

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

12/15/09

8:00 P.M.

Present: Supervisor Alexander J. Gromack
Council Members John Maloney, Shirley Lasker, George Hoehmann & Frank Borelli
Amy Mele, Town Attorney
David Carlucci, Town Clerk

Supervisor declared Town Board meeting opened. Assemblage saluted the flag.

POLICE YOUTH ACADEMY GRADUATION: The Clarkstown Police Department honored the graduates of the youth academy class. The youth academy was started several years ago so local high school students could have an opportunity to understand the training of police officers and introduce them to the various areas of the criminal justice system. The graduates received their certificates from Chief Peter Noonan and Sgt. Nick Lafasciano. The graduates are as follows:

Clarkstown High School South:

Robert Arbuco William Muller Daniel Pragdat
Nicholas Danyluk Anthony Pecoraro John Santana

Clarkstown High School North:

Anthony Barbetto Tiffani Pagliocca Andrew Solomon
Michael Glennon John Rao

Nanuet High School:

Douglas Caruso Dylan Flynn Kyle Hanney
Samantha Colarelli Kevin Haney Valissa Hicks

SPECIAL PRESENTATION: The following 51 Girl Scouts and leaders participated in the Germonds Community Food drive at Pathmark in Nanuet. They collected over 1 ton of food.

Troop 40026 Leaders: Peggy Doddy, Sharon Goldberg

Scouts: Casey Doddy Emily Gauzza Kassidy Shaw
Marissa Goldberg Kaylee Sterns Alexa Fox

Troop 40079 Leaders: Melanie Aprahamian, Emily Callanan, Tammy Epstein

Scouts: Lauren Chloe Nadler Molly Gauzza Emma Palliotta
Aprahamian Ava Epstein Caroline Callanan Jenna Repaci
Sydney Galano Laura Lacker Jackie Doherty

Troop 40466 Leader: Leena Mathew

Scouts: Shaina Erlich Serena Mathew Christina Higgins

Troop 40118 Leader: Betty Blumenfeld

Scouts: Colleen Higgins Laura Blumenfeld Allison Brazinskas

Troop 40750 Leaders: Kim Nostro, Sandra Wirchansky

Scouts: Brielle Nostro Jordan Maraia Miranda Linehan Christina Karcz
Jenna Rogers Emma Kear Kristyn Finelli Sally Ninan

Troop 40127 Samantha Nostro

Troop 40753 Leaders: Jen Spadavecchia, Susan Schweizer

Scouts: Holly AnnMurphy Lindsey Aprahamian Taylor Schweizer
Julia Korines Amanda Spadavechchia Taylor Colombani

Troop 40364 Leader Jen Spadavecchia

Scouts: Sharon Mathew Emily Spadavecchia Lauren Taccetta

Troop 40749 Leaders: Gina Crossetta, Angie Lauture

Scouts: Maya Lauture Jordyn Solages
Kristine Organista Jordan Antolin

Troop 40384 Leaders: Diane Cain

Scouts: Catherine Cain Katie O'Connell Danielle McIvor
Lauren Clements Kelli Smith

Supervisor opened the meeting to public comments regarding agenda items.

Amy Durbin- Congers

Asked questions regarding agenda item #13 (res. no. 603-2009).

Amy Mele- Town Attorney

Regarding agenda item #13 (res. no. 603-2009), stated the service is provided at no charge.

RESOLUTION NO. (588-2009)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of November 24, 2009 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows

Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (589-2009)
Co. Lasker offered and Co. Borelli seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AN AGREEMENT WITH THE STATE OF NEW YORK GOVERNOR’S TRAFFIC SAFETY COMMITTEE OF THE DEPARTMENT OF MOTOR VEHICLES TO ACCEPT A GRANT WITH RESPECT TO THE CHILD PASSENGER SAFETY PROGRAM

WHEREAS, Clarkstown Police Chief Peter Noonan, has advised that the State of New York Governor’s Traffic Safety Committee of the Department of Motor Vehicles, has awarded a grant to the Town of Clarkstown Police Department for the purpose of participating in the “Child Passenger Safety Program” for the period from October 1, 2009 through September 30, 2010, and

WHEREAS, the State shall provide \$6,650 to the Town of Clarkstown for said purposes;

NOW, THEREFORE, be it

RESOLVED, that on the recommendation of Clarkstown Police Chief Peter Noonan, the Town Board hereby authorizes the Supervisor to enter into an agreement with the State of New York, Governor’s Traffic Safety Committee, Department of Motor Vehicles, in a form approved by the Town Attorney, to accept a grant award of \$6,650.00 for the purpose of participating in the “Child Passenger Safety Program” for the period October 1, 2009 through September 30, 2010, by the Town of Clarkstown Police Department.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (590-2009)
Co. Lasker offered and Co. Borelli seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF NEW YORK CONCERNING A GRANT TO THE TOWN FOR THE BUCKLE UP PROGRAM

WHEREAS, Chief of Police Peter Noonan has advised that the Governor’s Traffic Safety Committee, Department of Motor Vehicles, State of New York, has awarded \$26,144.00 to the Town of Clarkstown Police Department to participate in the statewide “Buckle Up New York” campaign, for the period October 1, 2009 through September 30, 2010;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the State of New York, Governor’s Traffic Safety Committee, Department of Motor Vehicles, in a form approved by the Town Attorney, to accept a grant award of \$26,144.00 for the purpose of participating in the statewide “Buckle Up New York” campaign for the period October 1, 2009 through September 30, 2010, by the Town of Clarkstown Police Department.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (591-2009)
Co. Lasker offered and Co. Borelli seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A RENEWAL AGREEMENT WITH FRANK X. GARIGALI, M.D. of MID ROCKLAND MEDICAL GROUP, TO ACT AS POLICE SURGEON FOR THE YEAR 2010

WHEREAS, Chief of Police Peter T. Noonan has recommended renewing an agreement with Frank X. Garigali, M.D., of Mid Rockland Medical Group, to provide services to the Clarkstown Police Department as the police surgeon for the calendar year 2010, at the same terms and conditions as the prior agreement;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to enter into an agreement with Frank X. Garigali, M.D., of Mid Rockland Medical Group, as referred to herein, for the period January 1, 2010 to December 31, 2010, upon the same terms and conditions as the prior agreement;
and be it

FURTHER RESOLVED, that compensation for said services shall be at Dr. Garigali’s regular rates established for annual physical examinations for sworn personnel plus the sum of \$1,500.00 per month, all of which shall be charged to Account No. A 3120-409.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (592-2009)
Co. Lasker offered and Co. Maloney seconded

RESOLUTION ACCEPTING ROAD AND IMPROVEMENTS IN THE TOWN OF CLARKSTOWN (REYNOLDS METALS DEVELOPMENT COMPANY SITE PLAN - 64.07-01-9)

RESOLUTION NO. (592-2009) continued

RESOLVED, that upon the recommendations of the Deputy Director of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, deed from: West Nyack Flyfishing Company, LLC, dated May 14, 2009, conveying the following road:

MEDICAL PARK DRIVE 505± L.F.

and other public improvements to the Town of Clarkstown in a site plan as shown on the Final Plat of Reynolds Metals Development Company is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office; and be it

FURTHER RESOLVED, that Maintenance Guaranty dated November 16, 2009 furnished by Palisades Medical and Professional Office Complex, LLC, secured by Capital One Bank Cashier's Check No. 8000724884 in the amount of \$10,552.00, is hereby accepted; and be it

FURTHER RESOLVED, that the funds furnished by Palisades Medical and Professional Office Complex, LLC in the amount of \$16,000 as security for a Performance Agreement for incomplete items may be released.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann... Yes
Co. Borelli... Yes
Supervisor Gromack Yes

RESOLUTION NO. (593-2009)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 236-48 of the Town Code of the Town of Clarkstown :

VITO'S PLUMBING & HEATING, d/b/a Mr. Plumber, 30-A Bridge Street, Garnerville, NY 10923
Vito Matorano, President

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 09-32 - VITO'S PLUMBING & HEATING, d/b/a Mr. Plumber

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann... Yes
Co. Borelli... Yes
Supervisor Gromack Yes

RESOLUTION NO. (594-2009)

Co. Lasker offered and Co. Hoehmann seconded

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 town road for an additional period of two (2) years, continuing from December 12, 2009 to December 12, 2011, as follows:

Sponsor: Circle Collision Center, 1 Orchard Street, Nanuet, NY 10954

Roads: .6 mile segment of Prospect Street from intersection of Main Street to Grandview Avenue, Nanuet, NY 10954 and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into a renewal agreement, for a period of two (2) years continuing from December 12, 2009 to December 12, 2011, 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 Circle Collision Center to remove trash from the roadway.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann... Yes
Co. Borelli... Yes
Supervisor Gromack Yes

RESOLUTION NO. (595-2009)

Co. Hoehmann offered and Co. Borelli seconded

WHEREAS, Town Board Resolution 327-2009 awarded bid #45-2007; Elks Drive Drainage Improvements to Cal Mart Enterprises LLC; and

WHEREAS, additional stone stabilization is required along the stream embankments in certain locations to prevent erosion; and

WHEREAS, a change order request for change order #3 was submitted by Cal-mart Enterprises LLC for the additional work in the amount of \$16,198.00; and

WHEREAS, the change order has been reviewed by the Department of Environmental Control and found acceptable as follows:

Table with 2 columns: Description and Amount.
Install NYS DOT medium stone rip rap in certain locations long stream embankment \$16,198.00
Total Change Order Amount \$16,198.00

NOW, THEREFORE, BE IT RESOLVED that the allowance for this project be increased from \$417,780.00 to

RESOLUTION NO. (595-2009) continued

\$433,978.00 to reflect the additional cost of the change order; and

BE IT FURTHER RESOLVED that this shall continue to be a proper charge to account # H -8753-400-409-0-77-23

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Hoehmann... Yes
- Co. Borelli... Yes
- Supervisor Gromack Yes

RESOLUTION NO. (596-2009)

Co. Lasker offered and Co. Borelli seconded

Resolution Authorizing SEQRA Review for the Central Nyack Drainage Improvements Project

Whereas, the Town Board of the Town of Clarkstown has, via Town Board Resolution #276-2005, retained the services of McLaren Engineering Group of West Nyack, New York to perform survey and engineering design work and prepare contract documents for the construction of a dam and other related drainage improvements for the Central Nyack Drainage Improvements project; and

Whereas, McLaren Engineering Group has completed a preliminary design for the dam and other related drainage improvements;

Now, Therefore, Be It Resolved that, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board of the Town of Clarkstown determines that it shall act as lead agency; and

Be It Further Resolved that the Director of the Department of Environmental Control is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review for the Central Nyack Drainage Improvements project.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Hoehmann... Yes
- Co. Borelli... Yes
- Supervisor Gromack Yes

RESOLUTION NO. (597-2009)

Co. Lasker offered and Co. Borelli seconded

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO INSTITUTE A PROCEEDING AGAINST DAWN MCGREEVY and EDWARD MCGREEVY

WHEREAS, repeated attempts have been made to collect the past due 2008 Summer Camp fees balance of \$2,445.00 for attendance of three (3) McGreevy children at Woodglen Elementary School "2008 Camp Clarkstown";

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town Attorney to take all necessary steps, including commencing litigation, against Dawn McGreevy and Edward McGreevy on behalf of the Town of Clarkstown; and be it

FURTHER RESOLVED, that this resolution is hereby made retroactive to December 2, 2009.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Hoehmann... Yes
- Co. Borelli... Yes
- Supervisor Gromack Yes

RESOLUTION NO. (598-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 761-2006

WHEREAS, the Town Board of the Town of Clarkstown adopted Resolution No. 761 on November 8, 2006, creating a "Special Board" consistent with Section 272-a of the Town Law of the State of New York, in order to prepare amendments to the Town Comprehensive Plan, and

WHEREAS, by Resolution No. 582-2009 the Town Board adopted the Comprehensive Plan and directed that the Committee continue in existence to carry out the objectives of the Plan, and

WHEREAS, the Town Board wishes to reconstitute the Board;

NOW, THEREFORE, be it

RESOLVED, that the composition of the Special Board shall be as follows:

- | | | |
|----------------------------|-------------------|---|
| George Hoehmann, Chairman | Daniel Kraushaar | Wayne Ballard |
| Jose Simoes, Vice Chairman | Dennis Letson | Shirley Lasker |
| Shirley Thormann | Christopher Carey | |
| Rudolph Yacyshyn | Charles Maneri | |
| <u>Associates:</u> | | |
| Nancy Whillen | Rudy Damonti | William Withington |
| James Creighton | Catherine Nowicki | <u>Secretary to the Board:</u> Diane Papenmeyer |

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes

RESOLUTION NO. (598-2009) continued

Co. Hoehmann..... Yes
 Co. Borelli..... Yes
 Supervisor Gromack..... Yes

RESOLUTION NO. (599-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 335-2009

WHEREAS, by Resolution No. 335-2009, adopted by the Town Board on June 16, 2009, the Town Board authorized the Supervisor to execute an agreement with Tilcon New York, Inc. concerning billing for fire hydrant charges, and

WHEREAS, the tax map designation describing the property was incorrectly stated;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 335-2009 is hereby amended to correct the tax map designation to Map 59.10-1-65.

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Maloney Yes
 Co. Hoehmann..... Yes
 Co. Borelli..... Yes
 Supervisor Gromack Yes

RESOLUTION NO. (600-2009)

Co. Lasker offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING CHANGE ORDER #2, NEW CITY COMMUTER PARKING LOT, BID #11-2008, NYS ROUTE 304, NEW CITY, NEW YORK

WHEREAS, the Town of Clarkstown is currently constructing a commuter parking lot located on NYS Route 304, New City, New York, and

WHEREAS, the following changes were required,

1. Installation of a permanent pipe culvert required by NYSDOT - \$22,784.00
2. Replacement of pavement at bus lane exit per NYSDOT - \$11,709.00
3. Extension of pipe culvert at north entrance per NYSDOT - \$8,248.27
4. Replace additional shoulder pavement in Rt. 304 per NYSDOT - \$8,761.87
5. Raise manhole at detention basin - \$1,672.62

WHEREAS, the General Contractor has submitted the proposal for the above referenced work, and

WHEREAS, the Town's Consultant for the project, H2M Engineers, has reviewed the proposal for the additional work and finds it acceptable, and

WHEREAS, the cost of the additional work is \$53,175.76;

NOW, THEREFORE, BE IT

RESOLVED, that Change Order #2, for Bid #11-2008 is approved for the additional cost of \$53,175.76, and be it FURTHER RESOLVED, that the Supervisor is hereby authorized to enter into an amended agreement with the New York State Department of Transportation ("NYSDOT") to reflect the cost of the Change Order, and be it FURTHER RESOLVED, that said cost shall constitute a proper charge to Account No. H8757-409-0-81-27, and shall be reimbursed by the NYSDOT as per the agreement.

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Maloney Yes
 Co. Hoehmann..... Yes
 Co. Borelli..... Yes
 Supervisor Gromack Yes

RESOLUTION NO. (601-2009)

Co. Lasker offered and Co. Borelli seconded

RESOLVED, that the resignation of John J. Cain, Code Enforcement Officer II (part time) – Building Department – is hereby accepted effective and retroactive to August 31, 2009.

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Maloney Yes
 Co. Hoehmann..... Yes
 Co. Borelli..... Yes
 Supervisor Gromack Yes

RESOLUTION NO. (602-2009)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown has received \$229,606.61 from the State of New York, \$99,550 from the County of Rockland and \$2,000 from NYS Division of Veterans Affairs,
NOW THEREFORE BE IT,

RESOLVED, to increase Revenue Account H-15-10-3989-0 (Capital-Community Projects) and Expense Account H-8757-409-0-81-27 (Capital Projects-Commuter Lot @ 304) by \$229,606.61 and be it FURTHER RESOLVED, to increase Revenue Account H-15-9-2770-0 (Capital-Misc.) and Expense Account

RESOLUTION NO. (602-2009) continued

H-5111-409-0-4-16 (Capital Projects-New City Revitalization) by \$99,550 and be it FURTHER RESOLVED, to increase A-10-10-3989-0 (General-Community Projects) and Expense Account A-8990-319-0 (Patriotic Observances-Misc Supplies) by \$2,000.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (603-2009)

Co. Lasker offered and Co. Maloney seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH MICHAEL GUTTENBERG, DO., TO PROVIDE SERVICES AS AN EMERGENCY HEALTH CARE PROVIDER TO THE CLARKSTOWN POLICE DEPARTMENT

WHEREAS, Chief of Police Peter T. Noonan has recommended renewing an agreement with an Emergency Health Care Provider pursuant to the Public Health Law Section 3000(B) to provide services to the Clarkstown Police Department for the calendar year 2010, at the same terms and conditions as the prior agreement; and

WHWHEREAS, Michael Guttenberg, DO has been appointed interim Acting Director of the Emergency Services Department of Good Samaritan Hospital, replacing Michael S. Lippe, M.D.;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to enter into an agreement with Michael Guttenberg, DO., as referred to herein, for the period January 1, 2010 to December 31, 2010, upon the same terms and conditions as the prior agreement, which services are provided without charge to the Town as per Section 3000(B) of the Public Health Law.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (604-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Superintendent of Highways and the Deputy Town Attorney – Purchasing that

BID #8-2010 – COMBINATION GRANULAR & LIQUID ANTI-ICING UNIT
is hereby awarded to: REED SYSTEMS, P.O. BOX 209, ELLENVILLE, NY 12428

PRINCIPALS: JAMES REED, JOAN REED

as per their low bid proposal of \$22,835.00 and be it

FURTHER RESOLVED, that said award shall constitute a proper charge to account number H-8760-400-409-84-10

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (605-2009)

Co. Hoehmann offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED DECEMBER 15, 2009, AUTHORIZING THE PREPARATION OF PRELIMINARY PLANS AND SPECIFICATIONS IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF IMPROVEMENTS TO THE CONGERS-VALLEY COTTAGE AMBULANCE BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$40,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$40,000 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 prepare preliminary plans and specifications in connection with the proposed construction of improvements to Congers-Valley Cottage Ambulance building. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$40,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$40,000 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 \$40,000 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:

RESOLUTION NO. (605-2009) continued

(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 Section 11.00 a. 62 of the Law, is five (5) 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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 not 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 without limitation of rate or amount. 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

On roll call the vote was as follows

Co. Lasker Yes

Co. Maloney Yes

Co. Hoehmann Yes

Co. Borelli Yes

Supervisor Gromack Yes

RESOLUTION NO. (606-2009)

Co. Hoehmann offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED DECEMBER 15, 2009, AUTHORIZING THE ACQUISITION OF COMPUTER HARDWARE AND SOFTWARE FOR NETWORK SERVER VIRTUALIZATION, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$95,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$95,000 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 computer hardware and software for network server virtualization. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$95,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$95,000 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 \$95,000 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 Section 11.00 a. 32 of the Law, is five (5) 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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.

RESOLUTION NO. (606-2009) continued

(c) The proposed maturity of the bonds authorized by this resolution will not 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 without limitation of rate or amount. 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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Maloney Yes
 Co. Hoehmann Yes
 Co. Borelli Yes
 Supervisor Gromack Yes

RESOLUTION NO. (607-2009)

Co. Hoehmann offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED DECEMBER 15, 2009, AUTHORIZING FUEL DISPENSING SYSTEM IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$305,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$305,000 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 fuel dispensing system improvements. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$305,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$305,000 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 \$305,000 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 Section 11.00 a. 32 of the Law, is five (5) 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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 not 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 without limitation of rate or amount. 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

RESOLUTION NO. (607-2009) continued

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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Maloney Yes
 Co. Hoehmann Yes
 Co. Borelli Yes
 Supervisor Gromack Yes

RESOLUTION NO. (608-2009)

Co. Hoehmann offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED DECEMBER 15, 2009, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS IN CONNECTION WITH THE NEW CITY DOWNTOWN REVITALIZATION, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$440,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$440,000 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 construction of improvements in connection with the New City Downtown Revitalization. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$440,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$440,000 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 \$440,000 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 Section 11.00 a. 35 of the Law, is five (5) 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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 not 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 without limitation of rate or amount. 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

RESOLUTION NO. (605-2009) continued

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 shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

On roll call the vote was as follows
 Co. Lasker Yes
 Co. Maloney Yes
 Co. Hoehmann Yes
 Co. Borelli Yes
 Supervisor Gromack Yes

RESOLUTION NO. (609-2009)

Co. Hoehmann offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED DECEMBER 15, 2009, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE TOWN HALL ELEVATORS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$22,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$22,000 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 Town Hall elevators. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$22,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$22,000 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 \$22,000 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 Section 11.00 a. 13 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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 without limitation of rate or amount. 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,

RESOLUTION NO. (609-2009) continued

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.

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.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann Yes
Co. Borelli Yes
Supervisor Gromack Yes

RESOLUTION NO. (610-2009)

Co. Hoehmann offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED DECEMBER 15, 2009, AUTHORIZING THE CONSTRUCTION OF VARIOUS DRAINAGE IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$305,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$305,000 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 various drainage improvements. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$305,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$305,000 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 \$305,000 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 Section 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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 without limitation of rate or amount. 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

RESOLUTION NO. (610-2009) continued

(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.

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.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann Yes
Co. Borelli Yes
Supervisor Gromack Yes

RESOLUTION NO. (611-2009)

Co. Hoehmann offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED DECEMBER 15, 2009, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS IN CONNECTION WITH THE EXPANSION OF THE POLICE DEPARTMENT IMPOUND LOT, STATING THE ESTIMATED MAXIMUM COST THEREOF, APPROPRIATING \$90,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$90,000 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 in connection with the expansion of the Police Department impound lot. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$130,000 and \$90,000 is hereby appropriated therefor, in addition to other amounts previously appropriated. The plan of financing includes the issuance of \$90,000 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 \$90,000 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 Section 11.00 a. 20 (f) 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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 without limitation of rate or amount. 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.

RESOLUTION NO. (611-2009) continued

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.

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.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann Yes
Co. Borelli Yes
Supervisor Gromack Yes

RESOLUTION NO. (612-2009)

Co. Hoehmann offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED DECEMBER 15, 2009, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS RECREATIONAL FACILITIES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$60,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$60,000 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 various recreational facilities. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$60,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$60,000 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 \$60,000 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 Section 11.00 a. 19 (c) 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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 without limitation of rate or amount. 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-

RESOLUTION NO. (612-2009) continued

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.

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.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (613-2009)

Co. Hoehmann offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED DECEMBER 15, 2009, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS ROADS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$215,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$215,000 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 various roads. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$215,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$215,000 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 \$215,000 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 Section 11.00 a. 20 (c) 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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 without limitation of rate or amount. 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

RESOLUTION NO. (613-2009) continued

Notice.

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.

On roll call the vote was as follows

- Co. Lasker Yes
- Co. Maloney Yes
- Co. Hoehmann Yes
- Co. Borelli Yes
- Supervisor Gromack Yes

RESOLUTION NO. (614-2009)

Co. Hoehmann offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED DECEMBER 15, 2009, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE SEWER DEPARTMENT WAREHOUSE BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF, APPROPRIATING \$40,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$40,000 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 Sewer Department warehouse building. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,900,000 and \$40,000 is hereby appropriated therefor, in addition to other amounts previously appropriated. The plan of financing includes the issuance of \$40,000 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 \$40,000 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 Section 11.00 a. 12 (a) (2) 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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 without limitation of rate or amount. 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.

RESOLUTION NO. (614-2009) continued

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.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (615-2009)

Co. Hoehmann offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED DECEMBER 15, 2009, AUTHORIZING THE CONSTRUCTION OF AN EMERGENCY COMMUNICATIONS TOWER, STATING THE ESTIMATED MAXIMUM COST THEREOF, APPROPRIATING \$105,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$105,000 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 an emergency communications tower. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$550,000 and \$105,000 is hereby appropriated therefor, in addition to other amounts previously appropriated. The plan of financing includes the issuance of \$105,000 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 \$105,000 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 Section 11.00 a. 25 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, or for such expenditures made on or before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. 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 without limitation of rate or amount. 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.

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

RESOLUTION NO. (615-2009) continued

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.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (616-2009)

Co. Hoehmann offered and Co. Maloney seconded

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

BID#10-2010 – SOLAR POWER RADAR SPEED SIGNS

Bids to be returnable to the office of the Authorized Purchasing Agent, 10 Maple Avenue, New city, New York
_____ 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 Clarkstown Authorized Purchasing Agent .

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (617-2009)

Co. Hoehmann offered and Co. Lasker seconded

RESOLUTION ACCEPTING IMPROVEMENTS TO THE NEW PORTION OF CENTEROCK ROAD, WEST NYACK

WHEREAS, pursuant to a So Ordered Stipulation of Settlement dated June 23, 2008 and a Letter of Agreement dated October 18, 2008, the Town and Pondview, LLC have completed construction of a road on property deeded to the Town of Clarkstown by Cambridge University Press, and

WHEREAS, the road, which is a 60 (sixty) foot Right of Way, connects the southern terminus of Medical Park Drive and the current western terminus of Centerock Road and is approximately 1,195± linear feet in length, and

WHEREAS, the Director of the Department of Environmental Control and the Superintendent of Highways have recommended accepting the improvements as the work has been completed to their mutual satisfaction, and

WHEREAS, the road will be named “Centerock Road” as the extension of the existing Town road “Centerock Road”, which is part of the Crosfield complex;

NOW, THEREFORE, be it

RESOLVED, that Centerock Road from Medical Park Drive to the existing portion of Centerock Road is hereby accepted and included in the Town’s inventory of roads, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Official Map of the Town to reflect this designation and the Superintendent of Highways is authorized to perform the appropriate sign posting along the road.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

RESOLUTION NO. (618-2009)

Co. Hoehmann offered and Co. Lasker seconded

RESOLVED, that at the recommendation of Robert S. Berdy, Insurance and Claims Manager, the Supervisor is hereby authorized to purchase through CLG Financial, insurance coverage including Commercial General and Automobile Liability, Excess Liability, Property, and Excess Workers Compensation, for a period of one year, commencing on January 1, 2010 and expiring December 31, 2010, and be it

FURTHER RESOLVED, that the cost of insurance policies shall not exceed \$1,075,000 and be it

FURTHER RESOLVED, that at the recommendation of Robert S. Berdy, Insurance and Claims Manager, the Supervisor is hereby authorized to enter into a claims-administration agreement with PMA Management Corporation, for a period of one year, commencing on January 1, 2010 and expiring December 31, 2010, and be it

FURTHER RESOLVED, that the cost of said agreement shall not exceed \$68,500.

On roll call the vote was as follows
Co. Lasker Yes
Co. Maloney Yes
Co. Hoehmann. Yes
Co. Borelli. Yes
Supervisor Gromack Yes

The Supervisor opened the meeting for general public comments.

Guy Gervasi- West Nyack

Submitted a letter (on file with Town Clerk), and said monthly budget reports should be put on website.

Amy Durbin- Congers

Asked how many work outside the building and why we need cell phones, and about a FOIL.

Supervisor Gromack

Stated the town was able to save money using cell phones instead of car radios.

Joe Angelo- New City

Spoke about the county legislature looking to pull out of the MTA.

Supervisor Gromack

Stated he filed a bill when he was a NYS Assemblyman to have Rockland County pull out of the MTA in 1993. It passed the assembly, but not the senate. He agreed that the county legislature needs to make this request to the state.

Barry Goldberg- Goshen

Read a letter regarding property on Massachusetts Avenue in Congers, (on file with Town Clerk).

Kevin Hobbes- New City

Stated yearly and quarterly budget reports should be put on the website.

On motion of Co. Hoehmann, seconded by Co. Maloney, and unanimously adopted, Town Board Meeting was closed 8:56 p.m.

Respectfully submitted,

David Carlucci
Town Clerk

