

**TOWN OF CLARKSTOWN
TOWN BOARD MEETING**

May 15, 2012 - 8:00 p.m.

Town Hall Auditorium

AGENDA

(Tentative)

SALUTE TO THE FLAG

CLERK CALLS THE ROLL

PRESENTATIONS:

- **Recognition of Zachary Lipson - "Laps for Legs"**
- **Youth Court Graduation**

PUBLIC HEARINGS:

- Amend Official Map by Removing the Unimproved Mapped Street known as Blauvelt Avenue, Nanuet.

PUBLIC COMMENTS REGARDING AGENDA ITEMS:

(Limited to 3 minutes per person)

RESOLUTIONS:

1. Accepting the Minutes of the April 17, 2012 Town Board Meeting, as submitted by the Town Clerk.
2. Approving the following Personnel Changes:
 - a) Resignation (Retirement): David Trois, Police Officer, CPD.
 - b) Resignation (Retirement): Mitchell J. Schroeder, Police Officer, CPD.
 - c) Appointment (Contingent Permanent): Donna M. Termini, Paralegal Specialist I, (Municipal Law), Office of the Town Attorney.
 - d) Appointment (Part-Time): Robert G. Arroyo, Court Attendant, Town Justice Dept.
 - e) Appointment (Part-Time): Kevin P. Campbell, Court Attendant, Town Justice Dept.
 - f) Appointment (Part-Time): Harvey S. Grape, Court Attendant, Town Justice Dept.
 - g) Appointment (Part-Time): James P. Hunt, Court Attendant, Town Justice Dept.
 - h) Appointment (Part-Time): James J. Maritato, Court Attendant, Town Justice Dept.
 - i) Appointment (Part-Time): Kathryn R. Prendergast, Court Attendant, Town Justice Dept.
 - j) Appointment (Part-Time): Gregory J. Tobin, Court Attendant, Town Justice Dept.
3. Authorizing the Supervisor to Enter into an "Adopt-a-Road" Agreement with:
 - a) Head Start of Rockland, Second Avenue, Nanuet.
 - b) American Legion Wm. E. DeBevoise, Jr. Post No 1682, Congers Road, New City.
4. Authorizing the Supervisor to Enter into An "Adopt-a-Spot" Agreement with:
 - a) Mr. Landscape, Inc., East & West Side of Reservoir on Congers/Lake Road
 - b) Majestic Lawn Care and Landscape, Inc., Corner of Route 303 and Lake Road, Congers
 - c) Majestic Lawn Care and Landscape, Inc., Corner of Route 304 and So. Main St., New City

5. Authorizing Extension of Lease with the Rockland County Radio Control Club to Utilize a Portion of the Capped Clarkstown Sanitary Landfill Site for Radio Control Model Airplane Airdrome.
6. Authorizing Extension of Amendment to Deed of Conservation Easement on Lands of United Water, New York and of Corwick Realty, Inc.
7. Appropriating Funds to Veterans' Organizations.
8. Authorizing Release of Security (Lowes Site Plan – 57.12-1-47)
9. Authorizing Settlement of Tax Certiorari regarding Sentnor, Seymour (Tax Map #52.19-1-5)
10. Authorizing Installation of the following:
 - a) "No Parking Anytime" - Cardinal Court, West Nyack
 - b) "No Parking Here to Corner" – Intersection of Strawtown Road & W. Nyack Road, W. Nyack
11. Authorizing Installation of Street Light – 10 Ann Street, New City
12. Authorizing the Supervisor to Enter into an Agreement with the County of Rockland for Participation in the Rockland County Narcotics Task Force.
13. Authorizing the Installation of a Breakaway Barrier – Samuel Road, Nanuet.
14. Authorizing Funds for the Acquisition of Equipment for Use by the Highway Department.
15. Authorizing Transfer of Funds
16. Setting a Public Hearing on a Proposed Local Law entitled: "A Local Law to Transfer the Function of Highway Department Mechanics and Consolidating all Town Mechanics under the Town Garage Department."
17. Authorizing Release of Security – Eden Park Homes Subdivision/Site Plan (64.07-1-8)

ADDITIONAL TENTATIVE RESOLUTIONS:

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

PLEASE NOTE

Additional items may be added to this agenda

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

PH-1

RESOLUTION AMENDING THE OFFICIAL MAP BY DELETING THE
UNIMPROVED MAPPED STREET KNOWN AS BLAUVELT AVENUE, NANUET
LOCATED IN THE TOWN OF CLARKSTOWN

WHEREAS, the Town Board of the Town of Clarkstown, by Resolution adopted on March 20, 2012, provided for a public hearing to be held on May 15, 2012 at 8:00 p.m., or as soon thereafter as possible, to consider amending the Official Map of the Town of Clarkstown by deleting the 50 foot wide unimproved mapped street known as Blauvelt Avenue, Nanuet, which runs south from 25 Highview Avenue (64.9-3-3) to 31 Highview Avenue (64.9-3-6) for approximately 350 feet from the Town's Official Map, pursuant to §273 of Town Law, and

WHEREAS, by Resolution adopted on March 20, 2012, the Town Board directed that the matter be referred to the Clarkstown Planning Board for report and recommendation, 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 Town Board of the Town of Clarkstown has received a report dated April 19, 2012, pursuant to SEQRA, from Jose Simoes, Principal Town Planner, which states that this matter is a Type II action under Part 617 of the SEQRA

regulations which will not have an adverse impact on the environment and no further analysis is necessary, which the Board has discussed and considered in making its decision herein, and

WHEREAS, the Clarkstown Planning Board considered the matter at its regularly scheduled meeting on April 25, 2012 and found that the removal of said road from the Official Map will not affect existing traffic or transportation patterns nor would it serve any Town purpose to introduce a public travel way in this area and recommended, by memo dated April 27, 2012, that no subdivision of property be permitted and that Blauvelt Avenue, Nanuet be de-mapped and removed from the Official Map, which the Town Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Jose Simoes, Principal Town Planner, dated April 19, 2012, acting as staff to the Town Board as lead agency, the Town hereby determines that the de-mapping of Blauvelt Avenue, Nanuet is a Type II action under Part 617 of the SEQRA regulations and shall not have any significant impact on the environment, and be it

FURTHER RESOLVED, that pursuant to §273 of Town Law, the Official Map of the Town of Clarkstown is hereby

amended by deleting the 50 foot wide unimproved mapped street known as Blauvelt Avenue, Nanuet, which runs south from 25 Highview Avenue (64.9-3-3) to 31 Highview Avenue (64.9-3-6) for approximately 350 feet, and be it

FURTHER RESOLVED, that the GIS Coordinator for the Town of Clarkstown is hereby authorized and directed to amend the Official Map as set forth herein.

Dated: May 15, 2012

TB 05-15 TA RES Amend Map-Delete Blauvelt Ave-pm

Quinn

RESOLVED, that the Town Board Minutes of April 17, 2012 are hereby accepted,
as submitted by the Town Clerk.

DATED: May 15, 2012

RESOLVED, that the resignation (by retirement) of David Trois, 151 New Route 210, Stony Point, New York - Police Officer - Clarkstown Police Department is hereby accepted - effective and retroactive to April 30, 2012.

RESOLVED, that the resignation (by retirement) of Mitchell J. Schroeder, 16 Tulip Court, Nanuet, New York - Police Officer - Clarkstown Police Department is hereby accepted - effective and retroactive to May 4, 2012.

DATED: May 15, 2012
P

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12032 Paralegal Specialist I (Municipal Law) - which contains the name of Donna M. Termini,

NOW, therefore, be it

RESOLVED, that Donna M. Termini, 36 Grand Street, New City, New York - is hereby appointed (Contingent Permanent) to the position of Paralegal Specialist I (Municipal Law) - Office of the Town Attorney - at the current 2012 annual salary of \$60,950., effective and retroactive to April 20, 2012.

DATED: May 15, 2012

P

20

RESOLVED, that Robert G. Arroyo, 122 Ridge Road, Valley Cottage, New York, - is hereby appointed to the position of (part-time) Court Attendant - Town Justice Department at the current 2012 hourly rate of \$18.61 - effective May 21, 2012.

DATED: May 15, 2012
P

2E

RESOLVED, that Kevin P. Campbell, 12 Hudson View Street, Garnerville, New York, - is hereby appointed to the position of (part-time) Court Attendant - Town Justice Department a the current 2012 hourly rate of \$18.61 - effective May 21, 2012.

DATED: May 15, 2012
P

RESOLVED, that Harvey S. Grape, 23 Pippen Place, New City, New York, - is hereby appointed to the position of (part-time) Court Attendant - Town Justice Department a the current 2012 hourly rate of \$18.61 - effective May 21, 2012.

DATED: May 15, 2012

P

RESOLVED, that James P. Hunt, 10 Jolen Drive, New City,
New York, - is hereby appointed to the position of (part-time)
Court Attendant - Town Justice Department a the current 2012
hourly rate of \$18.61 - effective May 21, 2012.

DATED: May 15, 2012

P

2H

RESOLVED, that James J. Maritato, 120-5 North Route 303, Congers, New York, - is hereby appointed to the position of (part-time) Court Attendant - Town Justice Department a the current 2012 hourly rate of \$18.61 - effective May 21, 2012.

DATED: May 15, 2012
P

RESOLVED, that Kathryn R. Prendergast, 61 Ridge Road,
New City, New York, - is hereby appointed to the position of
(part-time) Court Attendant - Town Justice Department a the
current 2012 hourly rate of \$18.61 - effective May 21, 2012.

DATED: May 15, 2012

P

2J

RESOLVED, that Gregory J. Tobin, 31 Benson Avenue,
West Nyack, New York, - is hereby appointed to the position
of (part-time) Court Attendant - Town Justice Department a
the current 2012 hourly rate of \$18.61 - effective
May 21, 2012.

DATED: May 15, 2012

P

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

3A

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 segment of various town roads for a period of two (2) years, beginning February 14, 2012 to February 14, 2014, as follows:

Sponsor: **Head Start of Rockland**
 117 Route 9W; Haverstraw, NY 10927

Roads: **.5 mile segment of Second Avenue between**
 Lawrence Street and One Head Start Circle in
 Nanuet, NY 10954

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the **Head Start of Rockland** organization will perform a public service in removing trash from above roadway 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, for a period of two (2) years beginning February 14, 2012 to February 14, 2014, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by the **Head Start of Rockland** organization, to remove trash from the roadway.

Dated: May 15, 2012



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

3B

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 continue to adopt the below segment of various town roads for an additional period of two (2) years, continuing from August 15, 2011 to August 15, 2013, as follows:

Sponsor: **American Legion Wm. E. DeBevoise, Jr. Post No. 1682**
65 American Legion Way
New City, NY 10956

Road: **.1 mile segment of American Legion Way, from**
Congers Road to Route 304
New City, NY 10956

and

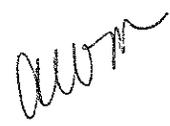
WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program in that said group will continue to perform a public service in removing trash from above roadway that would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years continuing from August 15, 2011 to August 15, 2013, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt above segment, and to provide and coordinate services by the above named group to remove trash from the roadway; and be it

FURTHER RESOLVED, that this resolution shall be retroactive to August 15, 2011.

DATED: May 15, 2012



4A

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN 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 specified Town locations for a two year period beginning June 1, 2012 to June 1, 2014, as follows:

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

Location: East and West sides of the reservoir on
Congers/Lake Road (County Route 80)

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 an agreement with the entity referred to herein, for a period of two (2) years beginning June 1, 2012 to June 1, 2014, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt 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: May 15, 2012

TB 5-15-12 TA RES Adopt A Spot Mr. Landscape - kh



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

4B

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 April 1, 2012 to April 1, 2014, as follows:

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

Location: Corner of Route 303 and Lake Road
Congers, NY 10920

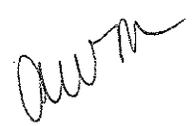
WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that said group will perform a public service in landscaping and beautifying this location, and by removing trash from this location, which would otherwise require Town employees to perform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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement with the entity referred to herein, for an additional period of two (2) years beginning April 1, 2012 to April 1, 2014 in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt 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; and be it

FURTHER RESOLVED that this resolution shall be retroactive to April 1, 2012.

DATED: May 15, 2012



RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A RENEWAL AGREEMENT CONCERNING THE TOWN OF CLARKSTOWN "ADOPT-A-SPOT" PROGRAM *4c*

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 May 10, 2012 to May 10, 2014, as follows:

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

Location: **SW Corner of Route 304 at**
South Main Street, New City, 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 an agreement with the entity referred to herein, for an additional period of two (2) years beginning May 10, 2012 to May 10, 2014, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt 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: May 15, 2012

awn

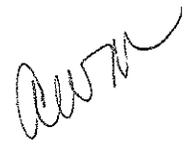
RESOLUTION AUTHORIZING EXTENSION OF LEASE WITH THE ROCKLAND COUNTY RADIO CONTROL CLUB TO UTILIZE A PORTION OF THE CAPPED CLARKSTOWN SANITARY LANDFILL SITE FOR RADIO CONTROL MODEL AIRPLANE AIRDROME

RESOLVED, that the Town Board authorizes the extension of a license agreement with the Rockland County Radio Control Club for use of the former site of the Clarkstown Sanitary Landfill, now capped, for a period of one year commencing March 31, 2012 and ending on March 31, 2013, for the nominal fee of \$1.00 per year, provided that all residents wishing to participate in club activities continue to be eligible for membership, and all the other terms and conditions in the license agreement, including providing the required proof of insurance, shall be observed.

FURTHER RESOLVED, that this resolution shall be retroactive to March 31, 2012.

Dated: May 15, 2012

TB 05-15 TA RES Rockland Radio Landfill - kh

A handwritten signature in cursive script, appearing to read "Austin", is located in the bottom right corner of the page.

AUTHORIZING EXECUTION OF AMENDMENT TO DEED OF CONSERVATION EASEMENT ON LANDS OF UNITED WATER NEW YORK AND OF CORWICK REALTY, INC.

WHEREAS, in February, 2003, the Town Board authorized and the Town of Clarkstown acquired, a Deed of Conservation Easement (the Conservation Easement) with a one-year term, on undeveloped land of United Water New York and Corwick Realty, Inc. (Grantees) lying in the Hackensack River Basin in the Town of Clarkstown, except the submerged land of Lake DeForest (the Affected Land), and

WHEREAS, in February, 2004, the Town Board extended the term of the Conservation Easement for two years, and

WHEREAS, in February, 2006, the Town Board again extended the term of the Conservation Easement for two years, and

WHEREAS, in March, 2008, the Town Board again extended the term of the Conservation Easement for two years, and

WHEREAS, in June, 2010, the Town Board again extended the term of the Conservation Easement for two years, and

WHEREAS, the Town Board and the grantors are desirous of extending the Conservation Easement for an additional two years, and

WHEREAS, the Town Board has previously determined that this is an unlisted, site-specific action that conforms with the conditions and thresholds established for such actions in the Generic Environmental Impact Statement for the Comprehensive Plan Update of 1999 and the Supplementary Generic Impact Statement prepared for the Town-Wide Open Space and Land Conservation Initiative, and therefore requires no further compliance with the State Environmental Quality Review Act;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute an Amendment extending by two years the term of the Deed of Conservation Easement with United Water New York and Corwick Realty, Inc., in a form meeting the standards of Article 49 of the Environmental Conservation Law and approved by the Town Attorney.

Dated: May 15, 2012



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:

Veterans Memorial Association of Congers

American Legion Naurashank Post No. 794

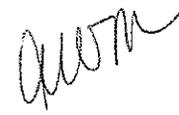
and be it

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: May 15, 2012

TB 05-15 TA RES Veterans Org(2)-pm



8

RESOLUTION AUTHORIZING RELEASE OF SECURITY
(LOWES SITE PLAN - 57.12-1-47)

WHEREAS, Lowe's Home Centers, Inc. furnished to the Town of Clarkstown Letter of Credit No. SM226628W in the amount of \$47,154 for landscaping on Smith Road to obtain final site plan approval and to secure the completion of improvements in the Lowe's site plan, and

WHEREAS, the First Deputy Director of the Department of Environmental Control of the Town of Clarkstown has advised that the security may now be released, as the letter of credit has expired and is no longer required;

NOW, THEREFORE, be it

RESOLVED, that Letter of Credit No. SM226628W in the amount of \$47,154 may be released to the guarantor.

Dated: May 15, 2012

TB 05-15 TA Release LC-Lowes-pm

ALM

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING SENTNOR, SEYMOUR
(TAX MAP NO. 52.19-1-5)**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, Sentnor, Seymour v. The Town of Clarkstown, its Assessor and Board of Assessment Review of the Town of Clarkstown, Index No(s). 7021/10, affecting parcel designated as Tax Map 52.19-1-5 and more commonly known as 169 Route 303, Valley Cottage, New York for the year(s) 2010/11, 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

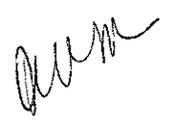
WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the Nyack Union Free School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 52.19-1-5 be reduced for the year(s) 2010/11 from \$362,900 to \$275,200 at a cost to the Town of \$2,068.49;

2. Reimbursement for the year(s) 2010/11 on the parcel described as Tax Map 52.19-1-5, 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: May, 15, 2012

TB 05-15 TA RES Sentnor Settlement-lh

PROPOSED RESOLUTION:

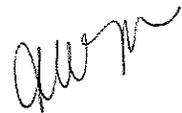
RESOLVED: that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

"No Parking Anytime" with arrows as per Sec. 221.5 of the NYS DOT's Manual of Uniform Traffic Control Devices, P1-1 signs. Erect these signs on the north side of Cardinal Court, 10 ft. East and West on either side of the driveway of 36 Cardinal Court, West Nyack.

and be it

FURTHER RESOLVED, that the Town Clerk is directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, for implementation.

DATED: May 15, 2012

A handwritten signature in cursive script, appearing to be 'AWM', is located in the bottom right corner of the page.

PROPOSED RESOLUTION:

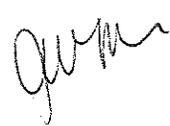
RESOLVED: that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

A "No Parking Here to Corner" sign as per sec. 221.5 of the NYS DOT's Manual of Uniform Control Devices a P1-9 sign. This sign to be installed on the westside of Strawtown Rd. 25 ft. from the intersection of Strawtown Road and West Nyack Rd., West Nyack, NY

and be it

FURTHER RESOLVED, that the Town Clerk is directed to forward copies of this resolution to the Superintendent of Highways, Wayne Ballard, for implementation.

DATED: May 15, 2012



//

WHEREAS, a resident of Ann Street, New City in the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community; and

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

WHEREAS, majority of the surrounding property owners have indicated that they are in accord with this proposed lighting;

NOW, THEREFORE BE IT RESOLVED, that the Town of Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

In front of house # 10 Ann Street, New City
(Install one (1) each – 70-watt – 5,800 sodium
vapor street light on existing utility Pole # 59318/41090)

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 \$9.10 per month for each sodium vapor fixture, plus market supply charge, fuel adjustment charge, which shall be charged to Account #SL 5182 461.

Dated: May 15, 2012



RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND FOR PARTICIPATION IN THE ROCKLAND COUNTY NARCOTICS TASK FORCE

WHEREAS, the County of Rockland wishes to assist the Town of Clarkstown in its crime intelligence gathering and drug law enforcement activities, and

WHEREAS, the Town of Clarkstown wishes to provide the Rockland County Narcotics Task Force with two members of its Police Department for crime fighting activities, and

WHEREAS, the County of Rockland initiated a program to reimburse local municipalities for drug law enforcement activities, and the Legislature of Rockland County has provided funds in its 2012 Budget for the purpose of reimbursement of compensation for two Clarkstown Police Officers for said law enforcement;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the County of Rockland, in a form approved by the Town Attorney, to accept financial assistance for the purpose of reimbursement of compensation for two Clarkstown Police Officers assigned to the County of Rockland, through its District Attorney's Office, for the total sum of \$402,732.00 for the period January 1, 2012 and terminating December 31, 2012.

DATED: May 15, 2012



**RESOLUTION AUTHORIZING THE INSTALLATION OF
A BREAKAWAY BARRIER, SAMUEL ROAD, NANUET**

WHEREAS, the Town Board, in an effort to address complaints of traffic concerns, speeding and shortcutting through the Newport Drive subdivision off Convent Road, Nanuet, on May 1, 2012, said Board conducted a Public Workshop meeting after a mail outreach to affected residents, agencies and neighboring municipalities to solicit input, and

WHEREAS, the majority of those who spoke were in favor of closing Samuel Road which had previously been a dead end stub from Chestnut Ridge in Town of Ramapo, and

WHEREAS, the Town Board also sought input from emergency service providers who had no objection to the closure provided that emergency access was addressed by way of the installation of a breakaway metal pipe type double gate, and

WHEREAS, subsequent to the workshop meeting, the Town Board received a petition from residents of Clarkstown on Duryea Lane and Clearwater Court, as well as some residents of Orangetown, expressing concern that the closure of Samuel Road would result in increased traffic in their respective neighborhoods, and

WHEREAS, in making its decision herein, the Town Board has considered the input from all residents, as well as the traffic data and input from the Clarkstown Police Department and comments by emergency service providers;

NOW, THEREFORE be it

RESOLVED, that the Town Board, in the interest of the health, safety and welfare of the residents in the vicinity of Newport Drive, hamlet of Nanuet, hereby authorizes the dead end closure of Samuel Road, along with the installation of a metal

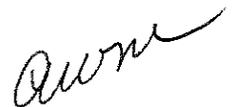
pipe type breakaway double gate with chain and padlock for key distribution to affected emergency services, at the municipal boundary with the Village of Chestnut Ridge, Town of Ramapo, and be it

FURTHER RESOLVED, that, based upon the concerns expressed by the residents of Duryea Lane, Clearwater Court and the Town of Orangetown, the Clarkstown Police Department is hereby directed to conduct traffic counts on the potentially affected streets of Duryea Lane, Loeser Drive and Vincent Street both before and after the gate installation and make a recommendation to the Town Board as to whether the closure of Samuel Road at the Town line has produced any adverse traffic impact on these areas, and be it

FURTHER RESOLVED, that the Clarkstown Police Department (with the input of the Town's traffic consultant, if warranted) shall report its findings and recommendations to the Town Board at its August 2012 workshop.

DATED: May 15, 2012

TB 05-15 TA RES Samuel Road Closing--jje

A handwritten signature in cursive script, appearing to read "Awm", is located in the bottom right corner of the page.

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED MAY 15, 2012, AUTHORIZING THE
ACQUISITION OF EQUIPMENT FOR USE BY THE
HIGHWAY DEPARTMENT, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$300,000, APPROPRIATING
SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING
THE ISSUANCE OF \$300,000 SERIAL BONDS OF SAID
TOWN TO FINANCE SAID APPROPRIATION

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York
(herein called the "Town"), is hereby authorized to acquire equipment for use by the Highway
Department. The estimated maximum cost thereof, including preliminary costs and costs
incidental thereto and the financing thereof, is \$300,000 and said amount is hereby appropriated
for such purpose. The plan of financing includes the issuance of \$300,000 serial bonds of the
Town to finance said appropriation, and the levy and collection of taxes on all the taxable real
property in the Town to pay the principal of said bonds and the interest thereon as the same shall
become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$300,000 are
hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting
Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to
finance said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Sections 11.00 a. 28 of the Law, is fifteen (15) years.

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

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

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such

publication and posted on the sign board of the Town maintained pursuant to the Town Law, a
Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on May 15, 2012, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Clarkstown, New York, adopted May 15, 2012, authorizing the acquisition of equipment for use by the Highway Department, stating the estimated maximum cost thereof is \$300,000, appropriating said amount for such purpose, and authorizing the issuance of \$300,000 serial bonds of said Town to finance said appropriation.”

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

FIRST: AUTHORIZING said Town to acquire equipment for use by the Highway Department; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$300,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$300,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$300,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$300,000 serial bonds will exceed five (5) years;

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

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

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

DATED: May 15, 2012

Justin Sweet
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

awm

WHEREAS, the Town has received \$59,179.22 from Seized Property Funds from the County of Rockland, \$1,290.04 from D.A.R.E. donations and \$614,995.88 from the State of New York,

NOW THEREFORE BE IT,

RESOLVED, to increase Revenue Account A-01-11-4320-0 (General Fund-Seized Property) \$30,290.03 and Expense Accounts A-3120-293-0 (Police-Law Enforcement Equipment) by \$29,898, A-3120-409-0 (Police-Fees for Services) by \$6,139.22, A-3120-307(Police-Uniforms) by \$8,142 and A-3989-409-0 (Emergency Operations-Fees for Services) by \$15,000 and be it

FURTHER RESOLVED, to increase Revenue Account A-01-9-2705-0 (General-Gifts & Donations) and Expense Account A-3230-319-0 (D.A.R.E.-Misc Supplies) by \$1,290.014 and be it

FURTHER RESOLVED, to increase Revenue H-15-10-3989-0 (Capital-Community Projects) and Expense H-8754-409-0-78-26 (Capital-Buena Vista Drainage Improvement Project) by \$614,995.88 and

WHEREAS, various accounts need additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease A-1990-505-0 (Contingency-Other Costs) and increase A-3989-409-0 (Emergency Operations-Fees for Services) by \$13,816.50.

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW TO TRANSFER THE FUNCTION OF HIGHWAY DEPARTMENT MECHANICS AND CONSOLIDATING ALL TOWN MECHANICS UNDER THE TOWN GARAGE DEPARTMENT"

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

"A LOCAL LAW TO TRANSFER THE FUNCTION OF HIGHWAY DEPARTMENT MECHANICS AND CONSOLIDATING ALL TOWN MECHANICS UNDER THE TOWN GARAGE DEPARTMENT"

and

WHEREAS, this proposed local law is intended to transfer the functions performed by Highway Department mechanics to the Town Garage Department with the Town Board as appointing authority and to consolidate the operations of all Town mechanics to provide necessary work to repair, service and maintain Town vehicles and equipment including, but not limited to, vehicles and equipment used by the Superintendent of Highways, all police vehicles and all municipal transportation vehicles and other Town vehicles, and

WHEREAS, this proposed local law will not usurp or diminish any of the duties and authority of the Superintendent of Highways as provided for in the Highway Law, and

WHEREAS, the consolidation of those functions will streamline vehicle maintenance and assure excellent servicing of all Highway Department vehicles and equipment, as well as the police vehicles and all other Town vehicles in an efficient manner;

NOW, THEREFORE, be it

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 June 19, 2012 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: May 15, 2012

TB 05-15 TA RES Public Hearing-Local Law Consolidate garages-pm

A handwritten signature in cursive script, appearing to read "AWM", is located in the bottom right corner of the page.

RESOLUTION AUTHORIZING RELEASE OF SECURITY
EDEN PARK HOMES SUBDIVISION/SITE PLAN (64.07-1-8)

WHEREAS, Eden Park Homes, LLC furnished to the Town of Clarkstown a Developer's Performance Bond secured by Letter of Credit No. 109 in the amount of \$1,275,000.00 to secure the completion of public improvements, as shown on the final plat of Eden Park Subdivision/Site Plan (64.07-1-8), which was filed in the Rockland County Clerk's Office on February 11, 2010, and

WHEREAS, the Deputy Director of Environmental Control of the Town of Clarkstown, with the concurrence of the Superintendent of Highways, has advised that the security may be released as the work has been completed to Town specifications and the Developer's Performance Bond is no longer required;

NOW, THEREFORE, be it

RESOLVED, that Letter of Credit No.109 in the amount of \$1,275,000.00 may be released to the guarantor.

Dated: May 15, 2012

TB 05-15 TA RES Eden Pk-Release LC-pm

