

**TOWN OF CLARKSTOWN**  
**TOWN BOARD MEETING**  
Town Hall Auditorium  
June 19, 2012, 8:00 P.M.  
AGENDA

**SALUTE TO THE FLAG**

**CLERK CALLS THE ROLL**

**PUBLIC HEARINGS:**

- Proposed Local Law entitled: "A Local Law to Transfer the Function of Highway Mechanics and Consolidating all Town Mechanics under the Town Garage Department."

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

**RESOLUTIONS:**

1. Accepting Minutes of the May 15, 2012 Town Board Meeting, as submitted by the Town Clerk.
2. Authorizing the following Personnel Changes:
  - a) Creation: Part-Time Constituent Services Assistant (Town), Highway Department.
  - b) Reclassification (*Lateral Move*) – Principal Clerk Typist to Principal Clerk Stenographer – Rukmani Decolyse, Department of Environmental Control.
  - c) Resignation: Denise Pacella, Part-Time Senior Account Clerk Typist – Building Dept.
  - d) Appointment (Promotional/Permanent): Joseph M. Dwyer, Police Sergeant, Police Dept.
  - e) Appointment (Permanent): Adam C. Kone, Police Officer, Police Dept.
  - f) Reappointment: Edward Mistretta, Member, Zoning Board of Appeals
  - g) Appointment (Promotional/Permanent): Thomas J. Isenbek, Property Data Collector II, Assessor's Office
  - h) Sick Leave of Absence: David Gerlach, MEO I, Highway Department.
  - i) Appointment (Promotional/Permanent): Brian D. Wagner, Code Enforcement Officer II, Building Department
  - j) Appointment (Promotional/Permanent): Mary C. Kurisko, Real Property Appraiser, Assessor's Office.
3. Re-Establishing a Committee to Recognize Commercial Property Owners or Operators who Maintain Exemplary Properties.
4. Authorizing the Town to engage the Legal and Consulting services of Daniel P. Duthrie, Esq. concerning Potential Upgrade of the Town's Street Lighting System.
5. Authorizing Refund of Building Permit fee to S & Co./Architecture & Design for Property known as Tax Map No. 51.7-1-30 (Blu Fig Restaurant)
6. Setting a Public Hearing for July 24, 2012 at 8:00 pm . . . Proposed Local Law entitled: "A Local Law Amending Chapter 290 (Zoning) of the Local Laws of the Town of Clarkstown with respect to Accessory Apartments."
7. Authorizing the following Bid Awards:
  - a) Bid No. 17-2012 – 2012 Roadway Resurfacing Program
  - b) Bid No. 18-2012 – 2012 Concrete Curb and Sidewalk Replacement Program
  - c) Bid No. 22-2012 – Purchase of Three 2013 Salt Spreading Dump Bodies
  - d) Bid No. 23-2012 – Lowerre Place Detention Pond Improvements/208 Water's Edge Drainage Channel Improvements.

8. Authorizing the Purchasing Agent to advertise for the following:
  - a) Bid No. 24-2012 – Nancy Drive Stream Channel Stabilization
  - b) Bid No. 25-2012 – Prides Crossing Drainage Improvements
  - c) Bid No. 26-2012 – Brookdale Court Culvert Replacement
  - d) Bid No. 27-2012 – Squadron Boulevard Concrete Curb and Sidewalk Replacement
  - e) Bid No. 28-2012 – Squadron Boulevard Asphalt Resurfacing
  - f) Bid No. 29-2012 – Central Nyack Drainage Improvements, Phase II
  - g) Bid No. 30-2012 – Windgate Drive Drainage/Paramount
  - h) Bid No. 31-2012 – Purchase and Installation of Pre-Fabricated Salt Storage Canopy
9. Authorizing the Director of Environmental Control to Retain the Services of a Contractor to Perform Improvements to the Drainage System on North Park Avenue, Nanuet
10. Authorizing the Supervisor to enter into the following Inter-municipal Agreements with the County of Rockland:
  - a) Agreement through the Sheriff's Department for Reimbursement for Participation in the Rockland County Intelligence Center
  - b) Possession and Operation of Ten County T.R.I.P.S. Buses
11. Granting permission to Alert Hook, Ladder and Engine Company, No. 1 to have a Carnival and Licensed Fireworks Display at 65/66 Lake Road, Congers, N.Y.
12. Approving the Installation of Street Lighting in front of 7 Elwood Drive, West Nyack
13. Appropriating Funds to Veterans' Organization
14. Authorizing the Supervisor to enter into the following "Renewal" Adopt-a-Spot Programs:
  - a) Blue Sky Landscape, Inc. – N/E Corner of Germonds Road & Little Tor Road, New City
  - b) Curti's Landscaping, Inc. – S/W Corner of Route 304 at W. Nyack Road, Nanuet
  - c) Steve Botto Landscaping – N/W Corner of Route 304 at So. Main Street, New City
15. Authorizing the Supervisor to enter into the following "Renewal" Adopt-a-Road Programs:
  - a) Paramount Country Club – 1.2 Mile Segment of Zukor Road from No. Main Street and Old Route 304 to So. Mountain Road, New City.
  - b) Clarkstown High School South - .4 mile Segment of Old Mill Road from Strawtown Road to Snake Hill Road, West Nyack.
16. Amending the Allowance for Bid No. 69-2005 – South Mountain Road Culvert Replacement.
17. Transfer of Funds
18. Authorizing the Supervisor to Enter into an Agreement with Cornell Cooperative with Respect to the 2012 Storm Water II Education Program
19. Authorizing the Execution and Filing of the MS4 Annual Report on Stormwater Discharges in the Town of Clarkstown with the New York State Department of Environmental Conservation
20. Authorizing an Agreement with Korn, Rosenbaum, Phillips and Jauntig, LLP for Audit Services.
21. Authorizing Settlement of Tax Certiorari: JM Enterprises, LLC (Tax Map 51.7-1-12)

**ADDITIONAL TENTATIVE RESOLUTIONS:**

22. Authorizing funds for the following:
  - a) Three Salt-Spreading Dump Bodies
  - b) Construction of Drainage Improvements: Lowerre Place Detention Pond and 208 Waters Edge Drainage Channel Improvements.
  - c) Construction of Improvements to the Highview Avenue Crosswalk.
23. Authorizing the following Change Orders:
  - a) Change Orders #2, #3 and #4, Contract "G" – General Construction, Project No. CLKT910, Pump Station Upgrade Project, Woodhaven Drive Pump Station, Lakewood Drive Pump Station and Route 303 / Landfill Pump Station.
  - b) Change Orders #7, #9, #10, #11 and #12, Contract "E" – Electrical Construction, Project No. CLKT910, Pump Station Upgrade Project, Woodhaven Drive Pump Station, Lakewood Drive Pump Station and Route 303 / Landfill Pump Station.

24. Authorizing a Partial Refund of Building Permit Fee to Roof Diagnostics Solar and Electric of NY, LLC concerning property designated as Tax Map No. 64.15-2-30.
25. Authorizing Settlement of Tax Certiorari: HSBC Bank USA, National Association.
26. Authorizing the Supervisor to File an Application and Enter into an Agreement with New York State with regard to a Grant for the Congers Trail System.
27. Authorizing Execution and Acceptance of Stormwater Maintenance Agreement and Rental Preference Agreement and Covenant regarding Stephen Giordano Site Plan (59.07-1-7)
28. Invoking Town Code Chapter 216-9(B): Lawn and Landscape Maintenance of Vacant Properties.
29. Authorizing the Supervisor to Enter into a License Agreement with Craig and Aimee Pollak, regarding Encroachment on Town Conservation, Drainage and Sewer Easements
30. Authorizing the Supervisor to Enter into an Agreement with Workforce Investment Board of Rockland County, Inc. with Respect to a National Emergency Grant.
31. Authorizing the Cost of School Crosswalk, Flashing Beacons and Related Improvements on Highview Avenue, Nanuet.

**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\*\*\****



*News from the*  
**TOWN OF CLARKSTOWN  
OFFICE OF THE SUPERVISOR**

Alexander J. Gromack  
Supervisor

**For Immediate Release**  
June 19, 2012

Contact: Erika Moschetti  
(Office) 639-2050

**Town to Update Residents on County Financial Dilemma**

(New City, NY) – Starting Tuesday, June 19<sup>th</sup>, Clarkstown Supervisor Alex Gromack, and the Town Board, will update Town residents just prior to each Town Board meeting on how the County's financial dilemma affects Clarkstown residents.

"Each day we see more and more of the County shifting their costs to the Towns," said Clarkstown Supervisor Alex Gromack. "It is unacceptable for the County to force the Towns to pay for their expenses while they continue to collect all the revenue. Instead of fixing their problems, they shift their problems. The County needs to stop coming up with ways to tax the residents of Rockland and come up with real solutions to fix County government."

Each month Supervisor Gromack and the Town Board will highlight what these cuts mean for the Town. The County's actions can have a dramatic and negative impact on Town government. The chart below outlines significant costs being forced on the Town of Clarkstown totaling \$2 million dollars. The second chart is all the recent tax increases imposed on the residents of Clarkstown and Rockland County by the County Executive and Legislature.

<b>County Shifting Costs to the Towns</b>	
Board of Elections	\$434,000
RCC - college charge backs	\$584,000
Police Intel Unit	\$543,239
Police Narcotics Task Force	\$446,328

<b>County Taxing Residents More</b>	
2012 County Taxes Increase	30%
Hotel Tax	3%
Cell Phone 911 Tax	3%
Energy Tax	4%= 30% county property tax increase

###

Town of Clarkstown  
Report – June 19, 2012

Consolidation of 3 Town Garages into 1 Town Garage

The following report of cost savings was produced by an in house committee of the following departments: Director of Finance, Town Comptroller Office, and Personnel Department

Mission Statement

It is the goal of the Town Board to continue cutting costs through consolidation methods, responsibly managing our assets, and monitoring our expenses. Putting the mechanics under one appointing authority, the Town Board, would provide the ability to cross train all mechanics in all aspects of their trade, while allowing them to be deployed on a daily basis depending on the particular workload as well as any emergencies that may occur.

In addition, savings will be realized by implementing more up-to-date procedures that will improve maintenance of vehicles. This will extend the life of the vehicles.

Cost Savings already in place through eliminating staff

(These cuts were achievable based on the proposed consolidation of the three town garages)

- Store Keeper -Town Garage (salary & benefits)	\$102,983.00
- Store Keeper - Highway Garage (salary & benefits)	\$111,491.00
- Head Mechanic - Town Garage (salary & benefits)	\$136,985.00
Savings	<b>\$351,459.00</b>

An internal review was commissioned by the Superintendent of Highways regarding cost savings through consolidation. The estimate by the consultant was that the current mechanic work force of 13 (Mini-Trans - 2, Town Garage - 4, Highway Garage -7) could be reduced by 5 mechanics to a consolidated workforce of 8. Reducing the workforce by a factor of 3, through attrition to 10 would produce the following savings:

- Automotive Mechanic - Town Garage (salary & benefits)	\$125,000.00
- Mechanic Highway (salary & benefit)	\$120,000.00
- Auto Mechanic – Mini-Trans (salary & benefits)	\$ 93,000.00
Savings	<b>\$338,000.00</b>

Estimate Overtime Savings

- Town Highway Garage	\$ 27,000.00
- Town Garage	\$ 26,000.00
- Mini-Trans Garage	\$ 4,000.00
Savings	<b>\$ 57,000.00</b>

Parts & Equipment Savings

- Highway Parts & Equipment Budget	\$500,000.00
- Mini-Trans Parts & Equipment Budget	\$ 30,000.00
- Town Garage Parts & Equipment Budget	\$100,000.00
Total	\$630,000.00
Savings at 20% of the \$630,000	<b>\$126,000.00</b>

Highway Vehicles

Per year purchase on average	\$1,000,000.00
- Improved maintenance program – 15% savings on \$1,000,000	<b>\$150,000.00</b>
Total Savings	<b>\$1,022,459.00</b>

/

RESOLVED, that the Town Board Minutes of May 15, 2012 are hereby accepted,  
as submitted by the Town Clerk.

DATED: June 19, 2012

WHEREAS, the Rockland Personnel Office has certified on May 14, 2012 that the position of (part time) Constituent Services Assistant, requested by the Superintendent of Highway can be created,

NOW, therefore, be it

RESOLVED, that the position of (part time) Constituent Services Assistant - for the Town Highway Department - is hereby created - effective June 19, 2012.

DATED; June 19, 2012

P

WHEREAS, the Rockland County Personnel Office has certified on May 16, 2012, that the position of Principal Clerk Typist #501094 - can be reclassified to the position of Principal Clerk Stenographer, the incumbent Rukmani Decolyse needs no appointment from an Eligibles list, as this is a lateral move,

NOW, therefore, be it

RESOLVED, that the position of Principal Clerk Typist - is hereby reclassified to the position of Principal Clerk Stenographer - Environmental Department - effective June 19, 2012.

DATED; June 19, 2012

P

RESOLVED, that the resignation of Denise Pacella,  
56 Rose Road, West Nyack, New York - (part time) Senior  
Account Clerk Typist - Building Department - is hereby  
accepted - effective and retroactive to May 29, 2012.

DATED: June 19, 2012

P

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #09066 Police Sergeant which contains the name of Joseph M. Dwyer,

NOW, therefore, be it

RESOLVED, that Joseph M. Dwyer, 27 Lindbergh Lane, New City, New York - is hereby appointed (promotional) (permanent) to the position of Police Sergeant - Clarkstown Police Department at the current annual salary of \$147,184., effective July 2, 2012 - contingent upon the retirement of Police Sergeant Harry Braumann effective June 30, 2012.

2E

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #08200 Police Officer which contains the name of Adam C. Kone,

NOW, therefore, be it

RESOLVED, that Adam C. Kone, 29 Atlantic Avenue, Nanuet New York, is hereby appointed to the position of (Permanent) Police Officer - Clarkstown Police Department - at the current 2012 annual salary \$69,537., effective and retroactive to June 1, 2012.

DATED: DATED: June 19, 2012  
P

2F

RESOLVED, that Edward Mistretta, 318 North Middletown Road, Nanuet, New York - is hereby reappointed to the position of Member - Zoning Board of Appeals - at the current 2012 annual salary of \$5,700., effective June 19, 2012 and to expire on June 18, 2017.

DATED: DATED: June 19, 2012  
P

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12088 (NCP T&E) Real Property Data Collector II - which contains the name of Thomas J. Isenbek,

NOW, therefore, be it

RESOLVED, that Thomas J. Isenbek, 23 Sunrise Drive, Stony Point, New York - is hereby appointed to the position of (promotional) (Permanent) Real Property Data Collector II - Assessor's Office - at the current 2012 annual salary of \$53,423., effective June 19, 2012.

2H

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A , that David Gerlach, 36 Hilltop Drive, Monroe, New York - Motor Equipment Operator I - Highway Department - is hereby granted a Sick Leave of Absence - at one-half pay - effective and retroactive to June, 13, 2012 thru July 13, 2012.

DATED: June 19, 2012

P

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12087 (RC/NCP) Code Enforcement Officer II - which contains the name of Brian D. Wagner,

NOW, therefore, be it

RESOLVED, that Brian D. Wagner, 45 Normandy Village, Apt #13 Nanuet, New York - is hereby appointed to the position of (promotional) (permanent) Code Enforcement Officer II - Building Department - at the current 2012 annual salary of \$69,604., effective June 19, 2012.

DATED: June 19, 2012

P

2J

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #12094 (RC/NCP) Real Property Appraiser - which contains the name of Mary C. Kurisko,

NOW, therefore, be it

RESOLVED, that Mary C. Kurisko, 7 Florus Crom Court, Stony Point, New York - is hereby appointed to the position of (promotional) (Permanent) Real Property Appraiser - Assessor's Office - at the current 2012 annual salary of \$53,423., effective June 19, 2012.

DATED: June 19, 2012

p

3

RESOLUTION RE-ESTABLISHING A COMMITTEE TO RECOGNIZE  
COMMERCIAL PROPERTY OWNERS, OR OPERATORS, WHO MAINTAIN  
EXEMPLARY PROPERTIES

WHEREAS, the Town Board of the Town of Clarkstown adopted Resolution No. 456 on July 25, 2006, creating a committee to recognize commercial property owners, or operators, who have taken extraordinary steps maintaining their properties. This program is known as the "Pride of Clarkstown," and is also intended to act as an incentive for all commercial property to be improved, and

WHEREAS, the Committee consists of the following persons:

George Hoehmann, Town Board Liaison

Scott Milich, Chairman

David Kaminski

Dorie McMaster

Donald Ritch

Irene Ryan

Shirley Washington

and

WHEREAS, the Town Board wishes to re-establish the Committee for the year 2012;

NOW, therefore, be it

RESOLVED, that the Town Board hereby re-establishes the committee referred to herein, and be it

FURTHER RESOLVED, that the Town Board hereby endorses the contest for the best maintained commercial property, and shall appropriate \$2,000.00 to the committee to conduct the contest, prepare award certificates and for incidental expenses, which shall be a proper charge to Account No. A-1010-409.

Dates: June 19, 2012

*awm*

RESOLUTION AUTHORIZING TOWN TO ENGAGE THE LEGAL AND CONSULTING SERVICES OF DANIEL P. DUTHIE, ESQ. CONCERNING POTENTIAL UPGRADE OF TOWN'S STREET LIGHTING SYSTEM

WHEREAS, the Town of Clarkstown desires to review the potential upgrade of the Town's Street Lighting System, and

WHEREAS, Daniel P. Duthie, Esq. has submitted a proposal, dated May 15, 2012, to provide legal representation and consulting services to the Town of Clarkstown to review the potential upgrade to the Town's Street Lighting System, and

WHEREAS, the Town Attorney finds said proposal to be reasonable in terms of scope and price, and recommends the hiring of Daniel P. Duthie, Esq.;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Daniel P. Duthie, Esq., in a form approved by the Town Attorney, to provide legal representation and consulting services pursuant to his proposal dated May 15, 2012 with respect to the Town's Street Lighting System, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$37,500, and said fee will be charged to Account No. A 1420-409, and be it

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

Dated: June 19, 2012

RESOLUTION AUTHORIZING REFUND OF BUILDING PERMIT  
FEE TO S & CO./ARCHITECTURE & DESIGN FOR PROPERTY KNOWN  
AS TAX MAP NO. 51.7-1-30 (BLU FIG RESTAURANT)

WHEREAS, Robert Silarski, AIA, principal of S & Co./  
Architecture & Design, has requested a refund of Building  
Permit Fee paid in the amount of \$400.00 in connection with  
a Zoning Board of Appeals application for property located  
at 191-195 South Main Street, New City, New York, (Blu Fig  
Restaurant) more particularly described as Tax Map No.  
51.7-1-30, and

WHEREAS, the Building Inspector has advised that the  
permit application was withdrawn before it was fully  
processed and recommends a full refund of \$400.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building  
Inspector, the Town Board hereby authorizes a full refund  
of \$400.00 to S & Co./Architecture & Design to be charged  
to Account No. B 02-6-2555-0.

Dated: June 19, 2012

TB 06-19 TA RES S&Co. Refund Fee-pm

*AWM*

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 290 (ZONING) OF THE LOCAL LAWS OF THE TOWN OF CLARKSTOWN WITH RESPECT TO ACCESSORY APARTMENTS"

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

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

and

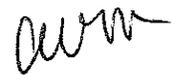
WHEREAS, the proposed local law is to amend Section 290 of the Town of Clarkstown Zoning Code to allow qualified senior residents to create accessory apartments, subject to certain criteria;

NOW, THEREFORE, be it

RESOLVED, that 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 July 24, 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 said Clerk.

Dated: June 19, 2012



7A

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Clarkstown Superintendent of Highway that

BID # 17-2012 – 2012 ROADWAY RESURFACING PROGRAM

is hereby awarded to:           TILCON NEW YORK INC.  
  162 OLD MILL ROAD  
  WEST NYACK, NY 10994  
PRINCIPAL: A PUBLIC COMPANY

as per their proposed total project cost not to exceed \$1,826,451.38 and be it

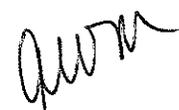
FURTHER RESOLVED, that said award is subject to the receipt by the Purchasing Department of the following:

- a) Signed Contract Documents – four sets
- b) Performance Bond - 100% of project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- g) Certificate of Worker's Disability Insurance coverage
- h) Evidence that all Contractors/Sub-contractors have entered into an Apprenticeship Agreement which has been registered with and approved by the NYS Commissioner of Labor in accordance with Article 23 of the New York Labor Law.

The Town of Clarkstown must be named as additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that this project shall be under the supervision of the Clarkstown Highway Department

DATED: June 19, 2012



7B

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Clarkstown Superintendent of Highway that

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

is hereby awarded to:           BELLAVISTA CONSTRUCTION CORP  
  P.O. BOX 978  
  SUFFERN, NY 10901  
PRINCIPAL:                   JOSE SILVA  
  MARLENE SILVA

as per their proposed total project cost not to exceed \$202,390.00 and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Purchasing Department of the following:

- a) Signed Contract Documents – four sets
- b) Performance Bond - 100% of project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- g) Certificate of Worker's Disability Insurance coverage

The Town of Clarkstown must be named as additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that this project shall be under the supervision of the Clarkstown Highway Department

DATED: June 19, 2012



7c

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Superintendent of Highways that

BID #22-2012 – PURCHASE OF THREE (3) 2013 SALT SPREADING DUMP BODIES WITH PRE-WET SYSTEMS PLOW AND PLOW WING ATTACHMENTS AND LEAF BOXES

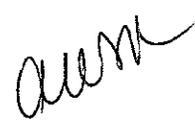
is hereby awarded to the lowest responsible bidder:

REED SYSTEMS  
458 JOHNSON AVENUE  
P.O. BOX 209  
ELLENVILLE, NY 12428  
PRINCIPALS: JOAN REED

as per their low bid proposal of \$81,509.00 each dump body unit for 3 units and \$4260.00 each for fabrication and installation of leaf box for 3 units and be it

FURTHER RESOLVED, that said award shall constitute a proper charge to account # H-8765-400-409-0-88-3 not to exceed \$257,307.00 and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds



DATED: June 19, 2012

7D

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and the Director of the Department of Environmental Control that

BID # 23-2012 – LOWERRE PLACE DETENTION POND IMPROVEMENTS/  
208 WATER'S EDGE DRAINAGE CHANNEL IMPROVEMENTS

is hereby awarded to:           GIRLS GONE GREEN, LLC  
  617 NORTH BROADWAY  
  UPPER NYACK, NY 10960  
PRINCIPAL:                       JENNIFER CHAITIN, PRESIDENT

as per their proposed total project cost not to exceed \$83,565.00 plus 15% contingency and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Purchasing Department of the following:

- a) Signed Contract Documents – four sets
- b) Performance Bond - 100% of project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
- e) Certificate of Automobile Liability Coverage
- f) Certificate of Worker's Compensation insurance coverage
- g) Certificate of Worker's Disability Insurance coverage

The Town of Clarkstown must be named as additional insured by way of policy endorsement on all liability policies, as they pertain to the project awarded and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8765-400-409-0-88-6, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this project with the issuance of Serial Bonds

DATED: June 19, 2012



SA

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

BID #24-2012 – Nancy Drive Stream Channel Stabilization

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue,  
New City, New York by \_\_\_\_\_A.M.) (P.M.) on \_\_\_\_\_ to be determined \_\_\_\_\_  
at which time bids will be opened and read, and be it

**FURTHER RESOLVED**, that bid specifications and proposal documents can be  
obtained at the office of the Clarkstown Purchasing Department

DATED: June 19, 2012

*am*

8B

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

BID #25-2012 -- Prides Crossing Drainage Improvements

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue,  
New City, New York by \_\_\_\_\_A.M.) (P.M.) on \_\_\_\_\_ to be determined  
at which time bids will be opened and read, and be it

**FURTHER RESOLVED**, that bid specifications and proposal documents can be  
obtained at the office of the Clarkstown Purchasing Department

DATED: June 19, 2012



8c

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

BID #26-2012 – Brookdale Court Culvert Replacement

Bids to be returnable to the office of Purchasing , Room 331, 10 Maple Avenue,  
New City, New York by \_\_\_\_\_A.M.) (P.M.) on \_\_\_\_\_ to be determined \_\_\_\_\_  
at which time bids will be opened and read, and be it

**FURTHER RESOLVED**, that bid specifications and proposal documents can be  
obtained at the office of the Clarkstown Purchasing Department

*Alum*

DATED: June 19, 2012

JD

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

BID#27-2012 – SQUADRON BOULEVARD CONCRETE CURB  
AND SIDEWALK REPLACEMENT

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at \_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

**FURTHER RESOLVED**, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

DATE: June 19, 2012

awm

JE

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

BID#28-2012 – SQUADRON BOULEVARD ASPHALT RESURFACING

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at \_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

**FURTHER RESOLVED**, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

DATE: June 19, 2012

awm

8F

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

BID#29-2012 – CENTRAL NYACK DRAINAGE IMPROVEMENTS – PHASE II

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at \_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

**FURTHER RESOLVED**, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

DATE: June 19, 2012



86

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

BID#30-2012 – WINDGATE DRIVE DRAINAGE/PARAMOUNT

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at \_\_\_\_\_ A.M. on TO BE DETERMINED at which time bids will be opened and read, and be it

**FURTHER RESOLVED**, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

DATE: June 19, 2012



SH

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

BID#31-2012 -- PURCHASE AND INSTALLATION OF PRE-FABRICATED SALT STORAGE CANOPY

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New City, New York at \_\_\_\_\_ A.M. on TO BE DETERMINED \_\_\_\_\_ at which time bids will be opened and read, and be it

**FURTHER RESOLVED**, that bid specifications and proposal documents can be obtained at the office of the Purchasing Department.

DATE: June 19, 2012

AG

**RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF A CONTRACTOR TO PERFORM IMPROVEMENTS TO THE DRAINAGE SYSTEM ON NORTH PARK AVENUE, NANUET**

**WHEREAS**, an adverse drainage condition exists on North Park Avenue, Nanuet; and

**WHEREAS**, the Department of Environmental Control has prepared a plan to ameliorate the adverse drainage condition; and

**WHEREAS**, the Department of Environmental Control has solicited proposals from five (5) qualified contractors to perform the work in accordance with the plan; and

**WHEREAS**, the Department of Environmental Control has received four (4) proposals in response to its solicitation; and

**WHEREAS**, Department of Environmental Control staff has reviewed the low proposal submitted by MRJ Excavating, Inc. and has found it to be acceptable; and

**WHEREAS**, the Director of the Department of Environmental Control recommends that the work be awarded to MRJ Excavating, Inc. for their low proposal of \$21,690.00;

**NOW, THEREFORE, BE IT RESOLVED** that the Director of Environmental Control is hereby authorized to retain the services of:

**MRJ Excavating, Inc.  
7 Beaver Court  
New City, N.Y. 10956**

to perform this work in accordance with their proposal for an amount not to exceed \$21,690.00; and

**BE IT FURTHER RESOLVED** that it is the intent of the Town Board that this project shall be funded by serial bonds; and

**FURTHER RESOLVED** that this amount shall be a proper charge to account H-8765-409-88-7

**DATED: June 19, 2012**

*AWM*

10A

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF ROCKLAND, THROUGH THE SHERIFF'S DEPT., FOR REIMBURSEMENT FOR PARTICIPATION IN THE ROCKLAND COUNTY INTELLIGENCE CENTER

WHEREAS, two police officers from the Clarkstown Police Department have been assigned to work at the Rockland County Intelligence Center, throughout the calendar year 2012, and

WHEREAS, the County of Rockland has budgeted \$1,000,000.00 to reimburse the Towns for their participation in the unit upon execution of an inter-municipal cooperation agreement between the County of Rockland and the Town of Clarkstown, and

WHEREAS, Chief of Police Michael Sullivan has recommended that the Town enter into such inter-municipal cooperation agreement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into the inter-municipal cooperation agreement with the County of Rockland, in a form satisfactory to the Town Attorney, which after execution by the County, will result in the payment to the Town of Clarkstown of its pro rata share of \$1,000,000.00, based on the number of officers assigned, as reimbursement for two members of the Clarkstown Police Department having worked and to work at the Rockland County Intelligence Center Sheriff's Department for the period January 1, 2012 through December 31, 2012, or until the program is terminated, whichever is sooner.

DATED: June 19, 2012

TB 06-19-12 TA RES Police-County Sheriff Intel Center-kh



RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH THE COUNTY OF ROCKLAND FOR THE POSSESSION AND OPERATION OF TEN COUNTY T.R.I.P.S. BUSES

WHEREAS, the Town of Clarkstown operates a Mini-Trans bus service for the public, and

WHEREAS, the Legislature of Rockland County adopted a resolution, pursuant to Article 5 of the General Municipal Law, to enter into an Inter-Municipal Agreement between the County of Rockland and the Town of Clarkstown, for the Town to possess, operate, maintain, and use ten T.R.I.P.S. buses owned by the County;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to enter into an Inter-Municipal Agreement with the County of Rockland, in a form satisfactory to the Town Attorney, for the Town to possess, maintain, operate and use ten T.R.I.P.S buses at no cost to the Town, and be it

FURTHER RESOLVED, that such agreement shall provide for the Town to operate the vehicles solely in connection with the operation of its Clarkstown Mini-Trans bus service for the public, as set forth in the agreement entered into between the Town and the County on May 30, 2009, and for no other purposes.

DATED: June 19, 2012

TB 06-19-12 TA RES Rockland County Vehicle Use-Mini-Trans-kh

*Charm*

//

RESOLUTION GRANTING PERMISSION TO ALERT HOOK, LADDER  
AND ENGINE COMPANY NO. 1, TO HAVE A CARNIVAL AND LICENSED  
FIREWORKS DISPLAY AT 65/66 LAKE ROAD, CONGERS, NEW YORK

WHEREAS, the Alert Hook, Ladder and Engine Company No. 1 of Congers, New York, has requested permission to have a licensed fireworks display at 65/66 Lake Road, Congers, New York, on July 1, 2012, and hold a carnival on June 28, 2012 through July 1, 2012, and

WHEREAS, Police Chief Michael Sullivan, Clarkstown Police Department, Keith Garrabrant, Emergency Management Coordinator, and Vincent Narciso, Chief Fire Safety Inspector, have reviewed the proposal and advised that the proposed fireworks display shall be in compliance with the National Fire Protection Assoc. Standards and New York State Penal Law Section 405 and have recommended permission be granted for such fireworks display subject to certain conditions;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to Alert Hook, Ladder and Engine Company. No. 1 to sponsor a fireworks display at 65/66 Lake Road, Congers on July 1, 2012, subject to the following conditions:

1. Compliance with New York State Penal Law §405 and the National Fire Protection Assoc. Standards;
2. A Certificate of Insurance for an indemnity insurance policy with liability coverage and indemnity protection naming the Town of Clarkstown as an additional insured with coverage not less than \$5,000,000, each occurrence, and evidence of NYS Workers' Compensation and Disability Benefits coverage;
3. An on-site inspection by the Town of Clarkstown Fire Inspector prior to the fireworks display;
4. Compliance with the Rockland County Planning Department's recommendations, as set forth in the Commissioner's May 24, 2012 memo; and
5. Provide an Emergency Action Plan/Incident Action Plan to the Emergency Management Coordinator of the Town.

Dated: June 19, 2012

**WHEREAS**, a resident of Elrod Drive, West Nyack, 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 #7 Elrod Drive, West Nyack  
(Install one (1) each – 70-watt – 5,800 sodium  
vapor street light on existing utility Pole # 59643/39498)

**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: June 19, 2012



RESOLUTION APPROPRIATING FUNDS  
TO VETERANS' ORGANIZATION

WHEREAS, a certain veterans' organization has 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' organization for the year 2012:

Veterans of Foreign Wars of the U.S. – Post 2607

and be it

FURTHER RESOLVED, that claims for such sums shall be made annually by the organization 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: June 19, 2012

TB 06-19 TA RES Veterans Org-pm



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

14A

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 9, 2014, as follows:

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

**Location:** NE Corner of Germonds Road at  
Little Tor Road, 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 9, 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: June 19, 2012



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

14B

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 July 21, 2011 to July 21, 2013, as follows:

**Sponsor:** Curti's Landscaping, Inc.  
91 West Nyack Road  
Nanuet, NY 10954

**Location:** Southwest Corner of Route 304  
at West Nyack Road, Nanuet, New York

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 July 21, 2011 to July 21, 2013, 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 July 21, 2011.

Dated: June 19, 2012



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

140

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 9, 2014, as follows:

**Sponsor:** Steve Botto Landscaping  
19 Short Hill Road  
New City, New York 10956

**Location:** NW Corner of Route 304 at  
South Main Street, New City, New York

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 9, 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: June 19, 2012



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

15A

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 a town road for an additional period of two (2) years, beginning May 13, 2012 to May 13, 2014, as follows:

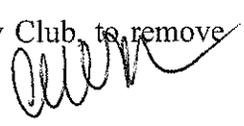
**Sponsor:**           **Paramount Country Club**  
                          **60 Zukor Road**  
                          **New City, NY 10956**

**Roads:**             **1.2 mile segment of Zukor Road from**  
                          **North Main Street and Old Route 304**  
                          **to South Mountain Road, New City**

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that Paramount Country Club., will perform a public service in removing trash from the 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 beginning May 13, 2012 to May 13, 2014, in a form approved by the Town Attorney, and Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways, to adopt the above segment, and to provide and coordinate services by Paramount Country Club, to remove trash from the roadways.



Dated: June 19, 2012

15B

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A RENEWAL  
AGREEMENT CONCERNING TOWN OF CLARKSTOWN  
"ADOPT-A-ROAD" 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 segment of a town road for an additional period of two (2) years, beginning April 15, 2012 to April 15, 2014, as follows:

Sponsor: Clarkstown High School South  
31 Demarest Mill Road  
West Nyack, NY 10994

Road: .4 mile segment of Old Mill Road from Strawtown Road  
to Snake Hill Road, West Nyack, New York,

and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the Clarkstown High School South 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 April 15, 2012 to April 15, 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 Clarkstown High School South organization to remove trash from the roadway.

Dated: June 19, 2012

**RESOLUTION AMENDING THE ALLOWANCE FOR BID #69-2005 SOUTH MOUNTAIN ROAD CULVERT REPLACEMENT**

*Whereas*, the Town Board of the Town of Clarkstown has previously awarded a contract for Bid #69-2005 South Mountain Road Culvert Replacement to Precision Site Development, Inc. of Mount Vernon, New York; and

*Whereas*, field conditions required the reconstruction of existing stone walls along both stream embankments on the north side of South Mountain Road; and

*Whereas*, said work is beyond the original scope of work for this project; and

*Whereas*, the Department of Environmental Control has authorized the Contractor to perform the work associated with the reconstruction of the stone walls on a time and material basis; and

*Whereas*, the contractor has submitted an accounting of the costs associated with this work in the amount of **\$9,472.27**; and

*Whereas*, the Department of Environmental Control has reviewed said accounting and finds it to be acceptable;

*Now, Therefore, Be It Resolved* that the Town Board of the Town of Clarkstown authorizes this amendment to the contract price for Bid No. 69-2005 South Mountain Road Culvert Replacement in the amount of **\$9,472.27**; and

*Be It Further Resolved* that the total cost of the project shall not exceed **\$318,092.85** without further Town Board resolution and that this shall be a proper charge to account # **H 8758 400 409 0 82 30**.

Dated: **June 19, 2012**

K:\shared\TB 6-19-12 DEC RES Bid 69-2005 South Mountain Road Culvert Replacement-Construction CO 3

*awm*

**WHEREAS**, the Town has received \$362,944.60 from the Rockland County Sewer District #1 and \$5,945 from D.A.R.E. donations,

**NOW THEREFORE BE IT,**

**RESOLVED**, to increase Revenue Account H-15-9-2770-0 (Capital-Misc Local Revenue) and Expense Account H-8760-409-0-84-9 (Capital Projects-Pump Station & Collection System Upgrade) by \$362,944.60 and be it

**FURTHER RESOLVED**, to increase Revenue Account A-01-9-2705-0 (General-Gifts & Donations) by \$5,945 and Expense Accounts A-3230-414-0 (D.A.R.E.-Conferences & Schools) by \$970 and A-3230-319-0 (D.A.R.E.-Misc Supplies) by \$4,975 and

**WHEREAS**, the following account needs additional funding,

**NOW THEREFORE BE IT,**

**RESOLVED**, to decrease Account No. SR-8160-443-0 (Sanitation-Private Equipment Rental) and increase Account No. SR-8160-219-0 (Sanitation-Misc Equipment) by \$12,000.

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION WITH RESPECT TO THE 2012 STORM WATER II EDUCATION PROGRAM

WHEREAS, by Resolution No. 149-2003, the Town of Clarkstown has agreed to comply with Part II of the SPDES General Permit for discharge of storm water, and

WHEREAS, Luke Kalarickal, Director of Environmental Control, has recommended that the Town enter into an agreement with Cornell Cooperative Extension to provide services consisting of an educational program for storm water management in the Town of Clarkstown in order to comply with the regulations for such program;

NOW, THEREFORE, be it

RESOLVED, that Supervisor Alexander J. Gromack is hereby authorized to enter into an agreement with Cornell Cooperative Extension, in a form approved by the Town Attorney, to provide an educational and outreach program for storm water management within the Town, which shall comply with applicable regulations, and be it

FURTHER RESOLVED, that the Town of Clarkstown representative for the 2012 Storm Water II Education Program shall be Luke Kalarickal, P.E., Director of the Department of Environmental Control, and the alternate representative shall be Dennis Letson, P.E. Deputy Director of DEC, and be it

FURTHER RESOLVED, that the cost of said services shall be \$6,800.00 per year and shall be charged to Account No. A-8730-409.

DATED: June 19, 2012

RESOLUTION AUTHORIZING THE EXECUTION AND FILING OF THE MS4 ANNUAL REPORT ON STORMWATER DISCHARGES IN THE TOWN OF CLARKSTOWN WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, the Department of Environmental Control of the Town of Clarkstown has prepared the MS4 Annual Report for the New York State Department of Environmental Conservation concerning the Phase II SPDES Program for Stormwater Discharges from Municipal Separate Storm Sewer Systems (GP-02-02), and

WHEREAS, the report was published on the Town's website at [www.clarkstown.ny.us](http://www.clarkstown.ny.us), and

WHEREAS, copies of the report were available for inspection and comment at the Town Board's June 19, 2012 regularly scheduled meeting, and

WHEREAS, no comments were received;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the report and the Director of the Department of Environmental Control to file the MS4 Annual Report concerning the Phase II SPDES Program for Stormwater Discharges from Municipal Separate Storm Sewer Systems with the New York State Department of Environmental Conservation.

Dated: June 19, 2012

TB 06-19 TA RES NYSDEC MS4 Stormwater Report-pm

RESOLUTION AUTHORIZING AN AGREEMENT WITH  
KORN, ROSENBAUM, PHILLIPS & JAUNTIG, LLP  
FOR AUDIT SERVICES

**WHEREAS**, a proposal has been received from Korn, Rosenbaum, Phillips & Jauntig, LLP, certified public accounts, to continue providing audit services to the Town of Clarkstown, and

**WHEREAS**, Edward J. Duer, Comptroller has advised that past experience with this firm has proven satisfactory;

**NOW, THEREFORE, be it**

**RESOLVED** that the Town Board hereby authorizes the Supervisor to enter into an agreement with Korn, Rosenbaum, Phillips & Jauntig, LLP, in a form satisfactory to the Town Attorney, for audit services for the years ending December 31, 2012 and December 31, 2013 and be it

**FURTHER RESOLVED**, that the fees for such services shall be \$55,150 for the years ending December 31, 2012 and December 31, 2013, which shall be charged to Account No.A 1320-409, and be it

**FURTHER RESOLVED**, that said agreement shall provide, among other provisions required by the Town Attorney, for contract indemnification of the Town, and professional and other liability insurance coverage with the Town of Clarkstown named as an additional insured.

Dated: June 19, 2012  
L:TB Res 06-19 COM RES Audit Services

RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI  
REGARDING JM ENTERPRISES, LLC  
(TAX MAP NO. 51.7-1-12)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, JM Enterprises LLC v. Cathy Conklin, Assessor and Board of Assessment Review for the Town of Clarkstown, Index No(s). 10066/10 and 31441/11, affecting parcel designated as Tax Map 51.7-1-12 and more commonly known as 268 South Main Street, New City, New York for the year(s) 2010/11 and 2011/12, and

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

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

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Map 51.7-1-12 be reduced for the year(s) 2010/11 and 2011/12 from \$662,000 to \$529,600 at a total cost to the Town of \$6,380.38;

2. Reimbursement for the year(s) 2010/11 and 2011/12 on the parcel described as Tax Map 51.7-1-12, 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: June 19, 2012

TB 06-19 TA RES JM Enterprises Settlement-lh

A handwritten signature in black ink, appearing to be the initials 'AG' or similar, located in the bottom right corner of the page.

22A

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,  
NEW YORK, ADOPTED JUNE 19, 2012, AUTHORIZING THE  
ACQUISITION OF THREE SALT SPREADING DUMP  
BODIES, STATING THE ESTIMATED MAXIMUM COST  
THEREOF IS \$260,000, APPROPRIATING SAID AMOUNT  
FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE  
OF \$260,000 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 three salt spreading dump bodies.  
The estimated maximum cost thereof, including preliminary costs and costs incidental thereto  
and the financing thereof, is \$260,000 and said amount is hereby appropriated for such purpose.  
The plan of financing includes the issuance of \$260,000 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 \$260,000 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 June 19, 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 June 19, 2012, authorizing the acquisition of three salt spreading dump bodies, stating the estimated maximum cost thereof is \$260,000, appropriating said amount for such purpose, and authorizing the issuance of \$260,000 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 three salt spreading dump bodies; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$260,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$260,000 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 \$260,000 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 \$260,000 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: June 19, 2012

Justin Sweet  
Town Clerk

*Justin Sweet*

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*

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,  
NEW YORK, ADOPTED JUNE 19, 2012, AUTHORIZING THE  
CONSTRUCTION OF DRAINAGE IMPROVEMENTS,  
STATING THE ESTIMATED MAXIMUM COST THEREOF IS  
\$100,000, APPROPRIATING SAID AMOUNT FOR SUCH  
PURPOSE, AND AUTHORIZING THE ISSUANCE OF  
\$100,000 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 construct drainage improvements, consisting  
of Lowerre Place Detention Pond improvements and 208 Water's Edge Drainage Channel  
improvements. The estimated maximum cost thereof, including preliminary costs and costs  
incidental thereto and the financing thereof, is \$100,000 and said amount is hereby appropriated  
for such purpose. The plan of financing includes the issuance of \$100,000 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 \$100,000 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. 4 of the Law, is forty (40) 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 June 19, 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 June 19, 2012, authorizing the construction of drainage improvements, stating the estimated maximum cost thereof is \$100,000, appropriating said amount for such purpose, and authorizing the issuance of \$100,000 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 construct drainage improvements, consisting of Lowerre Place Detention Pond improvements and 208 Water’s Edge Drainage Channel improvements; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$100,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$100,000 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 \$100,000 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 forty (40) 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 \$100,000 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: June 19, 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.

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*Quora*

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,  
NEW YORK, ADOPTED JUNE 19, 2012, AUTHORIZING THE  
CONSTRUCTION OF IMPROVEMENTS TO THE HIGHVIEW  
AVENUE CROSSWALK, STATING THE ESTIMATED  
MAXIMUM COST THEREOF IS \$165,000, APPROPRIATING  
SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING  
THE ISSUANCE OF \$165,000 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 construct improvements to the Highview  
Avenue Crosswalk. The estimated maximum cost thereof, including preliminary costs and costs  
incidental thereto and the financing thereof, is \$165,000 and said amount is hereby appropriated  
for such purpose. The plan of financing includes the issuance of \$165,000 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 \$165,000 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.

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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. 24 of the Law, is ten (10) 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 June 19, 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 June 19, 2012, authorizing the construction of improvements to the Highview Avenue Crosswalk, stating the estimated maximum cost thereof is \$165,000, appropriating said amount for such purpose, and authorizing the issuance of \$165,000 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 construct improvements to the Highview Avenue Crosswalk; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$165,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$165,000 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 \$165,000 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 ten (10) 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 \$165,000 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: June 19, 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.

\* \* \*



**RESOLUTION AUTHORIZING CHANGE ORDERS #2, #3 AND #4, CONTRACT "G"  
GENERAL CONSTRUCTION, PROJECT NO. CLKT910, PUMP STATION UPGRADE  
PROJECT, WOODHAVEN DRIVE PUMP STATION, LAKEWOOD DRIVE PUMP STATION  
AND RT. 303 / LANDFILL PUMP STATION**

**WHEREAS**, the existing Woodhaven Drive, Lakewood Drive and Rt. 303 / Landfill sanitary sewer pump stations are currently being replaced, and

**WHEREAS**, in the course of performing the work, it was determined that additional unforeseen work was required, and

**WHEREAS**, the Contractor for the Town has submitted the proposals for the miscellaneous additional work, and

**WHEREAS**, the Town's Consultant for the project, H2M Engineers, has reviewed the proposals for the additional work and found them to be acceptable, and

**WHEREAS**, the cost for Change Orders #2, #3 and #4 are as follows:

1. C.O. #2 – Installation of curbing to divert runoff away from building entrance and installation of new entrance door for a total cost of \$5,545.12.
2. C.O. #3 – Installation of 130 linear feet of 6 ft. high chain link security fencing with gates for a total cost of \$17, 198.87.
3. C.O. #4 – Installation of MODBUS software for Multismart pump controllers for SCADA monitoring for a total cost of \$4,025.00;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Change Orders #2, #3 and #4, Contract "G", General Construction, for Project CLKT910 are approved for the total additional cost of \$26,768.99, and

**BE IT FURTHER RESOLVED**, that the total cost for Contract "G", General Construction shall not exceed \$1,466,375.21, and

**BE IT FURTHER RESOLVED**, that the cost for the project is being reimbursed by the Rockland County Sewer District No. 1.

*awm*

Dated: June 19, 2012

23B

**RESOLUTION AUTHORIZING CHANGE ORDERS #7, #9, #10, #11 AND #12, CONTRACT "E"  
ELECTRICAL CONSTRUCTION, PROJECT NO. CLKT910, PUMP STATION UPGRADE  
PROJECT, WOODHAVEN DRIVE PUMP STATION, LAKEWOOD DRIVE PUMP STATION  
AND RT. 303 / LANDFILL PUMP STATION**

**WHEREAS**, the existing Woodhaven Drive, Lakewood Drive and Rt. 303 / Landfill sanitary sewer pump stations are currently being replaced, and

**WHEREAS**, in the course of performing the work, it was determined that additional unforeseen work was required, and

**WHEREAS**, the Contractor for the Town has submitted the proposals for the miscellaneous additional work, and

**WHEREAS**, the Town's Consultant for the project, H2M Engineers, has reviewed the proposals for the additional work and found them to be acceptable, and

**WHEREAS**, the cost for Change Orders #7, #9, #10, #11 and #12 are as follows:

1. C.O. #7 – Installation of heavy duty transformer vault roof slab with access hatch for a total cost of \$10,260.00.
2. C.O. #9 – Necessity for a temporary power source for the startup of the new Woodhaven Drive pump station for a total cost of \$12,041.29.
3. C.O. #10 – Installation of an internal light system for the below ground transformer vault for the Woodhaven Drive Pump Station for a total cost of \$2,597.00.
4. C.O. #11 – Installation of a concrete pad for the primary metering cabinet in accordance with Orange and Rockland Utilities requirements for a total cost of \$908.00.
5. C.O. #12 – Removal of existing primary electrical metering cabinet and concrete pad, primary electrical switchgear and concrete pad, 13.2KV/208V transformer and top slab to allow for the installation of secondary electrical metering equipment for a total cost of \$56,823.00;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Change Orders #7, #9, #10, #11 and #12, Contract "E", Electrical Construction, for Project CLKT910 are approved for the total additional cost of \$82,629.29, and

**BE IT FURTHER RESOLVED**, that the total cost for Contract "E", Electrical Construction shall not exceed \$612,314.57, and

**BE IT FURTHER RESOLVED**, that the cost for the project is being reimbursed by the Rockland County Sewer District No. 1

Dated: June 19, 2012



RESOLUTION AUTHORIZING A PARTIAL REFUND OF BUILDING PERMIT FEE TO ROOF DIAGNOSTICS SOLAR AND ELECTRIC OF NY, LLC CONCERNING PROPERTY DESIGNATED AS TAX MAP NO. 64.15-2-30

WHEREAS, Kenneth Kovalchik, Director of Operations, of Roof Diagnostics Solar and Electric of NY, LLC has requested a refund of Building Permit Fee (No. 12-551) paid in the amount of \$701.00 for property located at 18 Richard Drive, West Nyack, New York, more particularly described as Tax Map No. 64.15-2-30, because the job was cancelled before any work commenced, and

WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$50.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of the \$701.00 total Building Permit fee paid, minus the processing fee, in the amount of \$651.00 to Roof Diagnostics Solar & Electric of NY, LLC, 608 Brighton Avenue, Spring Lake Heights, New Jersey, to be charged to Account No. B-02-6-2555-0.

Dated: June 19, 2012

*awm*

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI  
REGARDING HSBC BANK USA, NATIONAL ASSOCIATION  
(TAX MAP NO.: 64.5-2-23)**

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, HSBC Bank USA, National Association v. The Assessor, The Board of Assessors and the Board of Assessment Review of the Town of Clarkstown and the Town of Clarkstown, Index No(s). 5688/07, 7234/08, 6956/09, 7586/10 and 31178/11, affecting parcel designated as Tax Map 64.5-2-23 and more commonly known as 117 East Route 59, Nanuet, New York for the year(s) 2007/08, 2008/09, 2009/10, 2010/11 and 2011/12, and

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

WHEREAS, such settlement has been recommended by the Tax Assessor, Tax Certiorari Counsel for the Town of Clarkstown and the attorneys for the 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 64.5-2-23 be reduced for the year(s) 2011/12 from \$2,001,400 to \$1,701,200 at a cost to the Town of \$7,386.19;

2. Reimbursement for the year(s) 2011/12 on the parcel described as Tax Map 64.5-2-23, as stated above, be made within ninety (90) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

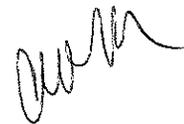
3. The proceedings commenced by the petitioner(s) respecting Tax Map 64.5-2-23 shall be discontinued for the years 2007/08, 2008/09, 2009/10 and 2010/11 at no cost to the Town;

4. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and Tax Certiorari Counsel for the Town of Clarkstown is authorized to sign all documents necessary to effectuate such settlement.

Dated: June 19, 2012

TB 06-19 TA RES HSBC Settlement-lh

A handwritten signature in black ink, appearing to be a stylized name, located in the lower right quadrant of the page.

RESOLUTION AUTHORIZING THE SUPERVISOR TO FILE AN APPLICATION,  
AND ENTER INTO AN AGREEMENT WITH NEW YORK STATE WITH REGARDS  
TO A GRANT FOR THE CONGERS TRAIL SYSTEM

**Whereas:** The Town of Clarkstown is supportive of completing the Congers Lake trail system;

**Whereas:** the Town of Clarkstown has recognized the scenic and environmental character and unique value of the Congers Lake trail system, and has developed the trail system the site to preserve open space, protect the environmental resources of the site and provide recreation and environmental education opportunities;

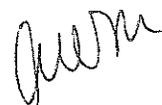
**Whereas:** The public has supported the completion of the Congers Lake trail system and made its support known;

**Whereas:** There exists a need to secure financial assistance to develop the last portion of the Congers Lake trail system that it may be available for public use and enjoyment.

**Now, therefore be it Resolved:**

That Alexander J. Gromack, as Supervisor of the Town of Clarkstown, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of the Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$300,000.00 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this Town for the Development of the Final Phase of the Congers Lake Trailway.

Dated: June 19, 2012



RESOLUTION AUTHORIZING EXECUTION AND ACCEPTANCE OF  
STORMWATER MAINTENANCE AGREEMENT AND RENTAL PREFERENCE  
AGREEMENT AND COVENANT REGARDING STEPHEN GIORDANO SITE PLAN  
(59.07-1-7)

WHEREAS, based upon the recommendation of the Department of  
Environmental Control and as a condition to the approval of the final map by the  
Planning Board with regard to the Stephen Giordano site plan (59.07-1-7), Stephen  
Giordano has provided a stormwater control facility maintenance agreement and a rental  
preference agreement and covenant for the Valley Cottage Hamlet Center Overlay  
District, and

WHEREAS, the Department of Environmental Control and the Town Attorney  
have recommended acceptance of said conveyances; and the Town Attorney has advised  
that the documents are in proper legal form;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes  
the Supervisor to execute the stormwater control facility maintenance agreement and  
rental preference agreement and covenant provided by Stephen Giordano, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby  
accepts the stormwater control facility maintenance agreement and rental preference  
agreement and covenant from Stephen Giordano in connection with the Stephen  
Giordano site plan and orders them recorded in the Rockland County Clerk's Office,  
subject to the receipt of recording fees.

Dated: June 19, 2012



**RESOLUTION INVOKING TOWN CODE CHAPTER 216-9(B):  
LAWN & LANDSCAPE MAINTENANCE OF VACANT  
PROPERTIES**

**WHEREAS**, the Offices of the Building Inspector and Zoning Administrator have joined forces to field complaints and perform Town-wide inspections of the vacant, foreclosed, and/or abandoned properties in Clarkstown, the owners or responsible parties of which have failed to perform required lawn and landscape maintenance pursuant to Town of Clarkstown Town Code Chapter 216-4, (Property Maintenance, Landscaping Maintenance) and

**WHEREAS**, appropriate diligence by Code Officials, to include but not limited to appropriate notice and posting, has been performed as required pursuant to Chapter 216-9(A), and

**WHEREAS**, the properties currently in violation are identified as follows:

**29 Cornell Drive, Bardonia (58.7-1-4 fka 54-A-9.17)**

**564 Route 304, Bardonia (58.6-1-32.2 fka 35-A-11/2)**

**41 Medway Avenue, Congers (44.20-1-72 fka 126-B-22)**

**15 Loran Court, Nanuet (64.13-4-12 fka 31-B-25)**

**2 Summit Drive, New City (34.17-1-49 fka 23-A-11.1)**

**142 Buena Vista Road, New City (42.8-2-65 fka 170-A-10)**

**11 Sharon Drive, New City (43.10-1-31 fka 40-A-29)**

**1 Brook Road, New City (33.16-2-37 fka 171-A-2)**

**73 W. Burda Place, New City (50.12-2-49 fka 167-A-6.1)**

**22 Kings Highway, New City (51.14-2-25 fka 36-D-4)**

**5 Kent Street, New City (51.14-2-79 fka 36-C-8.14)**

**9 Kent Street, New City (51.14-2-81 fka 36-C-8.12)**

**4 Hickory Hill Road, Valley Cottage (59.7-2-34 fka 123-C-16/4)**

**528 Kings Highway, Valley Cottage (59.6-3-48 fka 108-B-5.16)**

**958 Tilton Rd, Valley Cottage (52.11-2-31 fka 125-B-12.7)**

**11 Tena Place, Valley Cottage (59.7-3-25 fka 123-A-16.53)**

**18 Phillips Lane, West Nyack (64.8-2-27 fka 89-C-3.30)**

**NOW, THEREFORE, be it RESOLVED,** that subject to a reasonable grace period and final re-inspection, the Town Board hereby authorizes the Office of the Zoning Administrator to arrange for the appropriate property maintenance through the tasking of available Town forces, subcontractors or agents to perform the required trimming of grass, weeds, trees and shrubs on the above properties along with associated debris removal, throughout the 2012 mowing and growing season, after which a bill of costs will be submitted to said office for the purpose of levying said costs incurred by the Town as a property tax lien on the property by the Town Assessor.

DATED: June 19, 2012  
TB 06-19-12 TA RES Chapter 216-9--jje

A handwritten signature in black ink, appearing to be 'AUM', is located in the bottom right corner of the page.

**RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AGREEMENT WITH CRAIG and AIMEE POLLAK, 16 E. CAVALRY DRIVE, NEW CITY, NEW YORK, REGARDING ENCROACHMENT ON TOWN CONSERVATION, DRAINAGE and SEWER EASEMENTS**

WHEREAS, CRAIG POLLAK and AIMEE POLLAK, owners of premises located at 16 E. Cavalry Drive, New City, New York, and more particularly described as Tax Map 43.11-2-6.21, have proposed installing a pool fence and native plant species within the Town's Conservation Drainage and Sewer Easements, and

WHEREAS, Dennis M. Letson, PE, First Deputy Director of the Department of Environmental Control has investigated this matter and has advised that the encroachment described herein may be installed and/or erected provided the Town retains the right to order the encroachment removed, and the Town Attorney has advised that a revocable license agreement may be used to effectuate such arrangement;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a revocable license agreement with the property owners, in a recordable form approved by the Town Attorney, granting a license terminable on ten (10) days written notice, to authorize the pool fence and native plant species to be installed/erected in the Town's Conservation, Drainage and Sewer Easements, located at 16 E. Cavalry Drive, New City, New York, and more particularly described as Tax Map 43.11-2-6.21, and be it

FURTHER RESOLVED, that such agreement shall also provide that the property owners or successors shall indemnify and save harmless the Town of Clarkstown from any and all claims, or causes of action, or any liability against the Town of Clarkstown, arising out of the encroachment or license to maintain same.

Dated: June 19, 2012



RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH WORKFORCE INVESTMENT BOARD OF ROCKLAND COUNTY, INC. WITH RESPECT TO A NATIONAL EMERGENCY GRANT

WHEREAS, the County of Rockland was awarded a National Emergency Grant from the U.S. Department of Labor to administer the storm clean-up program approved for the Town of Clarkstown, and

WHEREAS, the County of Rockland has delegated its authority and authorized the Workforce Investment Board of Rockland County, Inc., a not-for-profit corporation, located at 2 New Hempstead Road, New City, New York, to act in its behalf with regard to this program, and

WHEREAS, the Town of Clarkstown represents itself as being qualified and capable of providing services eligible for said grant, and

WHEREAS, the Town of Clarkstown desires to enter into an agreement with the Workforce Investment Board of Rockland County, Inc. to provide said services to unemployed adults and/or dislocated workers in accordance with the eligibility requirements of the grant;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Workforce Investment Board of Rockland County, Inc., effective May 17, 2012 and terminating on September 30, 2012, to provide services eligible for the National Emergency Grant, subject to review by the Office of the Town Attorney.

Dated: June 19, 2012

TB 06-19 TA RES Agree-Workforce Investment Bd-pm



RESOLUTION AUTHORIZING THE COST OF SCHOOL CROSSWALK, FLASHING BEACONS AND RELATED IMPROVEMENTS ON HIGHVIEW AVENUE, NANUET

WHEREAS, Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is requesting that the cost of a school crosswalk, flashing beacons, sidewalk and ADA ramps and related improvements on Highview Avenue, Nanuet determined to be a capital improvement, and

WHEREAS, the Superintendent of Highways has estimated the cost of the project to be \$165,000.00,

NOW THEREFORE, be it

RESOLVED, that Wayne T. Ballard, P.E., C.S.P., Superintendent of Highways is hereby authorized to charge these costs to a capital account, and be it

FURTHER RESOLVED, that the cost of \$165,000.00 is hereby determined to be a proper charge to Capital Account # H 8765-409-0-88-8 and it is the intent of the Town Board that this is to be funded by serial bonds.

Dated: June 19, 2012