

TOWN OF CLARKSTOWN
TOWN BOARD MEETING
April 17, 2012 - 8:00 p.m.
Town Hall Auditorium
AGENDA
(Tentative)

SALUTE TO THE FLAG

PUBLIC HEARINGS:

- Proposed Abandonment of Portion of Rose Road, West Nyack.
- Removal of Signage at Snake Hill Road & Palisades Center Drive North, West Nyack.

CLERK CALLS THE ROLL

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

RESOLUTIONS:

1. Accepting Minutes of March 20, 2012 Town Board, as submitted by Town Clerk.
2. Authorizing the Purchasing Agent to Advertise for the following:
 - a) Bid No. 17-2012 – 2012 Roadway Resurfacing Program.
 - b) Bid No. 18-2012 – 2012 Concrete Curb & Sidewalk Replacement Program.
 - c) Bid No. 19-2012 – Community Centers Repairs.
3. Granting Permission for a Fireworks Display by the Clarkstown Parks Board and Recreation Commission at the Nanuet Senior High School – Tuesday, July 3, 2012.
4. Authorizing Settlement of Tax Certiorari – 275 Route 304, LLC.
5. Appropriating Funds to Veteran Organizations
6. Accepting Drainage Easement and Agreement regarding Drainage Project on Lake Nanuet Drive and NYSDOT Route 304 Right of Way.
7. Amending Resolution No. 129-2012 Clarifying Location of “Stop” Sign and “Stop” Line Installation – Lake Road, Valley Cottage.
8. Authorizing Sale of a Portion of Rose Road, West Nyack
9. Amending Resolution No. 10-2012 (Application of Public Officers’ Law, Section 18)
10. Authorizing the Supervisor to enter into an *Amended* Agreement with Der Specialty Products, LLC, D & E Realty Co., the Central School District, the County of Rockland, and the County of Rockland Industrial Development Agency with Respect to Payment in Lieu of Taxes for Property known on the Clarkstown Tax Map as 59.18-1-12

11. Authorizing the Supervisor to enter into an Agreement with Vitane Pharmaceuticals, Inc., the Clarkstown School District, the County of Rockland, and the County of Rockland Industrial Development Agency with Respect to Payment in Lieu of Taxes for Property known on the Clarkstown Tax Map as 44.11-3-3.
12. Authorizing the Installation of Traffic Regulatory Signage – Cherry Hill Lane & Larch Court, West Nyack
13. Referring a Proposed Local Law to Amend Chapter 290 (Zoning) of the Local Laws of the Town of Clarkstown with respect to the Creation of Accessory Apartments by Seniors.

ADDITIONAL TENTATIVE RESOLUTIONS:

1. New City Hamlet Zoning
2. Additional Bid Authorizations:
 - Purchase of 3 trucks – Highway Department
 - OSHA Equipment – Highway Department
 - Various Capital Improvements & ADA Improvements to Pascack, Central Nyack & Congers Community Centers – Recreation.
3. Approving Funds for Various Projects.
4. Agreement with County – Police Overtime Reimbursement – CounterTerrorism

GENERAL PUBLIC COMMENTS:
(Limited to 3 minutes per person)

*****PLEASE NOTE*****

Additional items may be added to this agenda

(To View Actual Resolutions, visit Town Clerk's Website – Legal Notices)

RESOLUTION ABANDONING A PORTION OF ROSE ROAD, WEST NYACK, NEW YORK, AND AMENDING THE OFFICAL MAP OF THE TOWN OF CLARKSTOWN

WHEREAS, an application has been made by New York Congregation of Jehovah's Witnesses that the Town Board and the Superintendent of Highways of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law and Section 273 of Town Law to declare that a certain portion of the highway known as the dead end improved portion of Rose Road, West Nyack, Town of Clarkstown, New York, as described in the metes and bounds description attached to the Petition as Schedule "A," upon the grounds that same has not been used as a highway by the public within the last six (6) years and therefore the portion of said road may be deemed abandoned, and

WHEREAS, The Town Board of the Town of Clarkstown, by resolution adopted on March 20, 2012, provided for a public hearing on April 17, 2012, at 8:00 P.M., to consider the abandonment pursuant to Section 205 of the Highway Law and the deletion from the Official Map of the Town of Clarkstown, pursuant to Section 273 of the Town Law, of a portion of a road known as the "the dead end improved portion of Rose Road," West Nyack, New York, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, and said public

hearing was duly held at the time and place specified in said notice, and

WHEREAS, the Clarkstown Planning Board considered the matter at its regularly scheduled meeting on September 15, 2010, and recommended that the dead end improved portion of Rose Road, West Nyack, New York, be de-mapped and removed from the Official Map and abandoned, based on the following: the proposed abandonment no longer effectively serves the general travelling public and there are no adverse implications to the abandonment, and

WHEREAS, the Town Board of the Town of Clarkstown has received a report from the Town Planner dated September 2, 2010, on behalf of the Clarkstown Planning Board as the Town Board's agent pursuant to the State Environmental Quality Review Act ("SEQRA") in which he states that this matter is a Type II under SEQRA and, therefore, no further environmental analysis is necessary, which the Board has discussed and considered such report in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of the Town Planner dated September 2, 2010, acting as staff to the Town Board as lead agency, the Town Board hereby determines

that the abandonment is a Type II action under SEQRA and no further processing pursuant to SEQRA is required, and be it

FURTHER RESOLVED, that a portion of the road as described in the attached Schedule "A" is hereby declared abandoned by the Town of Clarkstown pursuant to Section 205 of the Highway Law, and be it

FURTHER RESOLVED, that pursuant to Town Law Section 273, the Official Map of the Town of Clarkstown is hereby amended by deleting therefrom the dead end improved portion of Rose Road, West Nyack, New York, and be it

FURTHER RESOLVED, that the GIS Coordinator is hereby authorized and directed to amend the Official Map as described in the petition, and be it

FURTHER RESOLVED, that recommendation of the Superintendent of Highways of the Town of Clarkstown contained in the Certificate of Abandonment that a highway be abandoned is hereby ordered to be recorded in the Rockland County Clerk's Office and filed in the Town Clerk's office.

Dated: April 17, 2012

TB 04-17 TA RES Abandonment-Amend Off Map-Rose Rd-pm

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RESOLUTION AUTHORIZING THE REMOVAL OF THE NO RIGHT TURN RESTRICTION SIGN AT SNAKE HILL ROAD SOUTH/EAST BOUND AT INTERSECTION OF PALISADES CENTER DRIVE AND NO LEFT TURN RESTRICTION AT PALISADES CENTER DRIVE AND SNAKE HILL ROAD

WHEREAS, by Resolution No.1150-1988, the Town Board granted a zone change to Clinton Square Plaza, Inc. for certain property located in West Nyack New York, which allowed for the development of the Palisades Center Mall, and

WHEREAS, in connection with the zone change, certain traffic restrictions were embodied in the resolution, with the intent that said restrictions should be prospectively monitored based upon actual conditions, and

WHEREAS, by Resolution Nos. 173-1998 and 189-1998, the Town Board directed the installation of the No Left Turn Sign and No Right Turn Sign, respectively, at the intersection of Snake Hill Road and Palisades Center Drive, and

WHEREAS, based on requests from residents for review of the turn restriction signage at the intersection of Snake Hill Road and Palisades Center Drive North, the Town Board referred the matter to its traffic consultant John L. Sarna, P.E. for his review and recommendation, and

WHEREAS, the Town Board, by resolution adopted on March 20, 2012, provided for a public hearing on April 17, 2012 at 8:00 P.M. to consider removing the signage restrictions at said intersection, and

WHEREAS, Mr. Sarna presented his report at the Town Board's regularly scheduled workshop on April 3, 2012, at which members of the Board and residents had an opportunity to question Mr. Sarna, and

WHEREAS, a notice of public hearing was duly published and the public hearing was duly held at the time and place specified in the notice, and

WHEREAS, by report dated March 20, 2012, John L. Sarna, P.E. concluded that there is no traffic engineering reason for the no right turn and no left turn traffic restrictions at the intersection, which the Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the removal of the No Right Turn and No Left Turn restriction signs on Snake Hill Road and Palisades Center Drive, and be it

FURTHER RESOLVED, that the Town Board hereby directs the Superintendent of Highways to remove the No Right Turn sign, and that the Supervisor advise the Palisades Center Mall management that the No Left Turn sign is not warranted and should be removed, and

WHEREAS, the Superintendent of Highways shall continue to monitor said intersection and notify the Town Board if additional signage or signalization should be considered at said intersection, and be it

FURTHER RESOLVED, that the Town Board hereby orders that this resolution shall be recorded in the Rockland County Clerk's Office.

Dated: April 17, 2012

TB 04-17 TA RES Snake Hill Signage Removal-pm

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RESOLVED, that the Town Board Minutes of March 20, 2012 are hereby
accepted, as submitted by the Town Clerk.

DATED: April 17, 2012

2A

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

BID#17-2012 – 2012 ROADWAY RESURFACING PROGRAM

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: April 17, 2012

awm

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

BID#18-2012 – 2012 CONCRETE CURB AND SIDEWALK REPLACEMENT PROGRAM

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: April 17, 2012

awm

2c

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

BID#19-2012 – COMMUNITY CENTERS REPAIRS

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: April 17, 2012

awm

RESOLVED, that permission is hereby granted for a fireworks display to be conducted by the Clarkstown Parks Board and Recreation Commission at the Nanuet Senior High School at approximately 9:30PM on Tuesday, July 3, 2012 with a rain date of Wednesday, July 11, 2012 pursuant to Section 405 of the Penal Law.

awm

Dated: April 17, 2012
R&P

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING 275 ROUTE 304, LLC.
(TAX MAP NO.: 58.14-2-54)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, 275 Route 304, LLC v. The Assessor of the Town of Clarkstown and the Board of Assessment Review of the Town of Clarkstown, Index No(s). 8758/10 and 31102/11, affecting parcel designated as Tax Map 58.14-2-54 and more commonly known as 275 Route 304, Bardonia, New York for the year(s) 2010/11 and 2011/12, 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, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Clarkstown Central School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.14-2-54 be reduced for the year(s) 2010/11 from \$300,000 to \$260,000 at a cost to the Town of \$943.44;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 58.14-2-54 be reduced for the year(s) 2011/12 from \$300,000 to \$270,000 at a cost to the Town of \$738.13;

3. Reimbursement for the year(s) 2010/11 and 2011/12 on the parcel described as Tax Map 58.14-2-54, 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: April 17, 2012

TB 04-17 TA RES 275 Route 304 Settlement-lh

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RESOLUTION APPROPRIATING FUNDS
TO VETERANS' ORGANIZATIONS

WHEREAS, certain veterans' organizations have requested monetary assistance from the Town of Clarkstown to defray rent costs, provide funds for parades, memorial services, and other activities;

NOW, THEREFORE, be it

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750 (\$500 for leasing or rental, and maintenance of meeting facility, \$250 for patriotic observance) to the following veterans' organizations for the year 2012:

- Korean War Veterans, Rockland County Eagle Chapter
- Veterans of Foreign Wars of the U.S. Post No. 8749

and be it

FURTHER RESOLVED, that claims for such sums shall be made annually by the organizations and submitted to the Town Board for audit and disbursement, and be it

FURTHER RESOLVED, that said funds will be charged against 2012 Account No. A 6510-401.

Dated: April 17, 2012

TB 04-17 TA RES Veterans Org(2)-pm



**RESOLUTION ACCEPTING DRAINAGE EASEMENT AND AGREEMENT REGARDING
DRAINAGE PROJECT ON LAKE NANUET DRIVE AND
NYS DOT ROUTE 304 RIGHT OF WAY
(28 LAKE NANUET DRIVE - 64.14-1-11)**

WHEREAS, the Department of Environmental Control is coordinating the design and construction of a Drainage Project on Lake Nanuet Drive and the NYS DOT Route 304 Right of Way for flood prevention for the neighborhood and Lake Nanuet Park, and

WHEREAS, an easement through the property known as 28 Lake Nanuet Drive was required to perfect this project, and

WHEREAS, the Town Attorney's Office was able to consummate the execution of the easement in order to install a 4'x8' box culvert in the side yard of 28 Lake Nanuet Drive as part of the project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement between Gail Fleur and the Town of Clarkstown with regard to the drainage easement, and be it

FURTHER RESOLVED, that the Town Board hereby accepts the permanent Drainage Easement from Gail Fleur, owner of 28 Lake Nanuet Drive, Nanuet (64.14-1-11), along with an Agreement for restoration and associated work and orders said documents recorded in the Rockland County Clerk's Office at the expense of the Town, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to April 3, 2012.

Dated: April 17, 2012



**RESOLUTION AMENDING RESOLUTION 129-2012
CLARIFYING LOCATION OF STOP SIGN & STOP LINE
INSTALLATION:
LAKE ROAD, VALLEY COTTAGE**

WHEREAS, Town Board Resolution 129-2012 adopted on March 20, 2012 authorized the Superintendent of Highways to install a Stop Sign and Stop Line on Lake Road, Valley Cottage, and

WHEREAS, the correct location of the indicated installation is at the western terminus of Lake Road where Lake Road intersects with Ridge Road,

NOW THEREFORE, be it, **RESOLVED**, that Town Board Resolution 129-2012 is hereby amended to reflect the abovementioned modified language, and be it

FURTHER RESOLVED, that the Town Clerk will forward a copy of this resolution to the Superintendent of Highways for implementation.

DATED: April 17, 2012
TB 04-17 TA RES Amend Stop sign location Lake Rd VC--jje

awm

**RESOLUTION AUTHORIZING SALE OF A PORTION OF
ROSE ROAD, WEST NYACK, NEW YORK**

WHEREAS, the Town Board on April 17, 2012, deleted a portion of Rose Road which is described in the attached Schedule "A" from the Official Map having a total tract area of .25 acres or +- 11,072 sq. feet, and

WHEREAS, this particular portion of Rose Road is no longer necessary for municipal purposes and is surplus property, and

WHEREAS, the Town Attorney has offered the aforementioned premises for sale by Quit Claim deed to abutting property owners for the highest price obtainable, provided same meets or exceeds the lowest value placed on said property by the appraisal obtained by the Town for this surplus property, and

WHEREAS, the Nyack, New York Congregation of Jehovah's Witnesses, Inc. ("Congregation") having an office located at 73 Rose Road, West Nyack, New York, has offered the sum of \$50,000 for the entire portion of Rose Road described in Schedule "A" and said offer equals or exceeds the appraisal value,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the sale of this portion of Rose Road for the sum of \$50,000 to the Congregation and authorizes the Supervisor to enter into a contract of sale and execute a Quit Claim Deed and conveyance documents in a form satisfactory to the Town Attorney for that portion of Rose Road, West Nyack, New York, previously abandoned, and be it

FURTHER RESOLVED, that such sale is subject to the following:

- a. Easements, covenants and restrictions of record, if any;

- b. Zoning Ordinance of the Town of Clarkstown;
- c. Such statement of facts that an accurate survey or personal inspection may reveal, and be it

FURTHER RESOLVED, that this resolution is subject to permissive referendum and the Town Clerk is directed to post this resolution.

Dated: April 17, 2012

TB 04-17 RES TA Authorizing Sale of Portion of Rose Road-PKS

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RESOLUTION AMENDING RESOLUTION NO. 10-2012
(APPLICATION OF PUBLIC OFFICERS' LAW, SECTION 18)

WHEREAS, by Resolution No. 10-2012, adopted January 3, 2012, the Town Board authorized application of the provisions of Section 18 of the Public Officers' Law concerning defense and indemnification to the officers and employees of the Town of Clarkstown who are named defendants in any action arising out of the proper performance of duties, and

WHEREAS, the Town Board now wishes to clarify the benefits extended under this section;

NOW, THEREFORE, be it

RESOLVED, that the first RESOLVED clause in Resolution No. 10-2012 is hereby amended to read as follows:

"RESOLVED, that the provisions of Section 18 of the Public Officers' Law concerning defense and indemnification shall apply to the officers and employees of the Town of Clarkstown who are named defendants in any action arising out of the proper performance of duties to the fullest extent permissible by law, including, but not limited to, punitive damages, and the benefits of Section 18 shall extend to all such employees."

Dated: April 17, 2012
TB 04-17 TA RES Amend Res-Defense-Indemn POL 18-pm



RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AMENDED AGREEMENT WITH DER SPECIALTY PRODUCTS, LLC, D & E REALTY CO., THE CLARKSTOWN CENTRAL SCHOOL DISTRICT, THE COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY WITH RESPECT TO PAYMENT IN LIEU OF TAXES FOR PROPERTY KNOWN ON THE CLARKSTOWN TAX MAP AS 59.18-1-12

WHEREAS, by Resolution No. 260-2011, adopted May 17, 2011, the Town Board authorized the Supervisor to enter into a PILOT Agreement with DER SPECIALTY PRODUCTS, LLD, D&E REALTY CO., THE CLARKSTOWN CENTRAL SCHOOL DISTRICT, THE COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY, with respect to payment in lieu of taxes for property known on the Clarkstown Tax Map as 59.18-1-12, and located at 200 North Route 303, West Nyack, New York, and

WHEREAS, by Resolution No. 636-2011, adopted December 13, 2011, the Town Board authorized an amendment to aforementioned agreement to provide for a PILOT escrow account instead of a letter of credit for PILOT payments, and

WHEREAS, the County of Rockland has recently requested that this PILOT Agreement be modified again to comply with new requirements by the County Legislature, and

WHEREAS, the Comptroller finds no objection to this change;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an amended agreement with DER SPECIALTY PRODUCTS, LLC, D&E REALTY CO., THE CLARKSTOWN CENTRAL SCHOOL DISTRICT, THE COUNTY OF

ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT
AGENCY with respect to payment in lieu of taxes for property known on the Clarkstown
Tax Map as 59.18-1-12, located at 200 North Route 303, West Nyack, New York.

Dated: April 17, 2012

TB 04-17 TA RES DER Specialty Products Modified PILOT Agreement-PKS

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RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH VITANE PHARMACEUTICALS, INC., THE CLARKSTOWN CENTRAL SCHOOL DISTRICT, THE COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY WITH RESPECT TO PAYMENT IN LIEU OF TAXES FOR PROPERTY KNOWN ON THE CLARKSTOWN TAX MAP AS 44.11-3-3

WHEREAS, the Rockland County Industrial Development Agency (“Agency”) is authorized to acquire, construct, lease, improve and maintain projects for the purpose of promoting development and encouraging commercial facilities thereby advancing job opportunities, general prosperity and economic welfare of the people of Rockland County, and

WHEREAS, the “Agency” has undertaken a project consisting of the renovation of an existing building and the acquisition and installation thereto of certain machinery and equipment related thereto, all to be used for a manufacturing, warehousing, and distribution facility and administrative offices located at 125 Wells Avenue, Congers, New York, and

WHEREAS, to facilitate this project, the “Agency” had entered into a “straight lease transaction” pursuant to the “Agency’s” uniform tax exemption policy by which the “Agency” has acquired a leasehold interest in and to the Project Realty (“Head Lease”) and the “Agency” leased to Vitane Pharmaceuticals, Inc., as Lessee, the “Agency’s” interest in the Project (the “Lease Agreement”); and

WHEREAS, the proposed agreement provides for payments in lieu of taxes by using a basis assessed value of \$549,000.00 which shall remain same at \$549,000.00 for

period of five (5) years, and lessee shall make payments based upon the multiplying the tax rate for the then current tax levy by the assessed valuation of \$549,000.00.

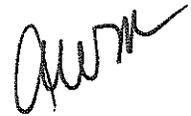
WHEREAS, the Town Board hereby authorizes the Supervisor to enter into a "payment in lieu of taxes agreement" (a pilot agreement) to be executed by all parties;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with VITANE PHARMACEUTICALS, INC., THE CLARKSTOWN CENTRAL SCHOOL DISTRICT, THE COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY with respect to payment in lieu of taxes for property known on the Clarkstown Tax Map as 44.11-3-3, and located at 125 Wells Avenue, Congers, New York.

Dated: April 17, 2012

TB 04-17 TA RES Vitane Pharmaceuticals, Inc. PILOT Agreement-PKS

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

RESOLUTION AUTHORIZING THE INSTALLATION OF TRAFFIC REGULATORY SIGNAGE, CHERRY HILL LANE & LARCH COURT, WEST NYACK

WHEREAS, the Foxwood Road, West Nyack vicinity has experienced increased traffic volume due to the NYS DOT Route 59 Project, and

WHEREAS, this shortcutting to Sickletown Road from Route 59 to avoid the congestion caused by the State project has developed into a nuisance in the Foxwood Road neighborhood, and

WHEREAS, the Town Board seeks to mitigate this situation for the approximate six month remaining duration of the State project, and

WHEREAS, the Town Attorney, the Superintendent of Highways and the Operations Captain of the Clarkstown Police have met with a number of residents and discussed several possible temporary remedies to deter the shortcutting and assist in police enforcement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install the following traffic regulatory signs, for a duration of six months from the date of this Resolution, unless rescinded or amended:

- 1.) **“NO RIGHT TURN”** at NYS Route 59 and Cherry Hill Lane, West Nyack
- 2.) **“NO THROUGH TRAFFIC//LOCAL TRAFFIC ONLY”** at NYS Route 59 and Larch Court, West Nyack, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to coordinate with the NYS DOT for the creation and installation of informational and directional signage to assist in diverting Route 59 eastbound traffic to alternate routes to alleviate the current congestion caused by the State’s construction project.

DATED: April 17, 2012

TB 04-17 TA RES Signage Cherry Hill & Larch, WN--jje



RESOLUTION REFERRING A PROPOSED LOCAL LAW TO AMEND CHAPTER 290 (ZONING) OF THE LOCAL LAWS OF THE TOWN OF CLARKSTOWN WITH RESPECT TO CREATION OF ACCESSORY APARTMENTS BY SENIORS

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 290 (Zoning) of the Local Laws of the Town of Clarkstown with respect to Accessory Apartments"

and

WHEREAS, the proposed local law is to amend Section 290 of the Town of Clarkstown Zoning Code to allow qualified senior residents to create accessory apartments, subject to certain criteria;

NOW, THEREFORE, be it

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

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

Dated: April 17, 2012

QWM