

**TOWN OF CLARKSTOWN  
TOWN BOARD MEETING  
September 6, 2016, 8:00 pm  
Town Hall Auditorium  
AGENDA**

**SALUTE TO THE FLAG**

**CLERK CALLS THE ROLL**

**PUBLIC HEARINGS:**

1. *Continuation:* Application of Chabad Lubavitch of Rockland a/k/a Chabad Synagogue of New City Hebrew Academy for a Special Permit to conduct a Child Day Care Center. (*Continued to Sept. 20, 2016*)
2. *Continuation:* 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".
3. *Continuation:* Application of "Kid's Kingdom" for a Special Permit to conduct a Child Day Care Center.
4. *Continuation:* 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)

**PUBLIC COMMENTS REGARDING AGENDA ITEMS**

*(Limited to 3 minutes per person)*

**RESOLUTIONS:**

1. Accepting the Town Board Minutes of August 9, 2016, as submitted by the Town Clerk.
2. Scheduling a Special Meeting of the Town Board for September 20, 2016 at 7:00 pm in Room 301 of the Clarkstown Town Hall.
3. Authorizing the Supervisor to Accept a Grant in the amount of \$20,000.00 from the State of New York Governor's Traffic Safety Committee to participate in the Statewide Police Traffic Services Program.
4. Authorizing the Supervisor to Enter into an Agreement with Lightpath for Fiber Communications.  
*(Savings to Town = \$43,560/year; \$130,680/3 year term)*
5. Authorizing the following Building Permit Refunds:
  - a) Sunrun Installation Services – Tax Map 57.7-3-5 (Midouin) - *Partial Refund \$198.00*
  - b) Matthew Marrano – Tax Map 51.14-4-24 – *Full Refund \$222.00*
6. Granting permission to the Heritage of West Nyack to dispense alcoholic beverages at the Traphagen Property on October 22, 2016
7. Authorizing the Installation of Street Lighting at the following locations – *cost per location \$14.07/month; \$168.84/year:*
  - a) Between 12 and 16 Oak Road, New City.
  - b) Between 65 and 67 Havermill Road, New City
  - c) Between 59 and 61 Branchville Road, Valley Cottage
8. Authorizing the Supervisor to enter into the following "Adopt-a-Spot" *Renewal Agreements:*
  - a) Mr. Landscape, Inc. – west side of the Freedom Causeway, New City
  - b) Mr. Landscape, Inc. – Blue Heron Road @ So. Pascack Road, New City
  - c) Curti's Landscape – Bardonia Road & Route 304, Bardonia
  - d) Steve Weiss Landscaping – Kings Highway (south of Railroad Crossing), Valley Cottage.
  - e) Blue Sky Landscape, Inc. – Corner of Lake Road & Kings Highway, Valley Cottage AND Germonds & Little Tor Roads, New City.
  - f) Majestic Lawn Care & Landscape, Inc. – Route 59 at Rose Road AND Route 303 at Lake Road, Congers

9. Authorizing Expenses for the following Conferences:
  - a) P.O. Thomas Curley, P.O. Andrew Kelly and P.O. Brian Callanan – 2016 Excelsior Challenge from September 13-16, 2016. *(not to exceed \$600)*
  - b) P.O. Andrew Kelly & P.O. George Mendez – Advanced Tactical Explosive Breacher from November 28 – December 2, 2016. *(not to exceed \$6,400)*
  - c) Lt. Dan Weisberg & Sgt. Brian Gorsky – Aventos Leap Command Academy 2016 on September 8 and 9, 2016 *(not to exceed \$2,000)*
  - d) Lt. Steve Morgan – New York Highway Safety Annual Fall Symposium “Partnering for a Safe New York” from October 16-19, 2016 *(not to exceed \$300)*
  - e) Raquel Guzman – New World Users Conference from October 2-4, 2016 *(not to exceed \$2,600)*
  - f) Judge Howard Gerber – NYS Magistrates 2016 Annual Conference from Sept. 25-28, 2016 *(not to exceed \$900)*
10. Referring and Setting a Public Hearing on a Proposed Local Law entitled: “A Local Law Amending Chapter 290 (Zoning) of the Town Code of the Town of Clarkstown with respect to Table 12 (General Bulk Regulations)” *(Oct. 25, 2016)*
11. Authorizing the following Settlements of Tax Certiorari Matters:
  - a) Torsoe Commercial Corp., Tax Map Nos: 64.6-1-4./30, 64.6-1-4./60, 64.6-1-4./110, 64.6-1-4./120 and 64.6-1-4./130 *(total cost to Town \$5,965.66)*
  - b) Dream Construction Corp., Tax Map 43.7-1-29.1 *(total cost to Town \$6,766.37)*
  - c) Myrna Daos, Tax Map 63.11-2-9 *(total cost to Town \$6,207.90)*
12. Authorizing the following Personnel changes:
  - a) Appointment: Alexandra Walker, P/T Clerk, Recreation & Parks *(\$19.81/hr)*
  - b) Appointment: Catherine Cirrone, P/T Secretary, Zoning Board of Appeals *(\$10,000/yr)*
  - c) Sick Leave of Absence: Demeurant Louisthelmy, Municipal Bus Driver, Mini-Trans
  - d) Family & Medical Leave Act: Joan Gibbs, Principal Clerk Stenographer, Police Records
  - e) Reclassification from Computer Installation Assistant to Information Services Specialist I; Abolishment of Computer Installation Assistant title in Data Processing; Appointment: Sean Jordan, Information Services Specialist I (Provisional), Data Processing *(\$77,177)*
13. Authorizing Amending the Budget.
14. Authorizing the following payments:
  - a) Peter Beary, Consultant to the Building Department while facilitating the Building Department Budget, effective and retroactive to July 20, 2016 – *(\$94 per hour)*
  - b) Cathy Conklin, one and one-half hours consulting fee which was required for tax certiorari clarification *(\$92.54 per hour)*

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

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 said public hearing was continued on September 6, 2016, and at such time it was determined by the Town Board that the hearing be again continued on September 20, 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 in Room 301 of the Town Hall, 10 Maple Avenue, New City, New York on September 20, 2016, 2016 at 7:00 p.m., or as soon thereafter as possible, relative to said petition.

Dated: September 6, 2016

TB 09-06 TA RES Continue Public Hearing-Chabad Special Permit-pm

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PH2

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

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, the Town Board of the Town of Clarkstown by  
resolution adopted on June 28, 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, a notice of said hearing was duly prepared and  
published in the Journal News on August 1, 2016, and

WHEREAS, by resolution adopted June 28, 2016, the Town  
Board referred the portion of the proposed local law amending  
Chapter 290 (Zoning) to the Clarkstown Planning Board for their  
comment, pursuant to §290-33 of the Zoning Local Law of the  
Town of Clarkstown, and to the Rockland County Commissioner of  
Planning, pursuant to General Municipal Law §§239-1 & m, 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 23, 2016;

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on August 9, 2016 and continued on September 6, 2016, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the August 24, 2016 memorandum prepared by the Jose Simoes, Principal Town Planner, as agent for the Town Board, pursuant to SEQRA, and which the Board has discussed and considered in making its decision herein, and

WHEREAS, by resolution dated August 3, 2016, the Town of Clarkstown Planning Board made several observations pursuant to Town Code Sections 290-33 B(1) and found that the proposed local law appears consistent with the Zoning Code and the Comprehensive Plan goals of providing additional senior housing and ensuring that town building and fire codes are current and enforced, and will also clarify senior housing definitions and the definition of family, and

WHEREAS, the Town Board has determined to adopt this amendment to the Town Code by a majority plus one vote of the Board in contravention of the recommendations of the Rockland County Department of Planning, dated July 26, 2016, as follows:

No. 1 - It seems the new definition for "family" will not permit four or more unrelated people living together in one

dwelling unit; such as four post-college adults who would like to share a house together. This must be clarified if this is the intent - Reason: That is the intent;

No. 2 - It must be clarified if all of the criteria listed to determine the functional equivalent of a traditional family must be met, or if these are guidelines in which the determination is based on, and that this is the criteria to be used for consideration - Reason: Must be read in context with actual law;

No. 3 - The definitions for "Assisted Care Living Quarters," "Senior Citizen Congregate Housing," and "Senior Citizen Housing" each had an additional sentence added stating that at least one resident must have attained the age of 55 years or more. Would a person who is eligible for assisted care living quarters (because of a handicap), be able to reside in any of these living facilities if they do not meet the age eligibility? This must be clarified - Reason: Definition already states it is subject to federal regulations;

NOW, THEREFORE, be it

RESOLVED, that based upon the memorandum prepared by the Jose Simoes, Principal Town Planner, as agent for the Town Board, pursuant to SEQRA, it is hereby determined that the proposed amendments to Chapter 290 (Zoning) are an Unlisted

Action under the provisions of SEQRA and shall not have any potential to adversely affect the environment, and be it

FURTHER RESOLVED, that the Town Board has reviewed and hereby accepts the attached Negative Declaration, and directs that same be filed, distributed and published pursuant to 6 NYCRR Part 617.7(b), and be it

FURTHER RESOLVED, that a copy of this resolution be filed with the Rockland County Commissioner of Planning, pursuant to General Municipal Law §239-m(6), and be it

FURTHER RESOLVED, that Local Law No. - 2016 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"

is hereby ADOPTED and passed by a majority plus one 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 Carey, Councilwoman . . . . .

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

Dated: September 6, 2016

TB 09-06 TA RES Adopt LL-Amend 157 & 290-Housing & Definitions-pm

**STATE ENVIRONMENTAL QUALITY REVIEW  
NEGATIVE DECLARATION  
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

**Lead Agency:** Town Board  
Town of Clarkstown  
10 Maple Avenue  
New City, NY 10956

**Project:** Town Code Amendment – Local Law Amending Chapter 157 (Housing Standards Applicable to Residential Premises) and Chapter 290 (Zoning)

**Date:** September 6, 2016

This notice is issued pursuant to part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Clarkstown, as lead agency, has determined that the proposed action described below will not have a significant impact on the environment, and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Town Code Amendment – Local Law Amending Chapter 157 (Housing Standards Applicable to Residential Premises) and Chapter 290 (Zoning)

**Location:** Townwide – Town of Clarkstown, NY

**SEQRA Status:** Unlisted

**Description of Proposed Action:** This Local Law will amend the definition section of Chapter 290 of the Town Code to clarify that senior housing is intended only for persons aged 55 years and older and will also clarify the definition of family. The local law will also update Chapter 157, establishing a rental registry, among other revisions to regulations affecting housing.

**Intent of Proposed Action:** The purpose of this amendment is to clarify the intended requirements of the Town's senior housing definitions and the definition of family to aid in code enforcement and to be more consistent with recent case law.

**Potential Impacts and Support of Determination:** There will be no impact on the environment as the enactment of the proposed action will not change any currently allowable uses or their intensity. The action will facilitate enforcement of building regulations.

**Contact Person:** Jose Simoes  
Town Planner  
10 Maple Avenue  
New City, NY 10956  
(845-639-2070)

PH-3

RESOLUTION AND SPECIAL FINDINGS GRANTING A SPECIAL PERMIT TO  
CONDUCT A CHILD DAY CARE CENTER TO KID'S KINGDOM  
(TAX MAP 64.6-1-4)

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, after due notice published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on August 9, 2016 and continued on September 6, 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 an unlisted action that will not have the potential for any adverse environmental impact, and

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

WHEREAS, the Rockland County Planning Department has advised the Town that this action is outside of their jurisdiction and does not require review, and

WHEREAS, the Town of Clarkstown Planning Board, by memo dated August 15, 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 August 10, 2016, acting as staff to the Town Board as lead agency, the Town

Board hereby determines that the Special Permit for Kid's Kingdom shall not have the potential for any adverse environmental impact and hereby issues a Negative Declaration for this action pursuant to SEQRA, and be it

FURTHER RESOLVED, that the Planning Board Resolution, dated August 3, 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 Help from People to People Inc. and the portion leased by Kid's Kingdom 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. As recommended by the Town of Clarkstown Planning Board in their resolution dated August 3, 2016, petitioner is required to provide crossing guards whenever children cross the parking lot to access the outdoor play area;

3. Pursuant to Section 290-17(Z)(2), use shall be limited to children ages two through six. Regardless of the age of the children, the use of property subject to this special permit shall not be utilized as a school;

4. 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: September 6, 2016

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

PH-4

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, continued on August 9, 2016 and continued again on September 6, 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. Pursuant to Section 290-17(Z)(2), use shall be limited to children ages two through six. Regardless of the age of the children, the use of property subject to this special permit shall not be utilized as a school;
3. 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: September 6, 2016

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

TB 09-06 TA RES Benim Grant Special Permit-pm

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RESOLVED, that the Town Board Minutes of August 9, 2016 are hereby  
accepted as submitted by the Town Clerk.

DATED: September 6, 2016

RESOLUTION SCHEDULING A SPECIAL MEETING  
OF THE TOWN BOARD FOR September 20, 2016

RESOLVED, that the Town Board hereby schedules a  
Special Town Board Meeting for September 20, 2016 at 7:00  
p.m. in Room 301 of the Clarkstown Town Hall at 10 Maple  
Avenue, New City, New York, immediately prior to the  
Workshop Meeting scheduled for 7:30 p.m.

Dated: September 6, 2016

TB 09-06 TA RES Special TB Meeting-pm



RESOLUTION AUTHORIZING THE SUPERVISOR TO ACCEPT A GRANT FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE TO PARTICIPATE IN THE STATEWIDE POLICE TRAFFIC SERVICES PROGRAM

WHEREAS, Clarkstown Police Lieutenant Steve Morgan has advised that the State of New York Governor's Traffic Safety Committee has awarded a grant to the Town of Clarkstown Police Department for the purpose of participating in the "Police Traffic Services Program," which has a goal of increasing seat belt usage and reducing dangerous driving behaviors in an effort to reduce serious injury and death from traffic crashes, and

WHEREAS, the State shall provide \$20,000.00 to the Town of Clarkstown for said purposes;

NOW, THEREFORE, be it

RESOLVED, that, on the recommendation of Clarkstown Police Lieutenant Steve Morgan, the Town Board hereby authorizes the Supervisor to accept a grant award of \$20,000.00 for the Town of Clarkstown Police Department to participate in the "Police Traffic Services Program."

DATED: September 06, 2016

TB 09-06-16 TA RES Police Grant-Police Traffic Services-kh

4

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH LIGHTPATH FOR FIBER COMMUNICATIONS

WHEREAS, by Resolution No. 627-2007, adopted October 23, 2007, as amended by Resolution No. 623-2010, adopted November 23, 2010, the Town Board authorized the Supervisor to enter into an agreement for fiber communications to be provided within the Town; and

WHEREAS, the agreement will expire in October, 2016; and

WHEREAS, Cablevision Lightpath, Inc., a supplier of fiber communications, has submitted a proposal to provide the Town with fiber communications at higher speeds at a much lower cost for a period not to exceed 3 years; and

WHEREAS, Christopher Alvarado, Information Services Specialist, has reviewed the proposal and finds it acceptable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form satisfactory to the Town Attorney, with Cablevision Lightpath, Inc., 200 Jericho Quadrangle, Jericho, NY 11753 to provide fiber communications within the Town for a period not to exceed 3 years at the monthly cost of \$9,020.00.

DATED: September 6, 2016

TB 09-06-16 TA RES Lightpath-kh

5A

RESOLUTION AUTHORIZING A PARTIAL REFUND OF BUILDING PERMIT FEE  
TO SUNRUN INSTALLATION SERVICES, INC. CONCERNING PROPERTY  
DESIGNATED AS TAX MAP NO. 57.7-3-5 (MIDOUIN)

WHEREAS, Sunrun Installation Services, Inc. has requested a refund of Building Permit Fee (#16-244) paid in the amount of \$348.00 for property located at 65 Spring Brook Road, Nanuet, New York, more particularly described as Tax Map No. 57.7-3-5, due to cancellation of work, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$150.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund in the amount of \$198.00 to Sunrun Installation Services, Inc., 775 Fiero Ln #200, San Luis Obispo, CA 93401 to be charged to Account No. B-02-6-2555-0.

Dated: September 6, 2016

TB 09-06 TA RES Bldg Permit Partial Refund Sunrun-Midouin-pm

5B

RESOLUTION AUTHORIZING REFUND OF BUILDING PERMIT  
FEE TO MATTHEW MARRANO FOR PROPERTY KNOWN  
AS TAX MAP NO. 51.14-4-24

WHEREAS, Matthew Marrano has requested a refund of Building Permit Fee (No. 16-1073) paid in the amount of \$222.00 for property located at 79A Kings Hwy, New City, New York, more particularly described as Tax Map No. 51.14-4-24, and

WHEREAS, the Building Inspector has advised that the permit application was submitted in error with no review being made and recommends a full refund of \$222.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a full refund of \$222.00 to Matthew Marrano, 47 West Street, West Nyack, New York 10994 to be charged to Account No. B 02-6-2555-0.

Dated: September 6, 2016

TB 09-06 TA RES Marrano Refund Fee-pm

6

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

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

WHEREAS, the Heritage of West Nyack, Ltd. wishes to obtain a permit from the Town Board to dispense alcohol at the Traphagen Property located at 131 Germonds Road, West Nyack, New York, on October 22, 2016 for a wine and cheese fundraiser;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission for the Heritage of West Nyack, Ltd. to dispense alcoholic beverages at the Traphagen Property located at 131 Germonds Road, West Nyack, New York, on October 22, 2016 from 2 p.m. to 5 p.m., in accordance with Section 93-3 of the Town Code of the Town of Clarkstown and subject to receipt of a Certificate of Insurance to the satisfaction of the Town Attorney naming the Town of Clarkstown as an additional insured, and be it

FURTHER RESOLVED, that this Resolution shall constitute the permit.

Dated: September 6, 2016

TB 09-06 TA RES Heritage alcohol permit-pm

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7A

**WHEREAS**, a resident of Oak Road , 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 pole #58911/41555;

**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 #58911/41555 located between house #12 and 16 Oak Road, New City.

**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: September 6, 2016

7B

**WHEREAS**, a resident of Havermill Road, 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 pole #59091/41608;

**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 #59091/41608 located between house #65 and 67 Havermill Road, New City.

**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: September 6, 2016

LS

7c

**WHEREAS**, a resident of Branchville Road , Valley Cottage, NY 10989 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 #60301/40750;

**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 #60301/40750 located between house #59 and 61 Branchville Road, Valley Cottage.

**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: September 6, 2016**

LS

**RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A  
RENEWAL AGREEMENT CONCERNING THE TOWN OF CLARKSTOWN  
"ADOPT-A-SPOT" PROGRAM**

8A

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt a specified Town location for an additional two year period beginning September 15, 2016 to September 15, 2018, as follows:

**Sponsor:**                    **Mr. Landscape, Inc.**  
                                      **P.O. Box 974**  
                                      **New City, NY 10956**

**Location:**                   **West Side of the Freedom Causeway**  
                                      **New City, NY 10956**

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying this location, and by removing trash from this location, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement with the entity referred to herein, for a period of two (2) years beginning September 15, 2016 to September 15, 2018, in a form approved by the Town Attorney, and Frank DiZenzo, Superintendent of Highways, to adopt the above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

Dated: September 6, 2016

TB 09-06-16 TA RES Adopt A Spot Renew-Mr. Landscape-West Side of Freedom Causeway, New City-dt

(8B)

**RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A  
RENEWAL AGREEMENT CONCERNING THE TOWN OF CLARKSTOWN  
"ADOPT-A-SPOT" PROGRAM**

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt a specified Town location for an additional two year period beginning September 15, 2016 to September 15, 2018, as follows:

**Sponsor:**                    **Mr. Landscape, Inc.**  
                                      **P.O. Box 974**  
                                      **New City, NY 10956**

**Location:**                    **Blue Heron Road @ South Pascack Road**  
                                      **Nanuet, NY 10954**

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying this location, and by removing trash from this location, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement with the entity referred to herein, for a period of two (2) years beginning September 15, 2016 to September 15, 2018, in a form approved by the Town Attorney, and Frank DiZenzo, Superintendent of Highways, to adopt the above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

Dated: September 6, 2016

TB 09-06-16 TA RES Adopt A Spot Renew-Mr. Landscape - Blue Heron Rd. @ S. Pascack Rd., Nanuet-dt

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A RENEWAL AGREEMENT CONCERNING THE TOWN OF CLARKSTOWN "ADOPT-A-SPOT" PROGRAM

8C

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt a specified Town location for an additional two year period beginning September 15, 2016 to September 15, 2018, as follows:

**Sponsor:** Curti's Landscape  
169 Route 303  
Valley Cottage, NY 10989

**Location:** Bardonia Road & Route 304  
Bardonia, NY 10954

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying this location, and by removing trash from this location, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement with the entity referred to herein, for a period of two (2) years beginning September 15, 2016 to September 15, 2018, in a form approved by the Town Attorney, and Frank DiZenzo, Superintendent of Highways, to adopt the above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

Dated: September 06, 2016

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A RENEWAL AGREEMENT CONCERNING THE TOWN OF CLARKSTOWN "ADOPT-A-SPOT" PROGRAM

8D

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt a specified Town location for an additional two year period beginning September 15, 2016 to September 15, 2018, as follows:

**Sponsor:** Steve Weiss Landscaping  
P.O. Box 77  
Valley Cottage, NY 10989

**Location:** Kings Highway (South of Railroad Crossing)  
Valley Cottage, NY

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying this location, and by removing trash from this location, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement with the entity referred to herein, for a period of two (2) years beginning September 15, 2016 to September 15, 2018, in a form approved by the Town Attorney, and Frank DiZenzo, Superintendent of Highways, to adopt the above location, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the location.

Dated: September 06, 2016

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A RENEWAL AGREEMENT CONCERNING THE TOWN OF CLARKSTOWN "ADOPT-A-SPOT" PROGRAM

8E

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt specified Town locations for an additional two year period beginning September 15, 2016 to September 15, 2018, as follows:

**Sponsor: Blue Sky Landscape, Inc.  
505 Kings Highway  
Valley Cottage, NY 10989**

**Location: Corner of Lake Road and Kings Highway  
Valley Cottage, NY 10989**

**Germonds & Little Tor Roads  
New City, NY 10956**

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying these locations, and by removing trash from these locations, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement with the entity referred to herein, for a period of two (2) years beginning September 15, 2016 to September 15, 2018, in a form approved by the Town Attorney, and Frank DiZenzo, Superintendent of Highways, to adopt the above locations, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of these locations.

Dated: September 6, 2016

LS

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A RENEWAL  
AGREEMENT CONCERNING THE TOWN OF CLARKSTOWN  
"ADOPT-A-SPOT" PROGRAM

8F

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the following group wishes to adopt specified Town locations for an additional two year period beginning September 15, 2016 to September 15, 2018, as follows:

**Sponsor: Majestic Lawn Care & Landscape, Inc.  
424 Buena Vista Road  
New City, NY 10956**

**Locations: Route 59 @ Rose Road  
West Nyack, NY 10994**

**Route 303 @ Lake Road  
Congers, NY 10920**

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying these locations, and by removing trash from these locations, which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement with the entity referred to herein, for a period of two (2) years beginning September 15, 2016 to September 15, 2018, in a form approved by the Town Attorney, and Frank DiZenzo, Superintendent of Highways, to adopt the above locations, and to provide and coordinate services by the above named group, to remove litter and debris and provide planting and maintenance of the locations.

Dated: September 06, 2016

LS

9A

**RESOLUTION AUTHORIZING EXPENSES FOR CONFERENCE  
(2016 EXCELSIOR CHALLENGE)**

WHEREAS, Clarkstown Police Department Captain Anthony Ovchinnikoff has requested authorization for the following police officers to attend the 2016 Excelsior Challenge on September 13 - 16, 2016 to provide NYS Homeland Security training for NYS Tactical Team Members;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the following police officers to attend the 2016 Excelsior Challenge on September 13 - 16, 2016:

- PO Thomas Curley
- PO Andrew Kelly
- PO Brian Callanan,

and be it

FURTHER RESOLVED, that reasonable and necessary expenses incurred by the aforementioned police officers for hotel, travel and meals shall constitute a proper charge to Account No. A-3120-404, and be it

FURTHER RESOLVED, that the total cost shall not exceed \$600.00.

Dated: September 6, 2016

TB 09-06 TA RES PD Excelsior Challenge Conf-pm

9B

**RESOLUTION AUTHORIZING EXPENSES FOR CONFERENCE  
(ADVANCED TACTICAL EXPLOSIVE BREACHER)**

WHEREAS, Clarkstown Police Department Captain Anthony Ovchinnikoff has requested authorization for the following police officers to attend the Advanced Tactical Explosive Breacher course on November 28 - December 2, 2016 to elevate the operational capabilities of the Clarkstown Critical Incidence Response Team (CIRT) explosive breachers;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the following police officers to attend the Advanced Tactical Explosive Breacher course from November 28 - December 2, 2016:

- PO Andrew Kelly
- PO George Mendez,

and be it

FURTHER RESOLVED, that the total conference fee of \$2,800 plus reasonable and necessary expenses incurred by the aforementioned police officers for hotel, travel and meals shall constitute a proper charge to Account Nos. A-3120-404 and A-3120-414, and be it

FURTHER RESOLVED, that the total cost shall not exceed \$6,400.00.

Dated: September 6, 2016

TB 09-06 TA RES PD Explosive Breacher Conf-pm

LS

90

**RESOLUTION AUTHORIZING EXPENSES FOR CONFERENCE  
(AVENTOS LEAP COMMAND ACADEMY 2016)**

WHEREAS, Clarkstown Police Department Captain Anthony Ovchinnikoff has requested authorization for the following police officers to attend the Aventos LEAP Command Academy 2016 on September 8 and 9, 2016 which provides education to enhance the performance of law enforcement personnel;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the following police officers to attend the Aventos LEAP Command Academy 2016 on September 8 and 9, 2016:

Lt. Dan Weisberg  
Sgt. Brian Gorsky,

and be it

FURTHER RESOLVED, that the total conference fee of \$150 plus reasonable and necessary expenses incurred by the aforementioned police officers for hotel, travel and meals shall constitute a proper charge to Account Nos. A-3120-404 and A-3120-414, and be it

FURTHER RESOLVED, that the total cost shall not exceed \$2,000.00.

Dated: September 6, 2016

TB 09-06 TA RES PD Aventos LEAP Conf-pm

LS

9D

**RESOLUTION AUTHORIZING EXPENSES FOR CONFERENCE  
(NEW YORK HIGHWAY SAFETY ANNUAL FALL SYMPOSIUM)**

WHEREAS, Clarkstown Police Department Captain Anthony Ovchinnikoff has requested authorization for Lt. Steve Morgan to attend the New York Highway Safety Annual Fall Symposium "Partnering for a Safe New York" on October 16 - 19, 2016 which shares, promotes and educates on highway safety;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Lt. Steve Morgan to attend the New York Highway Safety Annual Fall Symposium on October 16 - 19, 2016, and be it

FURTHER RESOLVED, that reasonable and necessary expenses incurred by the aforementioned police officer for travel and meals shall constitute a proper charge to Account No. A-3120-404, and be it

FURTHER RESOLVED, that the total cost shall not exceed \$300.00.

Dated: September 6, 2016

TB 09-06 TA RES PD NY Highway Safety Conf-pm

9E

**RESOLUTION AUTHORIZING EXPENSES FOR CONFERENCE  
(NEW WORLD 2016 USERS)**

WHEREAS, Racquel Guzman, Principal Purchasing Clerk has requested authorization to attend the New World Users conference on October 2 - 4, 2016 which provides educational sessions on financial management;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Racquel Guzman to attend the New World 2016 Users conference on October 2 - 4, 2016, and be it

FURTHER RESOLVED, that the registration fee of \$1,495.00 plus reasonable and necessary expenses incurred by the aforementioned employee for hotel, travel and meals shall constitute a proper charge to Account Nos. A-1345-404 and A-1345-414, and be it

FURTHER RESOLVED, that the total cost shall not exceed \$2,600.00.

Dated: September 6, 2016

TB 09-06 TA RES New World Conf-Purchasing-pm

9F

**RESOLUTION AUTHORIZING EXPENSES FOR CONFERENCE  
(NYS MAGISTRATES 2016 ANNUAL CONFERENCE)**

WHEREAS, Judge Howard Gerber has requested authorization to attend the NYS Magistrates 2016 Annual Conference on September 25 - 28, 2016;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Judge Howard Gerber to attend the NYS Magistrates 2016 Annual Conference on September 25 - 28, 2016, and be it

FURTHER RESOLVED, that the registration fee of \$50 and hotel reservation fee of \$687.75 plus reasonable and necessary expenses incurred by Judge Gerber for travel and meals shall constitute a proper charge to Account No. A-1110-414, and be it

FURTHER RESOLVED, that the total cost shall not exceed \$900.00.

Dated: September 6, 2016

TB 09-06 TA RES NYS Magistrates Conf-Gerber-pm

LS

RESOLUTION REFERRING AND SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 290 (ZONING) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN WITH RESPECT TO TABLE 12 (GENERAL BULK REGULATIONS)"

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 TOWN CODE OF THE TOWN OF CLARKSTOWN WITH RESPECT TO TABLE 12 (GENERAL BULK REGULATIONS)",

and

WHEREAS, the purpose of the proposed local law is to amend Chapter 290 of the Town Code by modifying Table 12 (General Bulk Regulations), R-40 Zoning District, Group D, Column 12 from 6% to 7.5% and Column 13 from 12% to 15%;

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-l 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 Dennis M. Letson, PE, First Deputy Director of the Department of Environmental Control for the Town of Clarkstown, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, 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 October 25, 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: September 6, 2016

TB 09-06 TA RES Refer-P. H.-Local Law Amend Chap 290-Table 12-pm

11A

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI  
REGARDING TORSOE COMMERCIAL CORP.  
TAX MAP NO.(s) : 64.6-1-4./30, 64.6-1-4./60, 64.6-1-4./110,  
64.6-1-4./120 and 64.6-1-4./130**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled Torsoe Commercial Corp. against Clarkstown, Town of, et al., Index No(s). 033126/14 and 033580/15, affecting parcels designated as Tax Map No.(s) 64.6-1-4./30, 64.6-1-4./60, 64.6-1-4./110, 64.6-1-4./120 and 64.6-1-4./130, and more commonly known as 121 West Nyack Road, Nanuet, New York for the year(s) 2014/15 and 2015/16, and

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Nanuet 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(s) described on the assessment roll as Tax Map No. 64.6-1-4./30, be reduced for the year(s) 2014/15 and 2015/16 from \$102,000 to \$81,600 at a total cost to the Town of \$1,314.25;
2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 64.6-1-4./60, be reduced for the year(s) 2014/15 and 2015/16 from \$137,700 to \$110,200 at a total cost to the Town of \$1,771.66;
3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 64.6-1-4./110, be reduced for the year(s) 2014/15 and 2015/16 from \$79,100 to \$63,300 at a total cost to the Town of \$1,017.90;

LS

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 64.6-1-4./120, be reduced for the year(s) 2014/15 and 2015/16 from \$49,400 to \$34,000 at a total cost to the Town of \$992.13;

5. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 64.6-1-4./130, be reduced for the year(s) 2014/15 and 2015/16 from \$47,500 to \$34,000 at a total cost to the Town of \$869.72;

6. Reimbursement for the year(s) 2014/15 and 2015/16 on the parcel(s) described as Tax Map No(s). 64.6-1-4./30, 64.6-1-4./60, 64.6-1-4./110, 64.6-1-4./120 and 64.6-1-4./130, 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: September 6, 2016

TB 09-06-16 TA RES Torsoe Comm. Corp. Settlement-dt

11B

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI  
REGARDING DREAM CONSTRUCTION CORP.  
TAX MAP NO.: 43.7-1-29.1**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Dream Construction Corp. against Town of Clarkstown (Municipal Corporation), its Assessor and Board of Assessment Review, Index No(s). 033990/12, 033626/13, 033226/14 and 033202/15, affecting parcel designated as Tax Map No. 43.7-1-29.1, and more commonly known as 227 N. Main Street, New City, New York for the year(s) 2012/13, 2013/14, 2014/15 and 2015/16, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Clarkstown 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 No. 43.7-1-29.1 be reduced for the year(s) 2012/13, 2013/14, 2014/15 and 2015/16, from \$744,100 to \$688,300 at a total cost to the Town of \$6,766.37;

2. Reimbursement for the year(s) 2012/13, 2013/14, 2014/15 and 2015/16, on the parcel described as Tax Map No. 43.7-1-29.1, 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;

3. 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: September 6, 2016

TB 09-06-16 TA RES Dream Constr. Corp. Settlement-dt

11c

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI  
REGARDING MYRNA DAOS  
TAX MAP NO.: 63.11-2-9**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Myrna Daos against Clarkstown, town of, its Assessor and Board of Assessment Review of the Town of Clarkstown, Index No(s). 033524/12, 033448/13, 032904/14, 032840/15 and 032425/16, affecting parcel designated as Tax Map No. 63.11-2-9 and more commonly known as 184 S. Pascack Road, Nanuet, New York for the year(s) 2012/13, 2013/14, 2014/15, 2015/16 and 2016/17, 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 Nanuet 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(s) described on the assessment roll as Tax Map No. 63.11-2-9 be reduced for the year(s) 2012/13 from \$310,100 to \$251,900 at a cost to the Town of \$1,527.15;

LS

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 63.11-2-9 for the year(s) 2013/14 and 2014/15 from \$310,100 to \$263,500 at a total cost to the Town of \$2,898.32;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map No. 63.11-2-9 for the year(s) 2015/16 from \$310,100 to \$255,800 at a cost to the Town of \$1,782.43;

4. It is anticipated that for the year(s) 2016/17, the aforesaid adjustment will occur prior to January 2017 tax bills and no refund will be required;

5. Reimbursement for the year(s) 2012/13, 2013/14, 2014/15, 2015/16 and 2016/17 on the parcel described as Tax Map No. 63.11-2-9 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;

6. 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: September 6, 2016

TB 09-06-16 TA RES M. Daos Settlement-dt

12A

RESOLVED, that Alexandra Walker is hereby appointed to the position of Clerk (PT) - Recreation and Parks Department - at the current 2016 rate of \$19.81., effective September 08, 2016.

DATED: September 6, 2016  
P

12B

WHEREAS, the Rockland County Personnel Office has certified on August 24, 2016, that the position of Secretary (PT), can be created,

NOW, therefore, be it

RESOLVED, that the position of Secretary (PT) - Zoning Board of Appeals - is hereby created - effective September 6, 2016, and be it

FURTHER RESOLVED,

RESOLVED, that Catherine Cirrone is hereby appointed to the position of Secretary (PT) - Zoning Board of Appeals - at the annual salary of \$10,000., effective September 07, 2016.

DATED: September 6, 2016

P

RESOLVED, that in accordance with Article XVIII,  
Section 3 (k) of the Labor Agreement between the Town of  
Clarkstown and the Clarkstown Unit of C.S.E.A., Demeurant  
Louisthelmy - Municipal Bus Driver (FT) - Department of  
Municipal Transportation - is hereby granted a Sick Leave  
of Absence at one-half pay effective September 3, 2016.

DATED: September 6, 2016

P

12D

RESOLVED, that Joan Gibbs - Principal Clerk  
Stenographer - Police Records - is hereby granted, as per  
her request, a leave without pay, pursuant to the Family and  
Medical Leave Act - effective September 6, 2016.

DATED: September 6, 2016

P

12E

WHEREAS, the Rockland County Personnel Office has certified on July 20, 2016 that the position of Computer Installation Assistant #500980 - Data Processing can be reclassified to the position of Information Services Specialist I (Networked Systems),

NOW, therefore, be it

RESOLVED, that the position of Computer Installation Assistant - Data Processing - is hereby abolished and reclassified to the position of Information Services Specialist I (Networked Systems) - Data Processing - effective August 16, 2016,

And be it,

FURTHER RESOLVED, that Sean Jordan, is hereby appointed (Provisional) to the position of Information Services Specialist I (Networked Systems) - Data Processing - at the current 2016 annual salary of \$77,177, effective and retroactive to August 16, 2016.

DATED: September 6, 2016

P

**RESOLUTION AUTHORIZING AMENDING BUDGET**

**WHEREAS**, the Town has received \$1,551.52 from "Do More, Inc."

**NOW THEREFORE BE IT,**

**RESOLVED**, to increase Revenue Account A-01-9-2705-0 (General-Gifts & Donations) and Expense Account A-3270-307-0 (Auxillary Police-Clothing/Uniforms) by \$1,551.52 and

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

**NOW THEREFORE BE IT,**

**RESOLVED**, to decrease Expense Account A-1010-460-4 (Town Council-Cellular Phones) and increase Expense Account A-1010-307-0 (Town Council-Clothing/Uniforms) by \$332.99 and be it,

**FURTHER RESOLVED**, to decrease Expense Accounts A-1640-114-0 (Town Garage-Part Time) by \$7,660 and A-1640-111-0 (Town Garage-Overtime) by \$20,000 and increase Expense Account A-1640-312-0 (Town Garage-Auto Maintenance Supplies) by \$27,660 and be it,

**FURTHER RESOLVED**, to decrease Expense Account A-3270-417-0 (Auxillary Police-In Service Training) and increase Expense Account A-3270-319-0 (Auxillary Police-Misc Supplies) by \$611 and be it,

**FURTHER RESOLVED**, to decrease Expense Account A-3120-414-0 (Police-Conferences & Schools) and increase Expense Account A-3989-414-0 (Emergency Operations-Conferences & Schools) by \$1,239 and be it,

**FURTHER RESOLVED**, to decrease Expense Account A-7180-114-0 (Swimming Facilities-Part Time) and increase Expense Account A-7180-323-0 (Swimming Facilities-Chemicals) by \$30,000 and be it,

**FURTHER RESOLVED**, to decrease Expense Account A-7180-427-0 (Swimming Facilities-Publicity) and increase Expense Account A-7180-306-0 (Swimming Facilities-Maintenance Supplies) by \$1,729 and be it,

**FURTHER RESOLVED**, to decrease Expense Account B-8110-209-0 (Sewer Operations-Other Equipment) and increase Expense Account B-8110-462-0 (Sewer Operations-Water) by \$3,500 and be it,

**FURTHER RESOLVED**, to decrease Expense Account DA-5130-219-0 (Highway Machinery-Misc Equipment) and increase Expense Account DA-5130-408-0 (Highway Machinery-Building Repairs) by \$500.

14A

**RESOLVED**, that The Town Board authorizes Peter Beary ,be paid \$94.00 per hour as a consultant to the Building Department while facilitating the Building Department budget , effective and retroactive to July 20, 2016.

September 6, 2016

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14B

**RESOLVED**, that The Town Board authorizes Cathy Conklin ,be paid \$92.54 per hour, for one and a half hours as a consultant which was required for tax certiorari clarification.

September 6, 2016

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