLP as Special Counsel to handle a Police Disciplinary matter. (*fees ranging from \$200-\$250 per hour/paralegal fees \$100 per hour*)
14. Appointing Hearing Officer for Disciplinary Hearing
15. Amending Resolution #323-2016
16. Authorizing Amending the Budget
17. Re-Establishing Policy for Use of Town Owned Vehicles
18. Authorizing the Town to retain Park Strategies to provide State Legislative and Economic Development Representation for the Town of Clarkstown
19. Authorizing the Town to Retain the Law Firm of Chadbourne & Parke LLP to provide Legal Representation for the Town of Clarkstown

**PUBLIC COMMENTS REGARDING AGENDA ITEMS**

(Limited to 3 minutes)

PH-1

RESOLUTION AUTHORIZING THE CONTINUATION OF A PUBLIC HEARING  
ON AN APPLICATION FROM CHABAD LUBAVITCH OF ROCKLAND FOR A  
SPECIAL PERMIT TO CONDUCT A CHILD DAY CARE CENTER

WHEREAS, Chabad Lubavitch of Rockland, by Rabbi Avremel Kotlarsky, Executive Director, 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 34.19-1-13, for property located at 315 N. Main Street, New City, New York, and

WHEREAS, on August 9, 2016, a public hearing was held to consider such application, and at such time it was determined by the Town Board that the hearing be continued on September 6, 2016;

NOW, THEREFORE, be it

RESOLVED, that the continuation of the public hearing, pursuant to Section 290-17Z of the Zoning Local Law, shall be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on September 6, 2016 at 8:00 p.m., or as soon thereafter as possible, relative to said petition.

Dated: August 9, 2016

PH2

RESOLUTION AUTHORIZING THE CONTINUATION OF 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"

WHEREAS, 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" was  
introduced by Councilperson Borelli at a Town Board meeting held on  
June 28, 2016, and

WHEREAS, on August 9, 2016, a public hearing was held to consider  
said local law, and at such time it was determined by the Town Board  
that the hearing be continued on September 6, 2016;

NOW, THEREFORE, be it

RESOLVED, that the continuation of the public hearing, pursuant  
to §20 of the Municipal Home Rule Law, be had in the Auditorium of the  
Clarkstown Town Hall, 10 Maple Avenue, New City, New York on September  
6, 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  
continuation of said hearing, and that the Town Clerk cause the same  
to be published and posted as aforesaid and file proof thereof in the  
Office of the said Clerk.

Dated: August 9, 2016

PH3

RESOLUTION AUTHORIZING THE CONTINUATION OF A PUBLIC HEARING  
ON AN APPLICATION FROM 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, on August 9, 2016, a public hearing was held to consider such application, and at such time it was determined by the Town Board that the hearing be continued on September 6, 2016;

NOW, THEREFORE, be it

RESOLVED, that the continuation of the public hearing, pursuant to Section 290-17Z of the Zoning Local Law, shall be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on September 6, 2016 at 8:00 p.m., or as soon thereafter as possible, relative to said petition.

Dated: August 9, 2016

PH4

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

WHEREAS, a proposed local law entitled,

"A LOCAL LAW AMENDING CHAPTER 262 (TAXATION) OF THE  
CODE OF THE TOWN OF CLARKSTOWN REGARDING SENIOR  
CITIZEN TAX EXEMPTIONS"

was introduced by Councilperson Noto at a Town Board  
meeting held on July 19, 2016, and

WHEREAS, the Town Board of the Town of Clarkstown, by  
resolution adopted on July 19, 2016, directed that a public  
hearing be held on August 9, 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 August 1, 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 August 2, 2016;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. - 2016 entitled:

"A LOCAL LAW AMENDING CHAPTER 262 (TAXATION) OF THE  
CODE OF THE TOWN OF CLARKSTOWN REGARDING SENIOR  
CITIZEN TAX EXEMPTIONS"

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: August 9, 2016

PH5

RESOLUTION AND SPECIAL FINDINGS GRANTING A SPECIAL PERMIT TO  
CONDUCT A CHILD DAY CARE CENTER TO BENIM SCHOLASTIC ACADEMY  
(TAX MAP 43.19-2-76)

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 43.19-2-76, for property located at 114-118 S. Main Street, New City, New York, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on July 19, 2016 and continued on August 9, 2016 to consider such application, and

WHEREAS, the Town Board of the Town of Clarkstown has received a report pursuant to SEQRA, from Principal Town Planner, Jose Simoes, which states that the project is a Type II action that does not have a significant impact on the environment, and

WHEREAS, the Town Board has discussed and considered Mr. Simoes' report in making its decision herein, and

WHEREAS, the Rockland County Planning Department recommended approval with certain modifications by letter dated July 13, 2016, which have been addressed and corrections made, and

WHEREAS, the Town of Clarkstown Planning Board, by memo dated July 14, 2016, recommended approval of the proposed special permit, which the Board has considered in making its determination herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Jose Simoes dated June 29, 2016, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the Special Permit for Benim Scholastic

Academy shall not have any significant impact on the environment and no further processing pursuant to SEQRA is required, and be it

FURTHER RESOLVED, that the Planning Board Resolution, dated July 13, 2016, recommends in favor of the proposed special permit, and be it

FURTHER RESOLVED, that the Town Board makes the following Special Findings pursuant to Section 290-15B of the Zoning Local Law of the Town of Clarkstown:

That, the proposed use as described and represented by the applicant:

1. Will be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;
2. Will not cause undue traffic congestion or create a traffic hazard;
3. Will not create at any point of determination set forth in §290-13F, G and H any more dangerous and objectionable elements referred to in §290-13A than is characteristic of the uses expressly permitted as of right in the same district;
4. Will not adversely affect the character of/or property values in the area;
5. Will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town; and
6. Will comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to conduct a Child Day Care Center on the above described property owned by St. Augustine's Church and leased by Benim Scholastic Academy is hereby GRANTED to the petitioner subject to the following conditions:

1. Petitioner must comply with Section 290-11(C) and Section 290-17(Z) of the Zoning Ordinance of the Town of Clarkstown;

2. The approval is further subject to final site plan approval by the Town of Clarkstown Planning Board, and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk.

TOWN BOARD  
TOWN OF CLARKSTOWN

Dated: August 9, 2016

By: \_\_\_\_\_  
George Hoehmann  
Supervisor

TB 08-09 TA RES Benim Grant Special Permit-pm

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RESOLVED, that the Town Board Minutes of July 19, 2016 are hereby  
accepted as submitted by the Town Clerk.

DATED: August 9, 2016

2A

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE NORTH ROCKLAND CENTRAL SCHOOL DISTRICT CONCERNING UNIVERSAL PRE-KINDERGARTEN PROGRAM

WHEREAS, the Education Law makes provision for local School Districts to provide Universal Pre-Kindergarten Programs, and

WHEREAS, the Town of Clarkstown desires to be one of the sites designated by the North Rockland Central School District to provide the Universal Pre-Kindergarten Program;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the North Rockland Central School District, in a form approved by the Town Attorney, to provide the Universal Pre-Kindergarten Program at the Town of Clarkstown Street Community Center, New City, New York, during the 2016-2017 school year, and be it

FURTHER RESOLVED, that the North Rockland Central School District shall pay \$2,300 for each child duly enrolled in the Universal Pre-Kindergarten Program.

Dated: August 9, 2016

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE CLARKSTOWN CENTRAL SCHOOL DISTRICT CONCERNING UNIVERSAL PRE-KINDERGARTEN PROGRAM

WHEREAS, the Education Law makes provision for local School Districts to provide Universal Pre-Kindergarten Programs, and

WHEREAS, the Town of Clarkstown desires to be one of the sites designated by the Clarkstown Central School District to provide the Universal Pre-Kindergarten Program;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the Clarkstown Central School District, in a form approved by the Town Attorney, to provide the Universal Pre-Kindergarten Program at the Town of Clarkstown Street Community Center, New City, New York, during the 2016-2017 school year, and be it

FURTHER RESOLVED, that the Clarkstown Central School District shall pay \$2,350 for each child duly enrolled in the Universal Pre-Kindergarten Program.

Dated: August 09, 2016

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RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN  
AGREEMENT WITH THE RAMAPO CENTRAL SCHOOL DISTRICT  
CONCERNING UNIVERSAL PRE-KINDERGARTEN PROGRAM

WHEREAS, the Education Law makes provision for local School Districts to provide Universal Pre-Kindergarten Programs, and

WHEREAS, the Town of Clarkstown desires to be one of the sites designated by the Ramapo Central School District to provide the Universal Pre-Kindergarten Program;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the Ramapo Central School District, in a form approved by the Town Attorney, to provide the Universal Pre-Kindergarten Program at the Town of Clarkstown Street Community Center, New City, New York, during the 2016-2017 school year, and be it

FURTHER RESOLVED, that the Ramapo Central School District shall pay \$2,400 for each child duly enrolled in the Universal Pre-Kindergarten Program.

Dated: August 9, 2016

RESOLUTION AMENDING RESOLUTION NO. 340-2016

WHEREAS, by Resolution No. 340-2016, the Town Board authorized the Supervisor to sign an amendment to the Agreement between the County of Rockland, through the Rockland County Sewer District No. 1, and the Town of Clarkstown, in a form approved by the Town Attorney, and

WHEREAS, there was a typographical error in the resolution,

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 340-2016 is hereby amended to read as follows:

“FURTHER RESOLVED, that the Supervisor is hereby authorized to sign a new amendment to the Agreement between the County of Rockland, through the Rockland County Sewer District No. 1, and the Town of Clarkstown, in a form approved by the Town Attorney, for an amount of \$1,500,000.00 to cover the costs of overages to the pump station upgrades.”

DATED: August 9, 2016

TB 08-09-16 TA RES Amending Resolution No. 340-2016-kh

RESOLUTION ADOPTING A DETERMINATION OF SIGNIFICANCE  
UNDER THE PROVISIONS OF 6NYCRR PART 617  
STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) FOR  
WEST NYACK REVITALIZATION  
HAMLET CENTER FLOOD PROTECTION AND WETLAND RESTORATION PROJECT

WHEREAS, the Town of Clarkstown desired to undertake the project known as "West Nyack Revitalization: Hamlet Center Flood Protection and Wetland Restoration Project" as Phase I of the Hamlet Revitalization Program, and

WHEREAS, a Full Environmental Assessment Form (EAF) was distributed to 5 interested or involved agencies by letter dated March 6, 2014 and to 3 additional interested or involved agencies on March 10, 2014 by the Department of Environmental Control, acting as technical staff to the Clarkstown Town Board, and

WHEREAS, no involved agency objected to the Town Board being Lead Agency for coordinated review under the provisions of 6 NYCRR Part 617, whereby the Town Board was therefore Lead Agency, and,

WHEREAS, after review of potential adverse environmental impacts the Town Board adopted a Negative Declaration on the proposed action on April 8, 2014, and

WHEREAS, in the course of eminent domain proceedings the Appellate Division Second Department in the matter of J. Owens et al v. Town of Clarkstown subsequently found that the Town had failed **"to clearly state in its determination of significance ... the supporting reasons[,] demonstrate that such review is clearly no less protective of the environment [,] and to identify and discuss "[r]elated actions ... to the fullest extent possible" (6NYCRR 617.3[g][1])"**, and

WHEREAS, on August 11, 2015 The Town Board of the Town of Clarkstown declared its intent to act as Lead Agency in respect to an amended review of the Proposed Action, and

WHEREAS, a revised Full Environmental Assessment Form (EAF) and supporting documents was distributed to 13 interested or involved agencies by letter dated September 14, 2014 by the Department of Environmental Control, acting as technical Staff to the Town Board, and

WHEREAS, again no involved agency objected to the Town Board being Lead Agency for coordinated review under the provisions of 6 NYCRR Part 617, whereby the Town Board is therefore Lead Agency, and,

WHEREAS, the revised FEAF and supporting documents reviewed the potential future phases of the West Nyack Revitalization project and described the status of those projects including potential scope (generally Type 2 actions), potential impacts which are identifiable given the current state of concept design and what additional environmental review will be performed for those possible future projects, and

WHEREAS, the revised FEAF fully explains the instant project as a functionally independent phase of the overall potential West Nyack Hamlet Revitalization and vice versa and shows that the environmental review of potential future phases on the overall project will be no less protective of the environment, and

WHEREAS, the Board reviewed the proposed action and identified potential adverse environmental impacts due to the proposed action as follows:

- Land – Existing land areas will be altered, potential for soil erosion and sediment transport. Much of the land disturbance will be for the improvement of existing low quality wetland areas and the creation of natural stream channels, some will be for expansion of park areas. Soil erosion will be controlled by implementation of an erosion and sediment control plan as a part of the project SWPPP. This impact is mitigated. Potential impacts on land from the potential future phase is

generally for replacement of existing infrastructure elements and would be Type 2 actions under SEQRA. Where soils are disturbed, erosion and sediment would be managed by SWPPP for that phase of the revitalization project; potential impacts are not significant or are mitigated.

Surface Water – Waterbody area will increase by greater than 10%, potential for erosion and turbidity in waterbody, use of herbicides. The increase in waterbody area will be to create an enhanced wetland area to provide water quality benefits, a beneficial impact. Erosion and turbidity will be controlled using control best management practices per the NYSSMDM and the NYS Standards for Erosion and Sediment Control. Herbicides will be used only by permit issued by NYSDEC and in accordance with manufacturers' recommendations and any permit conditions. These impacts are not significant or are mitigated. Potential impact on surface water from the potential future phase of work is not significant, as that work will not change surface water flows or volumes.

Flooding – The proposed action will change drainage patterns and flood water flows, and requires construction within the 500 year (0.2% chance) floodplain. The project is designed to provide flood storage areas, improve culvert conveyances and reduce flooding in the Hamlet Center area while providing for improved water quality and aquatic habitat. The potential impacts are not significant. Potential future project impact is not significant, as that work will not create significant additional impervious surface or change drainage patterns as it generally is a replacement or existing streetscape infrastructure.

Plants and Animals – There are no reports of nor suitable habitat for any threatened, endangered or species of special concern within the project area. Work will temporarily displace resident species; there are similar areas proximate to the area of work for those species to relocate to. The project will improve the aquatic and upland habitat areas by creation of higher quality wetland areas and with upland plantings in those areas. Potential future projects will have no impacts on plants and animals as they do not contemplate removal of existing natural areas. These impacts are not significant.

Historic and Archeological Resources – A Phase A survey of the project area indicates a low potential for archeological sites. While also located in a Town designated historic area, the project will enhance the area of work and preserve the character of the area. Potential future work similarly will be designed to enhance the historic nature of the area. In that future area, Phase 1B shovel tests were also performed to verify that no impacts would occur as a result of that work. Finally, the SHPO has determined that the project(s) will have no effect on historic and archeological resources. The impact is not significant.

Noise, Odor and Light – Short term noise and odor impacts are possible during the construction of the project(s). These impacts are mitigated by the restrictions of construction hours to those specified by Town Code.

NOW THEREFORE BE IT RESOLVED that the that the Town Board, as Lead Agency and based on review of proposed action, the potential adverse environmental impact therefrom, and the mitigation proposed to be incorporated into the action makes the determination that an Environmental Impact Statement is not required for this proposed Type 1 action, and

AND BE IT FURTHER RESOLVED that the Town Board, based on review of proposed action and the potential adverse environmental impact therefrom, and the mitigation proposed to be incorporated into the action makes the determination that the proposed "West Nyack Revitalization: Hamlet Center Flood Protection and Wetland Restoration Project" will not have a significant adverse environmental impact.

DATED: August 9, 2016

RESOLUTION AMENDING RESOLUTION NO. 477-2015 REGARDING PROPOSED ACQUISITION OF PROPERTY IN WEST NYACK

WHEREAS, Resolution No. 477-2015, adopted on December 17, 2015, authorized the Supervisor of the Town of Clarkstown to enter into a Purchase and Sale Agreement for acquisition of certain property located to the rear of 23 Sickletown Road, West Nyack, New York, and

WHEREAS, the Town and the owners of the property have agreed to settle this matter in the form of a proposed stipulation of settlement rather than a Purchase and Sale Agreement;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 447-2015 is hereby amended to authorize the Town Attorney to settle the action of J. Owens Building Co. Inc. and James Owens v. Town of Clarkstown and Town Board of the Town of Clarkstown for a sum not to exceed \$300,000.

Dated: August 9, 2016

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

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

WHEREAS, the Andean Brewing Company (KUKA) wishes to obtain a permit from the Town Board to dispense alcohol at the Italian Festival sponsored by the Congers-Valley Cottage Rotary Club to be held on Town property, the Congers Train Station Square Park, 20 Burnside Avenue, Congers, New York, on September 25, 2016;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that this Resolution shall constitute the permit.

Dated: August 9, 2016

**WHEREAS**, a resident of Cricket Court, New City, NY 10956 in the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community; and

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

**WHEREAS**, the Department of Environmental Control has requested and has received a proposal from Orange and Rockland Utilities indicating the cost involved to provide electric facilities on new pole #59368/42542;

**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 new Pole # 59368/42542 which will be installed between house #23 Tarry Hill Drive and house #1 Cricket Court, New City.

**AND BE IT FURTHER RESOLVED**, that cost to provide lighting facilities at the above referenced location will be a one-time contribution in an amount \$2,892.64, 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: August 9, 2016

**RESOLUTION AUTHORIZING THE PURCHASE OF A TAX DELINQUENT PARCEL FROM THE COUNTY OF ROCKLAND**

**WHEREAS**, the Rockland County Commissioner of Finance has offered the tax delinquent and foreclosed .37 acre parcel of vacant land known as 141 Massachusetts Avenue, Congers, New York (tax map 52.8-3-53.2 f/k/a 139-A-22.6) to the Town of Clarkstown, and

**WHEREAS**, the Town Board believes it is in the best interest of the Town to acquire this parcel as it is residential vacant land located in the Town of Clarkstown, which abuts another parcel already owned by the Town, and

**WHEREAS**, the Rockland County Executive has agreed to offer the parcel for the amount of approximately \$240,000.00;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the expenditure of approximately \$240,000.00 to acquire 141 Massachusetts Avenue, Congers, New York (tax map 52.8-3-53.2 f/k/a 139-A-22.6) from the County of Rockland and said expenditure shall be a proper charge to Account No. H 8751-409-0-75-34, 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 Dennis M. Letson, First Deputy Director of the Department of Environmental Control, 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 Town Attorney is hereby directed to prepare all documentation required to consummate the transaction for signature by the Supervisor.

Dated: August 9, 2016

TB 08-09 TA RES Purchase from County-141 Mass Ave-pm

RESOLUTION AUTHORIZING THE SUPERVISOR TO ACCEPT PROPOSAL  
AND ENTER INTO AN AGREEMENT WITH THE NEW YORK POWER  
AUTHORITY REGARDING LED STREET LIGHTING IN THE TOWN

WHEREAS, the Town has received an Energy Efficiency  
Services Program Agreement and a proposal for design and  
bidding services for the new LED Street Lighting Project  
from the New York Power Authority, and

WHEREAS, the Town wishes to proceed with the  
implementation of said project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the  
Supervisor to accept the proposal for design and bidding  
services from the New York Power Authority and to execute  
an Energy Efficiency Services Program Agreement with the  
Power Authority of the State of New York with regard to  
implementing the high efficiency LED Street Lighting  
Project.

Dated: August 9, 2016

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI  
(SJN LLC – 60.17-3-1)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, SJN LLC v. TOWN OF CLARKSTOWN, (Municipal Corporation), its ASSESSOR AND BOARD OF ASSESSMENT REVIEW, Index Nos. 033932/2012, 033582/2013, 033242/2014, 033207/2015 and 032891/2016, affecting parcel designated as Tax Map 60.17-3-1 and more commonly known as 311 North Midland Avenue, Upper Nyack, New York, for the years 2012/13, 2013/14, 2014/15, 2015/16 and 2016/17, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceedings and discontinue with the assessment being frozen for the years 2017, 2018 and 2019 at \$291,400.00 and without costs on the terms and conditions set forth herein, and

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

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 60.17-3-1 be reduced for the year 2012/13 from \$334,900.00 to \$294,700.00 at a cost to the Town of \$1,054.84;
2. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 60.17-3-1 be reduced for the year 2013/14 from \$334,900.00 to \$311,500.00 at a cost to the Town of \$715.98;

3. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 60.17-3-1 be reduced for the year 2014/15 from \$334,900.00 to \$304,800.00 at a cost to the Town of \$951.11;

4. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 60.17-3-1 be reduced for the year 2015/16 from \$334,900.00 to \$288,000.00 at a cost to the Town of \$1,539.52;

5. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 60.17-3-1 shall remain fixed at \$291,400.00 for the year 2016/17;

6. Reimbursement for the years 2012/13, 2013/14, 2014/15 and 2015/16 on the parcel described as Tax Map 60.17-3-1, 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;

7. 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: August 9, 2016

TB 08-09 TA RES SJN LLC Settlement-pm

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI  
(G & J 59 LLC – 43.19-1-16, 51.7-1-15, 63.8-3-12 & 65.6-1-62)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, G & J 59 LLC v. THE ASSESSOR OF THE TOWN OF CLARKSTOWN AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN, Index Nos. 033134/2014 and 033128/2015, affecting parcels designated as Tax Maps 43.19-1-16, 51.7-1-15, 63.8-3-12 and 65.6-1-62 and more commonly known as 159 S. Main Street, New City, New York, 306-10 S. Main Street, New City, New York, 121 Main Street, Nanuet, New York, and 291-303 Route 59, West Nyack, New York, respectively, for the years 2014/15 and 2015/16, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceedings 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, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Clarkstown Central School District and the Nanuet Union Free School District, who believe the best interests of the Town and the School Districts are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 43.19-1-16 be reduced for the years 2014/15 and 2015/16 from \$110,500.00 to \$105,000.00 at a cost to the Town of \$345.33;

2. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 63.8-3-12 be reduced for the years 2014/15 and 2015/16 from \$122,800.00 to \$116,500.00 at a cost to the Town of \$405.87;

3. The assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 65.6-1-62 be reduced for the years 2014/15 and 2015/16 from \$553,800.00 to \$480,000.00 at a cost to the Town of \$4,754.48;

4. There is no reduction in the assessment on the premises owned by the petitioner described on the assessment roll as Tax Map 51.7-1-15 for the years 2014/15 and 2015/16;

5. Reimbursement for the years 2014/15 and 2015/16 on the parcels described as Tax Maps 43.19-1-16, 63.8-3-12 and 65.6-1-62, as stated above, be made within ninety (90) 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;

6. The proceedings commenced by the petitioner respecting Tax Map 51.7-1-15 be discontinued for the years 2014/15 and 2015/16 at no cost to the Town;

7. 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: August 9, 2016

11A

WHEREAS, by Resolution No. 329-2016, adopted July 19, 2016, the Town Board appointed provisionally Ian Smith as Zoning Enforcement Officer/Community Liaison,

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 329-2016 is hereby rescinded.

DATED: August 9, 2016

P

11B

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #16025 Secretarial Assistant (Legal) - which contains the name of Stacy Kuo,

NOW, therefore, be it

RESOLVED, that Stacy Kuo - is hereby appointed (Permanent) to the position of Secretarial Assistant (Legal) - Town Attorney's Office at the current 2016 annual salary of \$57,827, effective and retroactive to July 15, 2016.

DATED: August 9, 2016  
P

11c

RESOLVED, that Anthony Guglielmo is hereby appointed to the position of Senior Groundswoker - Maintenance Department - at the annual salary of \$45,630., effective August 10, 2016.

DATED: August 9, 2016  
P

11D

RESOLVED, that Lawrence Kigler - is hereby  
appointed to the position of Member - Architectural Historic  
Review Board - term effective August 10, 2016 and to expire  
on December 31, 2016 - at the annual salary of \$2,600.

DATED: August 09, 2016  
P

JE

RESOLVED, that Barbara Hess - is hereby appointed to the position of Member - Architectural Historic Review Board - term effective August 10, 2016 and to expire on December 31, 2016 - at the annual salary of \$2,600.

DATED: August 09, 2016  
P

11F

RESOLVED, that Stephen Botto - is hereby appointed to the position of Member - Architectural Historic Review Board - term effective August 10, 2016 and to expire on December 31, 2016 - at the annual salary of \$2,600.

DATED: August 09, 2016  
P

113

RESOLVED, that the resignation (by retirement)  
of Kevin Shannon - Police Officer - Police Department - is  
hereby accepted effective and retroactive to July 29, 2016.

DATED: August 9, 2016  
P

11H

RESOLVED, that the resignation (by retirement)  
of Jacqueline Bambauer - Principal Clerk Typist - Zoning Board  
of Appeals - is hereby accepted effective and  
retroactive to July 31, 2016.

DATED: August 9, 2016  
P

11E

**WHEREAS**, the Supervisor has entered into an agreement with Peter Beary to work as a consultant to the Building Inspector II, as far as, working on budget preparation for the year 2017 for the Building Department for a period of one month at the hourly wage of \$94.00;

**NOW, THEREFORE, be it**

**RESOLVED**, that Peter Beary, be paid \$94.00 per hour as a consultant to the Building Department, effective and retroactive to July 20, 2016.

August 9, 2016  
P

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT  
WITH THE BOARD OF EDUCATION OF ROCKLAND BOCES FOR THE SCHOOL  
RESOURCE OFFICER PROGRAM FOR THE 2016-2017 SCHOOL TERM

12A

WHEREAS, a School Resource Officer Program has been proposed for Rockland BOCES and,

WHEREAS, the Board of Education of Rockland BOCES and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to Rockland BOCES on a full time basis as the School Resource Officer;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of Rockland BOCES, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of one (1) police officer to Rockland BOCES on a full time basis, for the period September 1, 2016 through June 30, 2017, and be it

FURTHER RESOLVED, that the agreement shall provide, along with other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of Rockland BOCES to the Town of Clarkstown in the amount of \$120,000.00 for the School Resource Officer.

Dated: August 09, 2016

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT  
WITH THE BOARD OF EDUCATION OF THE CLARKSTOWN CENTRAL SCHOOL  
DISTRICT FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2016-2017  
SCHOOL TERM

12B

WHEREAS, a School Resource Officer Program has been proposed for the Clarkstown Central School District, and

WHEREAS, the Board of Education of the Clarkstown Central School District and the Clarkstown Police Department desire to provide law enforcement services of three (3) police officers to be assigned to the school district on a full time basis as the School Resource Officers;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Clarkstown Central School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of three (3) police officers to the Clarkstown Central School District on a full time basis, for the period September 1, 2016 through June 30, 2017, and be it

FURTHER RESOLVED, that the agreement shall provide, along with other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Clarkstown Central School District to the Town of Clarkstown in the amount of \$124,100.00 for the School Resource Officers.

Dated: August 09, 2016

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE NANUET SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2016-2017 SCHOOL TERM

12c

WHEREAS, a School Resource Officer Program has been proposed for the Nanuet School District; and

WHEREAS, the Board of Education of the Nanuet School District and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to the school district on a full time basis as the School Resource Officer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Nanuet School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of one (1) police officer to the Nanuet School District on a full time basis, for the period September 1, 2016 through June 30, 2017, and be it

FURTHER RESOLVED, that the agreement shall provide, along with other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Nanuet School District to the Town of Clarkstown in the amount of \$ 40,116.47 for the School Resource Officer.

Dated: August 09, 2016

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT  
WITH THE BOARD OF EDUCATION OF THE NYACK SCHOOL DISTRICT FOR THE  
SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2016-2017 SCHOOL TERM

12D

WHEREAS, a School Resource Officer Program has been proposed for the Nyack School District; and

WHEREAS, the Board of Education of the Nyack School District and the Clarkstown Police Department desire to provide law enforcement services of one (1) police officer to be assigned to the school district on a full time basis as the School Resource Officer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Board of Education of the Nyack School District, in a form satisfactory to the Town Attorney, to authorize the Clarkstown Police Department to provide law enforcement services consisting of one (1) police officer to the Nyack School District on a full time basis, for the period September 1, 2016 through June 30, 2017, and be it

FURTHER RESOLVED, that the agreement shall provide, along with other provisions required by the Town Attorney, for contractual indemnification of the Town, professional and other liability insurance coverage, and be it

FURTHER RESOLVED, that this resolution is subject to the financial contribution of the Nyack School District to the Town of Clarkstown in the amount of \$41,257.04 for the School Resource Officer.

Dated: August 09, 2016

RESOLUTION AUTHORIZING THE APPOINTMENT OF  
WILLIAM P. HARRINGTON, ESQ. OF BLEAKLEY PLATT & SCHMIDT, LLP  
AS SPECIAL COUNSEL TO HANDLE A POLICE DISCIPLINARY MATTER

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, to retain William P. Harrington, Esq. of Bleakley Platt & Schmidt, LLP, One North Lexington Avenue, White Plains, New York 10601, as special counsel, to handle a police disciplinary matter on behalf of the Town of Clarkstown for attorney fees ranging from \$200-\$250 per hour and paralegal fees of \$100 per hour, and be it

FURTHER RESOLVED, that the fees for these services shall be a proper charge to Account No. A-1420-409.

Dated: August 9, 2016

TB 08-09 TA RES Harrington Agreement-pm

14

RESOLUTION APPOINTING HEARING OFFICER FOR DISCIPLINARY HEARING

WHEREAS, Michael Sullivan is employed by the Town as Chief of Police; and

WHEREAS, Chief Sullivan was served with disciplinary charges by the Town; and

WHEREAS, Chief Sullivan has denied the charges and requested a hearing to contest the charges; and

WHEREAS, the Town Board is permitted to designate a hearing officer to conduct this hearing and submit findings and recommendations to the Town Board;

NOW, THEREFORE, be it

RESOLVED, that Dennis C. Vacco Esq., is appointed as the hearing officer in this case and shall conduct a disciplinary hearing and upon conclusion of said hearing shall submit his findings and recommendations to the Town Board; and be it

FURTHER RESOLVED, that Mr. Vacco shall be compensated at the rate of \$300 per hour, plus reasonable expenses incurred, including travel, for services rendered in this matter.

Dated: August 9, 2016

**RESOLUTION AMENDING RESOLUTION NO. 323-2016**

WHEREAS, by Resolution No. 323-2016, adopted July 19, 2016, the Town Board authorized the Superintendent of Highways to install signage, and

WHEREAS, there was a typographical error in the resolution,

NOW, THEREFORE, be it

RESOLVED, that the "WHEREAS" clause in Resolution No. 323- 2016 is hereby amended to read as follows:

"1.) To install Stop Signage and Stop Line on the Southwest side of Waldron Avenue at the intersection of Upper Depew Avenue, Central Nyack."

DATE: August 9, 2016  
TB 08-09-16 TTFSa RES Amending Resolution No.323-2016

**RESOLUTION AUTHORIZING AMENDING BUDGET**

**WHEREAS**, the Town has received \$7,587 from Seized Property,

**NOW THEREFORE BE IT,**

**RESOLVED**, to increase Revenue Account A-01-11-4320-0 (General-Seized Property) and Expense Account A-3120-409-0 (Police-Fees for Services) by \$7,587 and

**WHEREAS**, various accounts require additional funding,

**NOW THEREFORE BE IT,**

**RESOLVED**, to decrease Expense Account A-3120-438-0 (Police-Maintenance Agreements) and increase Expense Account A-3120-225-1 (Police-Computer Hardware) by \$53,471.77 and be it,

RESOLUTION RE-ESTABLISHING POLICY  
FOR USE OF TOWN OWNED VEHICLES

WHEREAS, the Town Board intends, by this Resolution, to update its policies and procedures with respect to the use of Town owned vehicles;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby adopts a General Vehicle Policy regarding the use of Town vehicles by employees of the Town of Clarkstown as follows:

GENERAL VEHICLE POLICY

- A. The Town of Clarkstown owns and maintains vehicles that are to be driven only by Town employees, holding appropriate driver licenses, to carry out the official business of the Town. Vehicles are assigned to specific departments and are to be used exclusively for official business.
- B. Department heads are responsible for assuring that the vehicles assigned to their specific departments are used only in compliance with this "General Vehicle Policy," and any other applicable regulations or resolutions of the Town Board.
- C. The Town Board reserves the sole right to assign vehicles on a twenty-four (24) hour basis to employees holding specific job titles, and, then, only when it determines that the use of such vehicles on such basis is required in order to respond to urgent situations requiring immediate attention.
- D. No vehicles may be used by Town employees for personal reasons, except that those employees assigned vehicles on a 24-hour basis may use them for commuting to and from work.
- E. The use of vehicles for political campaign purposes is expressly prohibited. Examples of political purposes are attending fundraisers, campaign meetings, canvassing, etc.
- F. Each vehicle not specifically assigned on a twenty-four hour basis shall be parked during non-work hours in the

parking lot of the Town facility to which it is most frequently assigned.

- G. This policy does not apply to the Town Supervisor and the Highway Superintendent; the Police Department vehicles that are covered by separate procedures.
- H. No Town employee who resides outside of the Town of Clarkstown shall have a vehicle assigned on a twenty-four (24) hour basis irrespective of job title.

and be it

FURTHER RESOLVED, that the Town Board hereby adopts a policy for "Fuel Consumption Logs," as follows:

#### FUEL CONSUMPTION LOGS

- A. When a vehicle has been designated by the Town Board or its designee for use by a Department, the vehicle will be fitted with an access device which shall enable the operator to obtain fuel, which access device shall be linked to a computerized system.
- B. The Director of Automated Systems and/or Fleet Manager shall ensure that the computerized system shall accurately track the mileage and fuel usage for each authorized vehicle.
- C. The Director of Automated Systems and/or Fleet Manager shall print a log of the mileage and fuel usage for each authorized vehicle (the "Fuel Consumption Log") on a quarterly basis. The quarterly Fuel Consumption Log shall be forwarded to the Comptroller and Director of Finance, who shall review the Log and investigate any abnormal usage.

and be it

FURTHER RESOLVED, that Town employees holding the job titles set forth on Schedule "A" attached, are authorized to use Town vehicles on a twenty-four (24) hour a day basis, except as otherwise stated, as provided in the "General Vehicle Policy" outlined above, so that they may be able to respond to urgent

situations that require an immediate official response by the Town, and be it

FURTHER RESOLVED, that this Resolution shall supersede any and all previous resolutions pertaining to vehicle policy or authorizing twenty-four (24) hour vehicle use, and be it

FURTHER RESOLVED, that the Town Board reserves the right to amend or rescind this resolution at any time, and be it

FURTHER RESOLVED, that the Town Clerk is requested to distribute copies of this resolution to all department heads who shall be responsible for distribution to and compliance by all affected personnel.

Dated: August 9, 2016

TB 08-09 TA RES Town Owned Vehicle Policy-pm

**SCHEDULE "A"**

**POSITIONS AUTHORIZED FOR TWENTY FOUR (24) HOUR VEHICLE USE**

1. Chief Fire Safety Inspector;
2. Fire Safety Inspectors;
- \* 3. Highway Maintenance Supervisor III;
- \* 4. Highway Maintenance Supervisor II;
- \* 5. Highway Maintenance Supervisor II;
- \* 6. Highway Maintenance Supervisor II.

\* Seasonal permission given with approval of the Highway Superintendent from November 1<sup>st</sup> through March 31<sup>st</sup>.

RESOLUTION AUTHORIZING TOWN TO RETAIN PARK STRATEGIES TO PROVIDE STATE LEGISLATIVE AND ECONOMIC DEVELOPMENT REPRESENTATION FOR THE TOWN OF CLARKSTOWN

WHEREAS, Park Strategies has submitted a proposal dated August 5, 2016 to provide New York State legislative and economic development representation by serving as consultants in Albany, NY 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 Park Strategies, in a form approved by the Town Attorney, to provide said consulting pursuant to its proposal dated August 1, 2016, commencing on September 1, 2016 until December 31, 2016, and be it

FUTHER RESOLVED, that the fee for said work shall not exceed \$ 40,000.00, and will be charged to Account No. A 1420-409.

Dated: August 9, 2016

RESOLUTION AUTHORIZING TOWN TO RETAIN THE LAW FIRM OF CHADBOURNE  
& PARKE LLP TO PROVIDE LEGAL REPRESENTATION FOR THE TOWN OF  
CLARKSTOWN

WHEREAS, Chadbourne & Parke LLP has submitted a proposal dated July 21, 2016 to provide legal representation 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 Chadbourne & Parke LLP, in a form approved by the Town Attorney, to provide legal services pursuant to its proposal dated July 21, 2016, commencing on August 9, 2016, and  
be it

FURTHER RESOLVED, that the fee for said work shall be based on the rates agreed upon in the retainer agreement and will be charged to Account No. A 1420-409.

Dated: August 9, 2016

TB 08-09-16 TA RES Chadbourne & Parke - sk