

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

2/10/09

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.

\*\*\*\*\*

SPECIAL PRESENTATION: Pride of Clarkstown Ceremony

Shirley Washington of the Pride of Clarkstown Committee stated the Pride of Clarkstown program is based on Co. Mandia’s vision, along with the Town Board, to recognize the hard work and efforts of commercial property owners who maintain and enhance their property. Ms. Washington introduced a video presentation featuring former Co. Mandia, who could not be present tonight, but is here today with us in spirit and energy. Special recognition was given to Tom Silver, a student volunteer from Clarkstown North High School, who put together the photos and video presentation, and a Newark-based, non-profit organization that aids at risk youth called The Glass Roots, who designed and created the plaques. Shirley Washington and Supervisor Gromack presented the awards to the following recipients:

Civic Pride Category: Nanuet Veterans’ Memorial in Nanuet, received by Bob Jackson

Community Projects Category: (tied) Majestic Landscaping, Adopt-A-Spot in New City, received by Joe Holland and Steve Botto Landscaping, Adopt-A-Spot in New City, received by Steve Botto

Food/Hospitality Category: Chili’s Grill and Bar in Nanuet received by Tony Vilardi

Industrial Category: Access Self Storage of Congers, received by Terry Ricciardi

Non-Profit Organization Category: United Hospice of Rockland in New City, received by Amy Stern

Professional Office Category: Palisades Professional Center in West Nyack, received by Dan Kwilecki

Service Business Category: West Nyack Car Wash in West Nyack received by Peter Wortendyke

Shopping Center/Retail Category: The Starbucks Retail Building in New City received by Scott Milich

Small Business Category: Corner Cafe of Nanuet received by David Scoccimarro

\*\*\*\*\*

Public Hearing #1 re: Continuation: Proposed Local Law entitled: “A Local Law amending Chapter 250 (Streets and Sidewalks) of the Code of the Town of Clarkstown. On motion of Co. Maloney, seconded by Co. Borelli, hearing opened 8:26 P.M. On motion of Co. Maloney, seconded by Co. Borelli, and unanimously adopted, the public hearing was closed 8:29 P.M. RESOLUTION NO. (85-2009)

\*\*\*\*\*

Public Hearing #2 re: Proposed Local Law entitled: “A Local Law amending Chapter 290 (Zoning – Contractor Storage Yard) of the Code of the Town of Clarkstown. On motion of Co. Lasker, seconded by Co. Borelli, hearing opened 8:29 P.M. On motion of Co. Borelli, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:33 P.M. RESOLUTION NO. (86-2009)

\*\*\*\*\*

Public Hearing #3 re: Proposed Local Law entitled: “A Local Law amending Chapter 146 (Flood Damage Prevention) of the Code of the Town of Clarkstown. On motion of Co. Maloney, seconded by Co. Hoehmann, hearing opened 8:33 P.M. On motion of Co. Maloney, seconded by Co. Hoehmann, and unanimously adopted, the public hearing was closed 8:39 P.M. RESOLUTION NO. (87-2009)

\*\*\*\*\*

Supervisor opened the meeting to public comments regarding agenda items.

Steven Levine- Congers

Regarding agenda item #4 (res. no. 93-2009), asked if any criminal background checks are done or if the businesses are checked with the Rockland County Home Improvement Contracting License Bureau to make sure they are in good standing prior to the certificates being issued?

Amy Mele- Town Attorney

Regarding agenda item #4 (res. no. 93-2009), stated she would confer with the attorney who handles the Certificate of Registrations regarding background checks and the answer to the second question is yes.

Steven Levine- Congers

Regarding agenda item #10 (res. no. 100-2009), asked what parcel this pertains to and who has been paying the taxes on it?

Amy Mele- Town Attorney

Regarding agenda item #10 (res. no. 100-2009), stated this is not actually a parcel, but a piece of pavement at the end of a dead end road, Van Nostrand Avenue in Nanuet. The town has been maintaining this small piece of pavement, which is actually a tax parcel that has gone up for sale at the county level several times, with no takers,

and the county pays the town the taxes. The town would like to take the pavement off the tax roll and add it into our Superintendent of Highways' inventory of roads, because the driveways of some individuals go out onto this portion of the pavement, which we do maintain, and we were concerned that a potential developer could hold these residents hostage and prevent their ingress and egress off of this road. No one has been paying the taxes on the parcel for years, as the owner of the property had defaulted.

Steven Levine- Congers

Regarding agenda item #11c (res. no. 103-2009), asked if the town is considering buying environmentally sound pool chemicals?

Joanne Pedersen- Superintendent of Recreation and Parks

Regarding agenda item #11c (res. no. 103-2009), stated the pools require certain chemicals to be used.

Sean Gerlis- West Nyack

Regarding agenda item #11a (res. no. 101-2009), asked for locations of cameras and costs.

Supervisor Gromack

Regarding agenda item #11a (res. no. 101-2009), stated the cameras would be located at various locations around the Highway building at 12 Seeger Dr. at a cost of about \$22,000.

Co. Lasker

Regarding agenda item #11a (res. no. 101-2009), stated this is a good investment, if it saves vehicles and equipment.

Steven Levine- Congers

Regarding agenda item #11a (res. no. 101-2009), asked how many bids were received?

Rob Berdy- Purchasing Director

Regarding agenda item #11a (res. no. 101-2009), stated out of 8 or 9 bids, this was the lowest.

\*\*\*\*\*

RESOLUTION NO. (85-2009)

Co. Maloney offered and Co. Borelli seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 1 – 2009

WHEREAS, a proposed local law entitled,

“A LOCAL LAW TO AMEND CHAPTER 250 (STREETS AND SIDEWALKS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

was introduced by Councilman John Maloney, at a Town Board meeting held on December 16, 2008, and WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on December 16, 2008 directed that a public hearing be held on January 20, 2009, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law and, at the conclusion of said public hearing, the Town Board continued said public hearing on February 10, 2009, and

WHEREAS, notices of said hearings were duly prepared and published in the Journal News on January 9, 2009, and January 23, 2009, and,

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on January 28, 2009;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 1 – 2009 entitled:

“A LOCAL LAW TO AMEND CHAPTER 250 (STREETS AND SIDEWALKS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN”

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

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

\*\*\*\*\*

RESOLUTION NO. (86-2009)

Co. Borelli offered and Co. Lasker seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 2 – 2009

WHEREAS, a proposed local law entitled,

“A LOCAL LAW AMENDING CHAPTER 290 OF THE ZONING LOCAL LAW OF THE TOWN OF CLARKSTOWN”

was introduced by Councilman Frank Borelli, at a Town Board meeting held on September 23, 2008, which law would amend Chapter 290-3 and 290-11A to include Contractor Storage Yards as an allowable use in the M Zone, subject to certain conditions, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on September 23, 2008, directed that a public hearing be held on November 25, 2008, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

RESOLUTION NO. (86-2009) continued

WHEREAS, the public hearing was held by the Town Board of the Town of Clarkstown on November 25, 2008, and continued on December 16, 2008 and February 10, 2009, and

WHEREAS, notices of said hearings were duly prepared and published in the Journal News on November 10, 2008, December 5, 2008 and January 23, 2009, respectively, and

WHEREAS, by Resolution dated September 23, 2008, the Town Board referred the proposed local law to the Town of Clarkstown Planning Board pursuant to Chapter 290-33 and to the Rockland County Planning Department pursuant to GML Section 239 1 and m, and

WHEREAS, the Rockland County Planning Department recommended approval by letter dated November 4, 2008, subject to the following modifications:

- (1) A review shall be completed by adjacent municipalities that are within 500 feet of the M Zoning District, and any comments addressed.
- (2) The amendment to Table 15, Column 2-D, should also include a review by the Rockland County Health Department and the Office of Fire and Emergency Services for storage of any combustible and hazardous materials on site.

WHEREAS, the Town of Clarkstown Planning Board, by memo dated November 24, 2008, recommended approval of the proposed local law,

and recommended that the Town Board consider including certain additional requirements, and

WHEREAS, the Town Planner, Chairwoman of the Planning Board, Building Inspector, Town Attorney and Deputy Town Attorney met several times to discuss the Planning Board's recommendations, and the Local Law was subsequently revised to address many of the Planning Board's concerns, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on January 28, 2009, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the Long Form EAF and accompanying narrative dated November 20, 2008, (a copy of which is attached to this resolution) prepared by Robert Geneslaw, Planning Consultant, pursuant to SEQRA, and which the Board has discussed and considered in making its decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the Long Form EAF submitted by the Petitioner and accompanying narrative dated November 20, 2008, prepared by Robert Geneslaw, acting as staff to the Town Board as lead agency, it is hereby determined that the proposed action is a

Type I action under SEQRA, however, for the reasons set forth in Robert Geneslaw's memo the Town Board concludes that the inclusion of Contractor Storage Yards in the M Zone shall not have any significant impact on the environment and hereby directs that the attached Negative Declaration be filed and distributed in accordance with the State Environmental Quality Review Act (SEQRA), and be it

FURTHER RESOLVED, that the Town Board believes that the Rockland County Planning Department's comments should be addressed in connection with an application for site plan approval when the specifics regarding the occupants and storage of combustible materials will be available, and be it

FURTHER REVOLSED, that the Planning board is hereby directed to refer any site plan in which the applicant seeks storage of combustible and hazardous materials to the Rockland County Department of Health and Office of Fire and Emergency Services for review, and be it

FURTHER RESOLVED, that Local Law No. 2 - 2009 entitled:

"A LOCAL LAW AMENDING CHAPTER 290 OF THE ZONING LOCAL LAW OF THE TOWN OF CLARKSTOWN"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

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

\*\*\*\*\*

RESOLUTION NO. (87-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION OF THE TOWN BOARD ADOPTING LOCAL LAW NO. 3 - 2009

WHEREAS, a proposed local law entitled, "A LOCAL LAW AMENDING CHAPTER 146 (FLOOD DAMAGE PREVENTION) OF THE CODE OF THE TOWN OF CLARKSTOWN" was introduced by Councilwoman Shirley Lasker, at a Town Board meeting held on January 20, 2009, and

WHEREAS, the purpose of this law is to include in Chapter 146-6A of the Clarkstown Town Code the latest map revisions as a basis for establishing areas of special flood hazard, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on January 20, 2009, directed that a public hearing be held on February 10, 2009, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on January 26, 2009, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on January 21, 2009, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on February 10, 2009, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the Environmental Assessment report prepared pursuant to SEQRA, by its consultant Dennis Letson, Deputy Director of Environmental Control, which the Board has discussed and considered in making its decision herein;

RESOLUTION NO. (87-2009) continued

NOW, THEREFORE, be it

RESOLVED, that based upon the January 16, 2009 report of Dennis Letson, acting as staff to the Town Board as lead agency, it is hereby determined that the proposed action is a Type II action under SEQRA and this Local Law shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required;;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 3 – 2009 entitled:

“A LOCAL LAW AMENDING CHAPTER 146 (FLOOD DAMAGE PREVENTION) OF THE CODE OF THE TOWN OF CLARKSTOWN”

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

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

\*\*\*\*\*

RESOLUTION NO. (88-2009)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of January 20, 2009 is hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows

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

\*\*\*\*\*

RESOLUTION NO. (89-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLVED, that the resignation of Columbus Bowden, (part-time) Municipal Bus Driver – Clarkstown Mini Trans Department – is hereby accepted – effective and retroactive to January 15, 2009 –at the close of the business day.

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. (90-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLVED, that the employment of Victor Schiero– Assistant Maintenance Mechanic – Maintenance Department – is hereby terminated – effective and retroactive to February 3, 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. (91-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLVED, that Joanne M. Geary is hereby appointed to the position of (temporary) Assistant Court Clerk – Town Justice Department – (not to exceed 17 hours per week) at the 2009 hourly rate of \$35.00 – effective February 12, 2009 – for a period not to exceed two (2) months.

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. (92-2009)

Co. Maloney offered and Co. Hoehmann seconded

REFUNDING BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED FEBRUARY 10, 2009, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING BONDS OF SAID TOWN, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$12,000,000 FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$12,000,000 REFUNDING BONDS TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS RELATIVE THERETO

Recitals

WHEREAS, the Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), has heretofore issued on October 27, 1994 its \$3,840,000 Various Purposes Serial Bonds-1994 (the "1994 Bonds"), which are currently outstanding in the principal amount of \$175,000 (the "Outstanding 1994 Bonds"), and which were originally issued pursuant to the resolutions referenced in Exhibit A-1 to fund the purposes set forth therein; and

WHEREAS, the Outstanding 1994 Bonds mature on October 15, 2009 in the principal amount of \$175,000 and bear interest at a rate of 5.75% payable semiannually on April 15, 2009 and October 15, 2009.

WHEREAS, the 1994 Bonds maturing on October 15, 2009 is subject to redemption prior to maturity, at the option of the Town, prior to maturity, in whole or in part (if less than a maturity, in integral multiples of 5,000 using such manner of selection as may be determined by the Town if there is more than \$5,000 principal amount outstanding with respect to each maturity) in inverse order of maturity or in equal proportionate amounts, on any interest payment date on or after April 15, 2009 at the redemption price of par plus accrued interest to the redemption date.

WHEREAS, the Town has heretofore issued on May 1, 1996 its \$6,265,000 Various Purposes Serial Bonds-1996 (the "1996 Bonds"), which are currently outstanding in the principal amount of \$675,000 (the "Outstanding 1996 Bonds"), and which were originally issued pursuant to the resolutions referenced in Exhibit A-2 to fund the purpose set forth therein; and

WHEREAS, the Outstanding 1996 Bonds mature on May 1 in the years and in the principal amounts and bear interest payable semiannually on May 1 and November 1 in each year to maturity, as follows

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2009	\$225,000	5.00%
2010	225,000	5.00
2011	225,000	5.00

WHEREAS, the 1996 Bonds maturing on May 1, 2009 and thereafter, are subject to redemption, at the option of the Town, prior to maturity, in whole or in part, on May 1, 2009, in inverse order of maturity or in equal proportionate amounts, on any interest payment date on or after May 1, 2009, at par plus accrued interest to the date of redemption.

WHEREAS, the Town has heretofore issued on April 8, 1998 its \$4,950,000 Various Purposes Serial Bonds-1998 (the "1998 Bonds"), which are currently outstanding in the principal amount of \$1,675,000 (the "Outstanding 1998 Bonds"), and which were originally issued pursuant to the resolutions referenced in Exhibit A-3 to fund the purposes set forth therein; and

WHEREAS, the Outstanding 1998 Bonds mature on December 1 in the years and in the principal amounts and bear interest payable semiannually on June 1 and December 1 in each year to maturity, as follows

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2009	\$375,000	4.50%
2010	375,000	4.50
2011	350,000	4.50
2012	350,000	4.50
2013	225,000	4.50

WHEREAS, the 1998 Bonds maturing on or after December 1, 2009 are subject to redemption prior to maturity, at the option of the Town, on June 1, 2009 and thereafter on any interest payment date, in whole or in part, at the following redemption prices, plus accrued interest to the date of redemption:

<u>Redemption Dates (all dates inclusive)</u>	<u>Redemption Price as a Percentage of Par Amount</u>
December 1, 2008 and June 1, 2009	102%
December 1, 2009 and June 1, 2010	101
December 1, 2010 and thereafter	100

WHEREAS, the Town has heretofore issued on August 19, 1999 its \$4,140,000 Various Purposes Serial Bonds-1999 (the "1999 Bonds"), a portion of which were partially defeased by the Town (the bonds originally issued to finance the acquisition of land adjacent to the Town golf course have been defeased (see Exhibit A-4)) and such 1999 Bonds are currently outstanding in the principal amount of \$1,343,000 (the "Outstanding 1999 Bonds"), and which were originally issued pursuant to the resolutions referenced in Exhibit A-4 to fund the purposes set forth therein; and

WHEREAS, Outstanding 1999 Bonds mature on October 15 in the years and in the principal amounts and bear interest payable semiannually on April 15 and October in each year to maturity, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2009	\$305,000	4.90%
2010	232,600	5.00
2011	232,600	5.00
2012	232,600	5.00
2013	232,600	5-1/8
2014	107,600	5-1/8

RESOLUTION NO. (92-2009) continued

WHEREAS, the 1999 Bonds maturing on or after October 15, 2010 are subject to redemption prior to maturity, at the option of the Town, on October 15, 2009 and thereafter on any date, in whole or in part, and if in part, in any order of their maturity and in any amount within a maturity (selected by a lot within a maturity), at the following redemption prices, plus accrued interest to the date of redemption:

<u>Redemption Dates</u> <u>(all dates inclusive)</u>	<u>Redemption Price as a</u> <u>Percentage of Par Amount</u>
October 15, 2009 through October 14, 2010	101%
October 15, 2010 through October 14, 2011	100 ½
October 15, 2011 and thereafter	100

WHEREAS, the Town has heretofore issued on December 12, 2000 its \$3,530,000 Various Purposes Serial Bonds-2009 (the "2000 Bonds"), which are currently outstanding in the principal amount of \$1,475,000 (the "Outstanding 2000 Bonds"), and which were originally issued pursuant to the resolutions referenced in Exhibit A-5 to fund the purposes set forth therein; and

WHEREAS, Outstanding 2000 Bonds mature on December 1 in the years and in the principal amounts and bear interest payable semiannually on June 1 and December 1 in each year to maturity, as follows

<u>Year of</u> <u>Maturity</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>
2009	\$225,000	4.90%
2010	225,000	4.90
2011	225,000	4.90
2012	200,000	5.00
2013	200,000	5.00
2014	200,000	5.00
2015	200,000	5.00

WHEREAS, the 2000 Bonds maturing on or after December 1, 2011 are subject to redemption prior to maturity, at the option of the Town, on December 1, 2010 and thereafter on any date, in whole or in part, and if in part, in any order of their maturity and in any amount within a maturity (selected by a lot within a maturity), at the following redemption prices, plus accrued interest to the date of redemption:

<u>Redemption Dates</u> <u>(all dates inclusive)</u>	<u>Redemption Price as a</u> <u>Percentage of Par Amount</u>
December 1, 2010 through November 30, 2011	101%
December 1, 2011 through November 30, 2012	100 ½
December 1, 2012 and thereafter	100

WHEREAS, the Town has heretofore issued on August 23, 2001, its \$9,145,000 Various Purposes Serial Bonds-2001 (the "2001 Bonds"), which are currently outstanding in the principal amount of \$4,550,000 (the "Outstanding 2001 Bonds"), and which were originally issued pursuant to the resolutions referenced in Exhibit A-6 to fund the purposes set forth therein; and

WHEREAS, Outstanding 2001 Bonds mature on December 15 in the years and in the principal amounts and bear interest payable semiannually on June 15 and December 15 in each year to maturity, as follows:

<u>Year of</u> <u>Maturity</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>
2009	\$750,000	4.00%
2010	625,000	4.00
2011	625,000	4.00
2012	650,000	4-1/8
2013	700,000	4.25
2014	700,000	4.25
2015	500,000	4-3/8

WHEREAS, the 2001 Bonds maturing on or after December 15, 2011 are subject to redemption prior to maturity, at the option of the Town, on December 15, 2010 and thereafter on any date, in whole or in part, and if in part, in any order of their maturity and in any amount within a maturity (selected by a lot within a maturity), at the following redemption prices, plus accrued interest to the date of redemption:

<u>Redemption Dates</u> <u>(all dates inclusive)</u>	<u>Redemption Price as a</u> <u>Percentage of Par Amount</u>
December 15, 2010 through December 14, 2011	101%
December 15, 2011 through December 14, 2012	100 ½
December 15, 2012 and thereafter	100

WHEREAS, Section 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), permits the Town to refund all or a portion of the Outstanding 1994 Bonds, the Outstanding 1996 Bonds, the Outstanding 1998 Bonds, the Outstanding 1999 Bonds, the Outstanding 2000 Bonds and the Outstanding 2001 Bonds (referred to herein collectively as the "Outstanding Bonds") by the issuance of new bonds, the issuance of which will result in an aggregate present value debt service savings for the Town; and

WHEREAS, in order effectuate the refunding, it is now necessary to adopt a refunding bond resolution;

NOW THEREFORE, it is hereby

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, NEW YORK (by the favorable vote of at least two-thirds of all the members of said Town Board), AS FOLLOWS:

Section 1. In this resolution, the following definitions apply, unless a different meaning clearly appears from the context:

- (a) "Bond To Be Refunded" or "Bonds To Be Refunded" means all or a portion of the Outstanding Bonds, as shall be determined in accordance with Section 8 hereof.
- (b) "Escrow Contract" means the contract to be entered into by and between the Town and the Escrow Holder pursuant to Section 10 hereof.
- (c) "Escrow Holder" means the bank or trust company designated as such pursuant to Section 10 hereof.

## RESOLUTION NO. (92-2009) continued

(d) "Present Value Savings" means the dollar savings which result from the issuance of the Refunding Bonds computed by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds at a rate equal to the effective interest cost of the Refunding Bonds. The effective interest cost of the Refunding Bonds shall be that rate which is arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the Refunding Bonds from the maturity dates thereof to the date of issue of the Refunding Bonds and to the agreed upon price including estimated accrued interest.

(e) "Redemption Date" means April 15, 2009 or any interest payment date thereafter, with respect to the 1994 Bonds; May 1, 2009 or any interest payment date thereafter, with respect to the 1996 Bonds; June 1, 2009 or any interest payment date thereafter, with respect to the 1998 Bonds; October 15, 2009 or any date thereafter, with respect to the 1999 Bonds; December 1, 2010 or any date thereafter, with respect to the 2000 Bonds; and December 15, 2010 or any date thereafter with respect to the 2001 Bonds.

(f) "Refunding Bond" or "Refunding Bonds" means all or a portion of the \$12,000,000 Refunding Serial Bonds-2009 of the Town of Clarkstown, authorized to be issued pursuant to Section 2 hereof.

(g) "Refunding Bond Amount Limitation" means an amount of Refunding Bonds which does not exceed the principal amount of Bonds To Be Refunded plus the aggregate amount of unmatured interest payable on such Bonds To Be Refunded, to and including the applicable Redemption Date, plus redemption premiums payable on such Bonds To Be Refunded as of such Redemption Date, as hereinabove referred to in the Recitals hereof, plus costs and expenses incidental to the issuance of the Refunding Bonds including the development of the refunding financial plan, and of executing and performing the terms and conditions of the Escrow Contract and all fees and charges of the Escrow Holder as referred to in Section 10 hereof.

Section 2. The Town Board of the Town (herein called the "Town Board"), hereby authorizes the refunding of the Bonds To Be Refunded, and appropriates an amount not to exceed \$12,000,000 to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed \$12,000,000 Refunding Bonds and the levy and collection of a tax upon all the taxable real property within the Town to pay the principal of and interest on said Refunding Bonds as the same shall become due and payable. Bonds of the Town in the maximum principal amount of \$12,000,000 and designated "Refunding Serial Bonds-2009" (or a substantially similar designation), are hereby authorized to be issued pursuant to the provisions of the Law. The proposed financial plan in the form attached hereto as **Exhibit B** (the "refunding financial plan") prepared for the Town by its financial advisor, New York Municipal Advisors Corporation, Syosset, New York, and hereby accepted and approved, includes the deposit of all the proceeds of said Refunding Bonds with an Escrow Holder pursuant to an Escrow Contract as authorized in Section 10 hereof, the payment of all costs incurred by the Town in connection with said refunding from such proceeds and the investment of a portion of such proceeds by the Escrow Holder in certain obligations. The principal of and interest on such investments, together with the balance of such proceeds to be held uninvested, if any, shall be sufficient to pay (i) the principal of and interest on the Bonds To Be Refunded becoming due and payable on and prior to each applicable Redemption Date and (ii) the principal of and premium on the Bonds To Be Refunded which are to be called for redemption prior to maturity on any such Redemption Date.

Section 3. The Bonds To Be Refunded referred to in Section 1 hereof are all or a portion of the Outstanding Bonds issued pursuant to various bond resolutions duly adopted on their respective dates, authorizing the issuance of bonds of the Town for various purposes. In accordance with the refunding financial plan, the Refunding Bonds authorized in the aggregate principal amount of not to exceed \$12,000,000 shall mature in amounts and at dates to be determined. The Supervisor, the chief fiscal officer of the Town, is hereby authorized to approve all details of the refunding financial plan not contained herein.

Section 4. The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation. The Refunding Bonds shall mature not later than the maximum period of probable usefulness ("PPU") permitted by law at the time of original issuance of the Bonds to be Refunded, as set forth in **Exhibits A-1 through A-6** annexed hereto and hereby made a part hereof, for the objects or purposes financed with the proceeds of the Bonds to be Refunded, commencing at the date of issuance of the first bond or bond anticipation note issued in anticipation of the sale of such bonds.

Section 5. The aggregate amount of estimated Present Value Savings is set forth in the proposed refunding financial plan attached hereto as **Exhibit B**, computed in accordance with subdivision two of paragraph b of Section 90.10 of the Law. Said refunding financial plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount, and will mature, be of such terms and bear such interest as set forth therein. The Town Board recognizes that the principal amount of the Refunding Bonds, the maturities, terms and interest rates, the provisions, if any, for the redemption thereof prior to maturity, and whether or not any or all of the Refunding Bonds will be insured, and the resulting present value savings, may vary from such assumptions and that the refunding financial plan may vary from that attached hereto as **Exhibit B**.

Section 6. The Refunding Bonds shall be sold at private sale and the Supervisor, the chief fiscal officer of the Town, is hereby authorized to execute a purchase contract on behalf of the Town for the sale of said Refunding Bonds, provided that the terms and conditions of such sale shall be approved by the State Comptroller, and further providing that prior to the issuance of the Refunding Bonds the Supervisor shall have filed with the Town Board a certificate approved by the State Comptroller setting forth the Present Value Savings to the Town resulting from the issuance of the Refunding Bonds. In connection with such sale, the Town authorizes the preparation of an Official Statement and approves its use in connection with such sale, and further consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is distributed. The Supervisor is hereby further authorized and directed to take any and all actions necessary to accomplish said refunding, and to execute any contracts and agreements for the purchase of and payment for services rendered or to be rendered to the Town in connection with said refunding, including the preparation of the refunding financial plan referred to in Section 2 hereof.

Section 7. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Law and said Refunding Bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation as to 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 Refunding Bonds and provision shall be made annually in the budget of the Town for (a) the amortization and redemption of the Refunding Bonds to mature in such year and (b) the payment of interest to be

## RESOLUTION NO. (92-2009) continued

due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Section 21.00 of the Law with respect to the issuance of bonds having substantially level or declining annual debt service, and Sections 50.00, 56.00 to 60.00, 90.10 and 168.00 of the Law, the powers and duties of the Town Board relative to determining the amount of Bonds To Be Refunded, prescribing the terms, form and contents and as to the sale and issuance of the Refunding Bonds, and executing any arbitrage certification relative thereto, and as to executing the Escrow Contract described in Section 10, the Official Statement referred to in Section 6 and any contracts for credit enhancements in connection with the issuance of the Refunding Bonds and any other certificates and agreements, and as to making elections to call in and redeem all or a portion of the Bonds to be Refunded, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 9. The validity of the Refunding Bonds authorized by this resolution 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 10. Prior to the issuance of the Refunding Bonds, the Town shall contract with a bank or trust company located and authorized to do business in New York State, for the purpose of having such bank or trust company act as the Escrow Holder of the proceeds, inclusive of any premium from the sale of the Refunding Bonds, together with all income derived from the investment of such proceeds. Such Escrow Contract shall contain such terms and conditions as shall be necessary in order to accomplish the refunding financial plan, including provisions authorizing the Escrow Holder, without further authorization or direction from the Town, except as otherwise provided therein,

- (a) to make all required payments of principal, interest and redemption premiums to the appropriate paying agent with respect to the Bonds To Be Refunded, (b) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the refunding financial plan, and costs and expenses relating to the execution and performance of the terms and conditions of the Escrow Contract and all of its fees and charges as the Escrow Holder, (c) at the appropriate time or times to cause to be given on behalf of the Town the notice of redemption authorized to be given pursuant to Section 13 hereof, and (d) to invest the monies held by it consistent with the provisions of the refunding financial plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the holders of the Refunding Bonds.

Section 11. The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt shall be placed in escrow by the Town with the Escrow Holder in accordance with the Escrow Contract. All moneys held by the Escrow Holder shall be invested only in direct obligations of the United States of America or in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates when such moneys will be required to make payments in accordance with the refunding financial plan. Any such moneys remaining in the custody of the Escrow Holder after the full execution of the Escrow Contract shall be returned to the Town and shall be applied by the Town only to the payment of the principal of or interest on the Refunding Bonds then outstanding.

Section 12. That portion of such proceeds from the sale of the Refunding Bonds, together with interest earned thereon, which shall be required for the payment of the principal of and interest on the Bonds To Be Refunded, including any redemption premiums, in accordance with the refunding financial plan, shall be irrevocably committed and pledged to such purpose and the holders of the Bonds To Be Refunded shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. All interest earned from the investment of such moneys which is not required for such payment of principal of and interest on the Bonds To Be Refunded shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunding Bonds, or such portion or series thereof as shall be required by the refunding financial plan, and the holders of such Refunding Bonds shall have a lien upon such moneys held by the Escrow Holder. The pledges and liens provided for herein shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such pledges and liens shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the Town irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledges and liens, need be filed or recorded.

Section 13. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Law, the Town Board hereby elects to call in and redeem all or a portion of the Bonds To Be Refunded which are subject to prior redemption according to their terms on the Redemption Date, as shall be determined by the Supervisor in accordance with Section 8 hereof. The sum to be paid therefor on the applicable Redemption Date shall be the par value thereof, the accrued interest to such Redemption Date and the redemption premiums, if any. The Escrow Holder is hereby authorized and directed to cause a notice of such call for redemption to be given in the name of the Town by mailing such notice at least thirty days prior to such Redemption Date, and in accordance with the terms appearing in the Bonds to be Refunded, to the registered holders of the Bonds To Be Refunded which are to be called in and redeemed. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Bonds To Be Refunded which are to be called in and redeemed in accordance herewith and the direction to the Escrow Holder to cause notice thereof to be given as provided in this Section shall become irrevocable and the provisions of this Section shall constitute a covenant with the holders, from time to time, of the Refunding Bonds, provided that this Section may be amended from time to time as may be necessary to comply with the publication requirements of paragraph a of Section 53.00 of the Law, as the same may be amended from time to time.

Section 14. 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 "The Journal News," a newspaper having general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

## RESOLUTION NO. (92-2009) continued

**Exhibit A-1**  
Various Purposes Serial Bonds-1994

<u>Date Authorized</u>	<u>Purpose</u>	<u>PPU</u>	<u>Amount to Bonds</u>	<u>Amount Outstanding</u>
7/26/1994	Reconstruction of the swimming pool at Congers Lake Park	15	\$60,000	\$4,400
Adopted 8/12/1995 and Amended 2/24/1987, 3/13/1990 and 7/26/1994	Improvements of recreational facility at Congers Lake Park	15	2,958,000	55,700
7/26/1994	Acquisition and installation of traffic signals on Route 59	20	75,000	5,600
7/26/1994	Construction of various drainage improvements	40	238,545	17,600
8/9/1994	Repaving of various town streets	15	482,130	35,700
8/9/1994	Construction of various drainage improvements	40	<u>755,000</u>	<u>56,000</u>
<b>TOTALS</b>			<b>\$4,568,675</b>	<b>\$175,000</b>

**Exhibit A-2**  
Various Purposes Serial Bonds-1996

<u>Date Authorized</u>	<u>Purpose</u>	<u>PPU</u>	<u>Amount to Bonds</u>	<u>Amount Outstanding</u>
2/13/1996	Construction of various improvements to Town Park	15	\$1,340,000	\$273,000
1/2/1996	Acquisition of Various Equipment	15	1,000,000	207,000
9/26/1995	Partial Reconstruction of the Town Highway Building	20	<u>962,700</u>	<u>195,000</u>
<b>TOTALS</b>			<b>\$3,302,700</b>	<b>\$675,000</b>

**Exhibit A-3**  
Various Purposes Serial Bonds-1998

<u>Date Authorized</u>	<u>Purpose</u>	<u>PPU</u>	<u>Amount to Bonds</u>	<u>Amount Outstanding</u>
11/25/1997	Reconstruction of the bridge on Phillips Hill Road	20	\$110,000	\$40,800
11/25/1997	Construction of improvements to various roads	15	881,000	275,600
11/25/1997	Construction of various drainage improvements	40	1,302,000	486,000
11/25/1997	Construction of a Salt Dome for use by the Town	15	45,000	14,000
11/25/1997	Construction of improvements to various park facilities	15	995,000	310,400
3/12/1996	Construction of sewer improvements within MBSIA No. 1	40	1,205,000	452,400
3/12/1996	Construction of sewer improvements within MBSIA No. 1	40	245,000	95,800
<b>TOTALS</b>			<b>\$4,783,000</b>	<b>\$1,675,000</b>

**Exhibit A-4**  
Various Purposes Serial Bonds-1999

<u>Date Authorized</u>	<u>Purpose</u>	<u>PPU</u>	<u>Amount to Bonds</u>	<u>Amount Outstanding</u>
8/11/1998	Removal of Fuel Tanks, etc. at highway department site	10	\$600,000	\$75,000
5/25/1999	Improvements to Demarest Mill Dam	30	170,000	71,400
5/25/1999	Construction of various drainage improvements	40	1,165,000	483,000
5/25/1999	Improvements to various recreational facilities	15	310,000	129,000
5/25/1999	Acquisition of real property adjacent to highway building	30	160,000	66,000
5/25/1999	Improvements to various roads	15	1,195,000	496,000
5/25/1999	Improvements to Swartout Lake	30	60,000	25,200
<b>TOTALS</b>			<b>\$3,660,000</b>	<b>\$1,345,600</b>

NOTE: The remaining balance of \$104,400 for the acquisition of real property adjacent to the golf course has been defeased.

**Exhibit A-5**  
Various Purposes Serial Bonds-2000

<u>Date Authorized</u>	<u>Purpose</u>	<u>PPU</u>	<u>Amount to Bonds</u>	<u>Amount Outstanding</u>
9/12/2000	Acquisition of land for use by the town	30	\$1,005,000	\$189,000
2/8/2000	Acquisition of a parcel of land for use by the Town Police Dept	30	600,000	274,000
9/12/2000	Construction of improvements to various Town recreational areas	15	705,000	329,000
9/12/2000	Construction of improvements to various roads	15	295,000	147,000
9/12/2000	Construction of drainage improvements	40	1,170,000	536,000
<b>TOTALS</b>			<b>\$3,775,000</b>	<b>\$1,475,000</b>

RESOLUTION NO. (92-2009) continued

**Exhibit A-6**  
Various Purposes Serial Bonds-2001

<u>Date Authorized</u>	<u>Purpose</u>	<u>PPU</u>	<u>Amount to Bonds</u>	<u>Amount Outstanding</u>
5/8/2001	Improvements to various roads	15	\$415,000	\$231,300
5/8/2001	Improvements to scale house	10	110,000	15,500
5/8/2001	Improvements to various sidewalks	10	315,000	44,300
5/8/2001	Improvements to recreational areas	15	3,000,000	1,673,700
5/8/2001	Construction of drainage improvements	40	160,000	89,300
5/8/2001	Acquisition of equipment	15	1,703,773	950,000
5/8/2001	Acquisition of equipment	10	132,957	18,800
5/8/2001	Improvements to waterways	15	200,000	111,500
11/28/2000	Resurfacing of various roads	15	2,178,400	1,066,800
11/28/2000	Reconstruction of various roads	15	118,000	58,200
11/28/2000	Construction of drainage improvements	40	188,600	104,900
11/28/2000	Acquisition of equipment and vehicles	10	330,000	46,400
9/7/2000	Land acquisition: open space program	30	250,000	139,300

**TOTALS ##### \$4,550,000**  
SOURCES AND USES OF FUNDS

**TOWN OF CLARKSTOWN**  
**SUMMARY OF REFUNDING RESULTS**  
**(NOT BANK QUALIFIED)**  
*(Unenhanced - "Aa3" Moodys)*

REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)  
REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)

Refunding Par Amount	10,160,000
Bond Arbitrage Yield	1.735228%
Escrow Yield	0.608091%
Refunded Bonds Par Amount	9,893,000
Average Coupon of Refunded Bonds	4.507230%
Net PV Savings	228,993.15
Percentage of PV Savings	2.314699%
Aggregate Budgetary Savings	257,183.15
Annual Budgetary Savings (December 31)	
Fiscal Year 2009	48,460.11
Fiscal Year 2010	51,631.51
Fiscal Year 2011	46,914.01
Fiscal Year 2012	28,990.26
Fiscal Year 2013	37,247.76
Fiscal Year 2014	29,652.00
Fiscal Year 2015	14,287.50

**ROOSEVELT & CROSS**

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
(Unenhanced - 'Aa3' Moodys)

Dated Date	02/19/2009
Delivery Date	02/19/2009
<b>Sources:</b>	
Bond Proceeds:	
Par Amount	10,160,000.00
Net Premium	442,889.35
	<u>10,602,889.35</u>
<b>Uses:</b>	
Refunding Escrow Deposits:	
Cash Deposit	3.20
SLGS Purchases	10,482,786.00
	<u>10,482,789.20</u>
Delivery Date Expenses:	
Cost of Issuance	65,000.00
Underwriter's Discount	50,800.00
	<u>115,800.00</u>
Other Uses of Funds:	
Additional Proceeds	4,300.15
	<u>10,602,889.35</u>

SOURCES AND USES OF FUNDS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
(Unenhanced - 'Aa3' Moodys)

	Dated Date	02/19/2009					
	Delivery Date	02/19/2009					
<b>Sources:</b>							
Bond Proceeds:	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	Total
Par Amount	180,000.00	685,000.00	1,697,000.00	1,375,000.00	1,549,000.00	4,674,000.00	10,160,000.00
Premium	2,518.20	15,396.45	68,077.48	58,435.70	73,738.96	224,722.56	442,889.35
	<u>182,518.20</u>	<u>700,396.45</u>	<u>1,765,077.48</u>	<u>1,433,435.70</u>	<u>1,622,738.96</u>	<u>4,898,722.56</u>	<u>10,602,889.35</u>
<b>Uses:</b>							
Refunding Escrow Deposits:	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	Total
Cash Deposit	0.40	0.80	0.89	0.14	0.69	0.28	3.20
SLGS Purchases	180,020.00	691,780.00	1,745,650.00	1,417,760.00	1,603,409.00	4,844,167.00	10,482,786.00
	<u>180,020.40</u>	<u>691,780.80</u>	<u>1,745,650.89</u>	<u>1,417,760.14</u>	<u>1,603,409.69</u>	<u>4,844,167.28</u>	<u>10,482,789.20</u>
Delivery Date Expenses:	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	Total
Cost of Issuance	1,151.57	4,382.38	10,856.79	8,796.75	9,909.94	29,902.57	65,000.00
Underwriter's Discount	900.00	3,425.00	8,485.00	6,875.00	7,745.00	23,370.00	50,800.00
	<u>2,051.57</u>	<u>7,807.38</u>	<u>19,341.79</u>	<u>15,671.75</u>	<u>17,654.94</u>	<u>53,272.57</u>	<u>115,800.00</u>
Other Uses of Funds:	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	REFUNDING BONDS	Total
Additional Proceeds	446.23	808.27	84.80	3.81	1,674.33	1,282.71	4,300.15
	<u>182,518.20</u>	<u>700,396.45</u>	<u>1,765,077.48</u>	<u>1,433,435.70</u>	<u>1,622,738.96</u>	<u>4,898,722.56</u>	<u>10,602,889.35</u>

Note: \* 1999 Refunded Bonds excludes previously defeased bonds

RESOLUTION NO. (92-2009) continued

SUMMARY OF REFUNDING RESULTS

Town of Clarkstown, New York  
 REFUNDING BONDS  
 REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
 REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
 REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
 REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
 REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
 REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
 (Unenhanced - 'Aa3' Moodys)

Dated Date	02/19/2009
Delivery Date	02/19/2009
Arbitrage yield	1.735228%
Escrow yield	0.608091%
Bond Par Amount	10,160,000.00
True Interest Cost	1.903884%
Net Interest Cost	1.961647%
All-In TIC	2.121593%
Average Coupon	3.250000%
Average Life	2.995
Par amount of refunded bonds	9,893,000.00
Average coupon of refunded bonds	4.507230%
Average life of refunded bonds	3.164
PV of prior debt to 02/19/2009 @ 1.735228%	10,827,582.35
Net PV Savings	228,993.15
Percentage savings of refunded bonds	2.314699%
Percentage savings of refunding bonds	2.253870%

SAVINGS

Town of Clarkstown, New York  
 REFUNDING BONDS  
 REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
 REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
 REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
 REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
 REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
 REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
 (Unenhanced - 'Aa3' Moodys)

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 02/19/2009 @ 1.7352280%
04/15/2009	38,666.38	47,901.40	-9,235.02		-9,210.23
05/01/2009	241,875.00	239,452.50	2,422.50		2,414.14
06/01/2009	74,225.00		74,225.00		73,862.54
06/15/2009	94,093.75		94,093.75		93,571.37
10/15/2009	518,666.38	2,153,968.75	-1,635,302.37		-1,616,884.91
11/01/2009	11,250.00	7,312.50	3,937.50		3,890.17
12/01/2009	674,225.00		674,225.00		665,161.52
12/15/2009	844,093.75		844,093.75		832,187.42
12/31/2009				48,460.11	
04/15/2010	26,162.63	121,468.75	-95,306.12		-93,422.20
05/01/2010	236,250.00	232,312.50	3,937.50		3,856.70
06/01/2010	60,275.00		60,275.00		58,953.25
06/15/2010	79,093.75		79,093.75		77,307.37
10/15/2010	258,762.63	1,621,468.75	-1,362,706.12		-1,324,279.79
11/01/2010	5,625.00	3,656.25	1,968.75		1,911.77
12/01/2010	660,275.00		660,275.00		640,241.20
12/15/2010	704,093.75		704,093.75		682,271.85
12/31/2010				51,631.51	
04/15/2011	20,347.63	97,093.75	-76,746.12		-73,940.47
05/01/2011	230,625.00	228,656.25	1,968.75		1,895.32
06/01/2011	46,325.00		46,325.00		44,533.05
06/15/2011	66,593.75		66,593.75		63,974.76
10/15/2011	252,947.63	1,557,093.75	-1,304,146.12		-1,245,662.25
12/01/2011	621,325.00		621,325.00		592,153.23
12/15/2011	691,593.75		691,593.75		658,680.08
12/31/2011				46,914.01	
04/15/2012	14,532.63	73,368.75	-58,836.12		-55,714.26
06/01/2012	32,937.50		32,937.50		31,121.04
06/15/2012	54,093.75		54,093.75		51,076.23
10/15/2012	247,132.63	1,533,368.75	-1,286,236.12		-1,207,511.45
12/01/2012	582,937.50		582,937.50		546,051.71
12/15/2012	704,093.75		704,093.75		659,098.71
12/31/2012				28,990.26	
04/15/2013	8,717.63	49,643.75	-40,926.12		-38,090.74
06/01/2013	20,062.50		20,062.50		18,631.38
06/15/2013	40,687.50		40,687.50		37,759.76
10/15/2013	241,317.63	1,409,643.75	-1,168,326.12		-1,078,030.74
12/01/2013	445,062.50		445,062.50		409,759.74
12/15/2013	740,687.50		740,687.50		681,477.45
12/31/2013				37,247.76	
04/15/2014	2,757.25	27,543.75	-24,786.50		-22,674.12
06/01/2014	10,000.00		10,000.00		9,127.60
06/15/2014	25,812.50		25,812.50		23,544.79
10/15/2014	110,357.25	1,027,543.75	-917,186.50		-831,804.41
12/01/2014	210,000.00		210,000.00		190,030.84
12/15/2014	725,812.50		725,812.50		656,352.93
12/31/2014				29,652.00	
04/15/2015		11,293.75	-11,293.75		-10,154.30
06/01/2015	5,000.00		5,000.00		4,485.63

RESOLUTION NO. (92-2009) continued

SAVINGS

Town of Clarkstown, New York  
 REFUNDING BONDS  
 REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
 REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
 REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
 REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
 REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
 REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
 (Unenhanced - 'Aa3' Moodys)

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 02/19/2009 @ 1.7352280%
06/15/2015	10,937.50		10,937.50		9,805.72
10/15/2015		706,293.75	-706,293.75		-629,572.04
12/01/2015	205,000.00		205,000.00		182,328.75
12/15/2015	510,937.50		510,937.50		454,126.94
12/31/2015				14,287.50	
	11,406,268.30	11,149,085.15	257,183.15	257,183.15	224,693.00

Savings Summary

PV of savings from cash flow	224,693.00
Plus: Refunding funds on hand	4,300.15
Net PV Savings	228,993.15

BOND DEBT SERVICE

Town of Clarkstown, New York  
 REFUNDING BONDS  
 REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
 REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
 REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
 REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
 REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
 REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
 (Unenhanced - 'Aa3' Moodys)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
04/15/2009			47,901.40	47,901.40	
05/01/2009	235,000	3.250%	4,452.50	239,452.50	
10/15/2009	2,000,000	3.250%	153,968.75	2,153,968.75	
11/01/2009			7,312.50	7,312.50	
12/31/2009					2,448,635.15
04/15/2010			121,468.75	121,468.75	
05/01/2010	225,000	3.250%	7,312.50	232,312.50	
10/15/2010	1,500,000	3.250%	121,468.75	1,621,468.75	
11/01/2010			3,656.25	3,656.25	
12/31/2010					1,978,906.25
04/15/2011			97,093.75	97,093.75	
05/01/2011	225,000	3.250%	3,656.25	228,656.25	
10/15/2011	1,460,000	3.250%	97,093.75	1,557,093.75	
12/31/2011					1,882,843.75
04/15/2012			73,368.75	73,368.75	
10/15/2012	1,460,000	3.250%	73,368.75	1,533,368.75	
12/31/2012					1,806,737.50
04/15/2013			49,643.75	49,643.75	
10/15/2013	1,360,000	3.250%	49,643.75	1,409,643.75	
12/31/2013					1,459,287.50
04/15/2014			27,543.75	27,543.75	
10/15/2014	1,000,000	3.250%	27,543.75	1,027,543.75	
12/31/2014					1,055,087.50
04/15/2015			11,293.75	11,293.75	
10/15/2015	695,000	3.250%	11,293.75	706,293.75	
12/31/2015					717,587.50
	10,160,000		989,085.15	11,149,085.15	11,149,085.15

RESOLUTION NO. (92-2009) continued

SUMMARY OF BONDS REFUNDED

Town of Clarkstown, New York  
 REFUNDING BONDS  
 REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
 REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
 REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
 REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
 REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
 REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
 (Unenhanced - 'Aa3' Moodys)

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Various Purposes Serial Bonds - 1994, 1994: SERI	10/15/2009	5.750%	175,000.00	04/15/2009	100.000
Various Purposes Serial Bonds, 1996, 1996M: SERI	05/01/2009	5.000%	225,000.00	05/01/2009	100.000
	05/01/2010	5.000%	225,000.00	05/01/2009	100.000
	05/01/2011	5.000%	225,000.00	05/01/2009	100.000
			675,000.00		
Various Purposes Serial Bonds, 1998, 1998: 12SERI	12/01/2009	4.500%	375,000.00	06/01/2009	102.000
	12/01/2010	4.500%	375,000.00	06/01/2009	102.000
	12/01/2011	4.500%	350,000.00	06/01/2009	102.000
	12/01/2012	4.500%	350,000.00	06/01/2009	102.000
	12/01/2013	4.500%	225,000.00	06/01/2009	102.000
			1,675,000.00		
Various Purposes Serial Bonds, 1999, 1999: SERIALS	10/15/2009	4.900%	305,000.00		
	10/15/2010	5.000%	232,600.00	10/15/2009	101.000
	10/15/2011	5.000%	232,600.00	10/15/2009	101.000
	10/15/2012	5.000%	232,600.00	10/15/2009	101.000
	10/15/2013	5.125%	232,600.00	10/15/2009	101.000
	10/15/2014	5.125%	107,800.00	10/15/2009	101.000
			1,343,000.00		
Various Purposes Serial Bonds, 2000, 2000: SERIALS	12/01/2009	4.900%	225,000.00		
	12/01/2010	4.900%	225,000.00		
	12/01/2011	4.900%	225,000.00	12/01/2010	101.000
	12/01/2012	5.000%	200,000.00	12/01/2010	101.000
	12/01/2013	5.000%	200,000.00	12/01/2010	101.000
	12/01/2014	5.000%	200,000.00	12/01/2010	101.000
	12/01/2015	5.000%	200,000.00	12/01/2010	101.000
			1,475,000.00		
Public Improvement Serial Bonds - 2001, 2001: SERI	12/15/2009	4.000%	750,000.00		
	12/15/2010	4.000%	625,000.00		
	12/15/2011	4.000%	625,000.00	12/15/2010	100.000
	12/15/2012	4.125%	650,000.00	12/15/2010	100.000
	12/15/2013	4.250%	700,000.00	12/15/2010	100.000
	12/15/2014	4.250%	700,000.00	12/15/2010	100.000
	12/15/2015	4.375%	500,000.00	12/15/2010	100.000
			4,550,000.00		

9,893,000.00

ESCROW REQUIREMENTS

Town of Clarkstown, New York  
 REFUNDING BONDS  
 REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
 REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
 REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
 REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
 REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
 REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
 (Unenhanced - 'Aa3' Moodys)

Period Ending	Principal	Interest	Principal Redeemed	Redemption Premium	Total
04/15/2009		38,666.38	175,000.00		213,666.38
05/01/2009	225,000.00	16,875.00	450,000.00		691,875.00
06/01/2009		74,225.00	1,675,000.00	33,500.00	1,782,725.00
06/15/2009		94,093.75			94,093.75
10/15/2009	305,000.00	33,635.13	1,038,000.00	10,380.00	1,387,015.13
12/01/2009	225,000.00	36,537.50			261,537.50
12/15/2009	750,000.00	94,093.75			844,093.75
06/01/2010		31,025.00			31,025.00
06/15/2010		79,093.75			79,093.75
12/01/2010	225,000.00	31,025.00	1,025,000.00	10,250.00	1,291,275.00
12/15/2010	625,000.00	79,093.75	3,175,000.00		3,879,093.75
	2,355,000.00	608,364.01	7,538,000.00	54,130.00	10,555,494.01

ESCROW DESCRIPTIONS

Town of Clarkstown, New York  
 REFUNDING BONDS  
 REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
 REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
 REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
 REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
 REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
 REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
 (Unenhanced - 'Aa3' Moodys)

Type of Security	Type of SLGS	Maturity Date	First Int Pmt Date	Par Amount	Rate	Max Rate	
Feb 19, 2009:	SLGS	Certificate	04/15/2009	04/15/2009	213,653	0.040%	0.040%
	SLGS	Certificate	05/01/2009	05/01/2009	691,780	0.070%	0.070%
	SLGS	Certificate	06/01/2009	06/01/2009	1,779,614	0.110%	0.110%
	SLGS	Certificate	06/15/2009	06/15/2009	85,331	0.110%	0.110%
	SLGS	Certificate	10/15/2009	10/15/2009	1,384,127	0.320%	0.320%
	SLGS	Certificate	12/01/2009	12/01/2009	256,223	0.370%	0.370%
	SLGS	Certificate	12/15/2009	12/15/2009	827,881	0.370%	0.370%
	SLGS	Note	06/01/2010	06/01/2009	26,451	0.530%	0.530%
	SLGS	Note	06/15/2010	06/15/2009	65,391	0.530%	0.530%
	SLGS	Note	12/01/2010	06/01/2009	1,286,771	0.700%	0.700%
	SLGS	Note	12/15/2010	06/15/2009	3,865,564	0.700%	0.700%

10,482,786

SLGS Summary

SLGS Rates File	16JAN09
Total Certificates of Indebtedness	5,238,609.00
Total Notes	5,244,177.00
<b>Total original SLGS</b>	<b>10,482,786.00</b>

RESOLUTION NO. (92-2009) continued

ESCROW SUFFICIENCY

Town of Clarkstown, New York

REFUNDING BONDS

REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
 REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
 REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
 REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
 REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
 REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
 (Unenhanced - 'Aa3' Moodys)

Date	Escrow Requirement	Net Escrow Receipts	Excess Receipts	Excess Balance
02/19/2009		3.20	3.20	3.20
04/15/2009	213,666.38	213,666.88	-0.50	2.70
05/01/2009	691,875.00	691,874.20	-0.80	1.90
06/01/2009	1,782,725.00	1,782,724.38	-0.62	1.28
06/15/2009	94,093.75	94,094.46	0.71	1.99
10/15/2009	1,387,015.13	1,387,015.09	-0.04	1.95
12/01/2009	261,537.50	261,537.04	-0.46	1.49
12/15/2009	844,093.75	844,093.03	-0.72	0.77
06/01/2010	31,025.00	31,024.80	-0.20	0.57
06/15/2010	79,093.75	79,093.76	0.01	0.58
12/01/2010	1,291,275.00	1,291,274.70	-0.30	0.28
12/15/2010	3,879,093.75	3,879,093.47	-0.28	
	10,555,494.01	10,555,494.01	0.00	

ESCROW STATISTICS

Town of Clarkstown, New York

REFUNDING BONDS

REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
 REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
 REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
 REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
 REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
 REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
 (Unenhanced - 'Aa3' Moodys)

Escrow	Total Escrow Cost	Modified Duration (years)	Yield to Receipt Date	Yield to Disbursement Date	Perfect Escrow Cost	Value of Negative Arbitrage	Cost of Dead Time
REFUNDING BONDS, Global Proceeds Escrow:							
	180,020.40	0.156	0.038748%	0.038748%	179,548.05	472.35	
	691,780.80	0.200	0.068092%	0.068092%	689,488.36	2,292.44	
	1,745,650.89	0.283	0.108506%	0.108506%	1,737,660.32	7,990.56	0.01
	1,417,760.14	0.643	0.316610%	0.316610%	1,404,938.84	12,821.30	
REFUNDING BONDS, Global Proceeds Escrow:							
	1,603,409.69	1.572	0.668132%	0.668131%	1,576,821.09	26,588.58	0.02
	4,844,167.28	1.606	0.665964%	0.665963%	4,761,935.58	82,231.69	0.01
	10,462,789.20				10,350,392.24	132,396.92	0.04

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
04/15/2009	225,000	5.000%	38,666.38	38,666.38	38,666.38
05/01/2009	0		16,875.00	2,418,750.00	2,418,750.00
06/01/2009	480,000	**	74,225.00	74,225.00	74,225.00
06/15/2009	0		94,093.75	94,093.75	94,093.75
10/15/2009	600,000	**	38,666.38	518,666.38	518,666.38
11/01/2009	0		11,250.00	11,250.00	11,250.00
12/01/2009	750,000	**	74,225.00	674,225.00	674,225.00
12/15/2009	0		94,093.75	844,093.75	844,093.75
12/31/2009	0		26,162.63	26,162.63	26,162.63
04/15/2010	225,000	5.000%	11,250.00	236,250.00	236,250.00
05/01/2010	0		60,275.00	60,275.00	60,275.00
06/01/2010	232,600	5.000%	79,093.75	79,093.75	79,093.75
06/15/2010	0		26,162.63	258,762.63	258,762.63
10/15/2010	600,000	**	5,625.00	5,625.00	5,625.00
11/01/2010	0		60,275.00	660,275.00	660,275.00
12/01/2010	625,000	4.000%	79,093.75	704,093.75	704,093.75
12/31/2010	0		20,347.63	20,347.63	20,347.63
04/15/2011	225,000	5.000%	6,625.00	230,625.00	230,625.00
05/01/2011	0		46,325.00	46,325.00	46,325.00
06/01/2011	232,600	5.000%	66,593.75	66,593.75	66,593.75
06/15/2011	0	**	20,347.63	252,947.63	252,947.63
10/15/2011	575,000	**	46,325.00	621,325.00	621,325.00
12/01/2011	625,000	4.000%	66,593.75	691,593.75	691,593.75
12/15/2011	0		14,532.63	14,532.63	14,532.63
04/15/2012	0		32,937.50	32,937.50	32,937.50
06/01/2012	232,600	5.000%	54,093.75	54,093.75	54,093.75
06/15/2012	0	**	14,532.63	247,132.63	247,132.63
10/15/2012	550,000	**	32,937.50	582,937.50	582,937.50
12/01/2012	650,000	4.125%	54,093.75	704,093.75	704,093.75
12/31/2012	0		8,717.63	8,717.63	8,717.63
04/15/2013	232,600	5.125%	20,062.50	20,062.50	20,062.50
06/01/2013	0	**	40,687.50	40,687.50	40,687.50
06/15/2013	425,000	**	8,717.63	241,317.63	241,317.63
10/15/2013	225,000	4.250%	20,062.50	445,062.50	445,062.50
12/01/2013	700,000	**	40,687.50	740,687.50	740,687.50
12/31/2013	0		2,757.25	2,757.25	2,757.25
04/15/2014	107,600	5.125%	10,000.00	10,000.00	10,000.00
06/01/2014	0	**	25,812.50	25,812.50	25,812.50
06/15/2014	200,000	5.000%	2,757.25	110,357.25	110,357.25
10/15/2014	700,000	4.250%	10,000.00	210,000.00	210,000.00
12/01/2014	0		25,812.50	725,812.50	725,812.50
12/31/2014	0		5,000.00	5,000.00	5,000.00
08/01/2015	0		0	0	0

PRIOR BOND DEBT SERVICE  
 Town of Clarkstown, New York  
 REFUNDING BONDS  
 REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
 REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
 REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
 REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
 REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
 REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
 (Unenhanced - 'Aa3' Moodys)

RESOLUTION NO. (92-2009) continued

PRIOR BOND DEBT SERVICE

Town of Clarkstown, New York  
REFUNDING BONDS

REFUNDING OF 10/15/1994 BONDS (10/15/2009)  
REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)  
REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)  
REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)\*  
REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)  
REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)  
(Unenhanced - 'Aa3' Moodys)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
06/15/2015			10,937.50	10,937.50	
12/01/2015	200,000	5.000%	5,000.00	205,000.00	
12/15/2015	500,000	4.375%	10,937.50	510,937.50	
12/31/2015					731,875.00
	9,893,000		1,513,268.30	11,406,268.30	11,406,268.30

SOURCES AND USES OF FUNDS

SUMMARY OF REFUNDING RESULTS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 10/15/1994 BONDS (10/15/2009)

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 10/15/1994 BONDS (10/15/2009)

Dated Date 02/19/2009  
Delivery Date 02/19/2009

Sources:	
Bond Proceeds:	
Par Amount	180,000.00
Premium	2,518.20
	182,518.20
Uses:	
Refunding Escrow Deposits:	
Cash Deposit	0.40
SLGS Purchases	180,020.00
	180,020.40
Delivery Date Expenses:	
Cost of Issuance	1,151.57
Underwriter's Discount	900.00
	2,051.57
Other Uses of Funds:	
Additional Proceeds	446.23
	182,518.20

Dated Date	02/19/2009
Delivery Date	02/19/2009
Arbitrage yield	1.735228%
Escrow yield	0.038748%
Bond Par Amount	180,000.00
True Interest Cost	1.866335%
Net Interest Cost	1.878644%
All-In TIC	2.851833%
Average Coupon	3.250000%
Average Life	0.656
Par amount of refunded bonds	175,000.00
Average coupon of refunded bonds	5.750000%
Average life of refunded bonds	0.656
PV of prior debt to 02/19/2009 @ 1.735228%	183,021.41
Net PV Savings	1,695.26
Percentage savings of refunded bonds	0.968720%
Percentage savings of refunding bonds	0.941811%

SAVINGS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 10/15/1994 BONDS (10/15/2009)

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 02/19/2009 @ 1.7352280%
04/15/2009	5,031.25	910.00	4,121.25		4,110.19
10/15/2009	180,031.25	182,925.00	-2,893.75		-2,861.16
12/31/2009				1,227.50	
	185,062.50	183,835.00	1,227.50	1,227.50	1,249.03
			<u>Savings Summary</u>		
				1,249.03	
				446.23	
				<u>Net PV Savings</u>	1,695.26

BOND DEBT SERVICE

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 10/15/1994 BONDS (10/15/2009)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
04/15/2009			910	910	
10/15/2009	180,000	3.250%	2,925	182,925	
12/31/2009					183,835
	180,000		3,835	183,835	183,835

BOND PRICING

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 10/15/1994 BONDS (10/15/2009)

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Serial Bonds:	10/15/2009	180,000	3.250%	1.100%	101.399
		180,000			

Dated Date	02/19/2009
Delivery Date	02/19/2009
First Coupon	04/15/2009
Par Amount	180,000.00
Premium	2,518.20
Production	182,518.20
Underwriter's Discount	-900.00
Purchase Price	181,618.20
Accrued Interest	100.899000%
Net Proceeds	181,618.20

RESOLUTION NO. (92-2009) continued

SUMMARY OF BONDS REFUNDED

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 10/15/1994 BONDS (10/15/2009)

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Various Purposes Serial Bonds - 1994, 1994: SERJ	10/15/2009	5.750%	175,000.00	04/15/2009	100.000

175,000.00

PRIOR BOND DEBT SERVICE

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 10/15/1994 BONDS (10/15/2009)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
04/15/2009			5,031.25	5,031.25	
10/15/2009	175,000	5.750%	5,031.25	180,031.25	
12/31/2009					185,062.50
	175,000		10,062.50	185,062.50	185,062.50

PRIOR BOND DEBT SERVICE

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 10/15/1994 BONDS (10/15/2009)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
04/15/2009			5,031.25	5,031.25	
10/15/2009	175,000	5.750%	5,031.25	180,031.25	
12/31/2009					185,062.50
	175,000		10,062.50	185,062.50	185,062.50

SOURCES AND USES OF FUNDS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)

Dated Date 02/19/2009  
Delivery Date 02/19/2009

SUMMARY OF REFUNDING RESULTS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)

Sources:

Bond Proceeds:		
Par Amount	685,000.00	
Premium	15,396.45	
	<u>700,396.45</u>	

Dated Date	02/19/2009
Delivery Date	02/19/2009
Arbitrage yield	1.735228%
Escrow yield	0.068092%

Uses:

Refunding Escrow Deposits:		
Cash Deposit	0.80	
SLGS Purchases	691,780.00	
	<u>691,780.80</u>	

Bond Par Amount	685,000.00
True Interest Cost	1.748044%
Net Interest Cost	1.775683%
All-In TIC	2.293086%
Average Coupon	3.250000%
Average Life	1.185

Delivery Date Expenses:		
Cost of Issuance	4,382.38	
Underwriter's Discount	3,425.00	
	<u>7,807.38</u>	

Par amount of refunded bonds	675,000.00
Average coupon of refunded bonds	5.000000%
Average life of refunded bonds	1.200

Other Uses of Funds:		
Additional Proceeds	808.27	
	<u>700,396.45</u>	

PV of prior debt to 02/19/2009 @ 1.735228%	711,043.24
Net PV Savings	14,776.37
Percentage savings of refunded bonds	2.189092%
Percentage savings of refunding bonds	2.157134%

SAVINGS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 02/19/2009 @ 1.7352280%
05/01/2009	241,875.00	239,452.50	2,422.50		2,414.14
11/01/2009	11,250.00	7,312.50	3,937.50		3,890.17
12/31/2009				6,360.00	
05/01/2010	236,250.00	232,312.50	3,937.50		3,856.70
11/01/2010	5,625.00	3,656.25	1,968.75		1,911.77
12/31/2010				5,906.25	
05/01/2011	230,625.00	228,656.25	1,968.75		1,895.32
12/31/2011				1,968.75	
	<u>725,625.00</u>	<u>711,390.00</u>	<u>14,235.00</u>	<u>14,235.00</u>	<u>13,968.10</u>

Savings Summary

PV of savings from cash flow	13,968.10
Plus: Refunding funds on hand	808.27
<b>Net PV Savings</b>	<b>14,776.37</b>

BOND DEBT SERVICE

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
05/01/2009			4,452.50	239,452.50	
11/01/2009			7,312.50	7,312.50	
12/31/2009					246,765.00
05/01/2010	225,000	3.250%	7,312.50	232,312.50	
11/01/2010			3,656.25	3,656.25	
12/31/2010					235,968.75
05/01/2011	225,000	3.250%	3,656.25	228,656.25	
12/31/2011					228,656.25
	<u>685,000</u>		<u>26,390.00</u>	<u>711,390.00</u>	<u>711,390.00</u>

RESOLUTION NO. (92-2009) continued

BOND PRICING

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Serial Bonds:					
	05/01/2009	235,000	3.250%	1.000%	100.447
	05/01/2010	225,000	3.250%	1.150%	102.494
	05/01/2011	225,000	3.250%	1.450%	103.882
		<b>685,000</b>			

Dated Date	02/19/2009		
Delivery Date	02/19/2009		
First Coupon	05/01/2009		
Par Amount	685,000.00		
Premium	15,396.45		
Production	700,396.45	102.247657%	
Underwriter's Discount	-3,425.00	-0.500000%	
Purchase Price	696,971.45	101.747657%	
Accrued Interest			
Net Proceeds	696,971.45		

SUMMARY OF BONDS REFUNDED

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Various Purposes Serial Bonds, 1996, 1996M:					
SERI	05/01/2009	5.000%	225,000.00		
	05/01/2010	5.000%	225,000.00	05/01/2009	100.000
	05/01/2011	5.000%	225,000.00	05/01/2009	100.000

675,000.00

PRIOR BOND DEBT SERVICE

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 05/01/1996 BONDS (05/01/2009 - 2011)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
05/01/2009	225,000	5.000%	16,875	241,875	
11/01/2009			11,250	11,250	
12/31/2009					253,125
05/01/2010	225,000	5.000%	11,250	236,250	
11/01/2010			5,625	5,625	
12/31/2010					241,875
05/01/2011	225,000	5.000%	5,625	230,625	
12/31/2011					230,625
	<b>675,000</b>		<b>50,625</b>	<b>725,625</b>	<b>725,625</b>

SUMMARY OF REFUNDING RESULTS

SOURCES AND USES OF FUNDS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)

Dated Date	02/19/2009	Dated Date	02/19/2009
Delivery Date	02/19/2009	Delivery Date	02/19/2009
Sources:		Arbitrage yield	1.735228%
Bond Proceeds:		Escrow yield	0.108506%
Par Amount	1,697,000.00	Bond Par Amount	1,697,000.00
Premium	68,077.48	True Interest Cost	1.756249%
	<b>1,765,077.48</b>	Net Interest Cost	1.802695%
Uses:		All-In TIC	2.022724%
Refunding Escrow Deposits:		Average Coupon	3.250000%
Cash Deposit	0.89	Average Life	2.426
SLGS Purchases	1,745,650.00	Par amount of refunded bonds	1,675,000.00
	<b>1,745,650.89</b>	Average coupon of refunded bonds	4.500000%
Delivery Date Expenses:		Average life of refunded bonds	2.589
Cost of Issuance	10,856.79	PV of prior debt to 02/19/2009 @ 1.735228%	1,807,357.71
Underwriter's Discount	8,485.00	Net PV Savings	49,989.18
	<b>19,341.79</b>	Percentage savings of refunded bonds	2.984429%
Other Uses of Funds:		Percentage savings of refunding bonds	2.945738%
Additional Proceeds	84.80		
	<b>1,765,077.48</b>		

RESOLUTION NO. (92-2009) continued

SAVINGS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 02/19/2009 @ 1.7352280%
04/15/2009		8,579.28	-8,579.28		-8,556.25
06/01/2009	37,687.50		37,687.50		37,503.46
10/15/2009		429,576.25	-429,576.25		-424,738.18
12/01/2009	412,687.50		412,687.50		407,139.82
12/31/2009				12,219.47	
04/15/2010		21,043.75	-21,043.75		-20,627.78
06/01/2010	29,250.00		29,250.00		28,608.59
10/15/2010		396,043.75	-396,043.75		-384,875.89
12/01/2010	404,250.00		404,250.00		391,984.41
12/31/2010				16,412.50	
04/15/2011		14,950.00	-14,950.00		-14,403.47
06/01/2011	20,812.50		20,812.50		20,007.43
10/15/2011		364,950.00	-364,950.00		-348,583.98
12/01/2011	370,812.50		370,812.50		353,402.52
12/31/2011				11,725.00	
04/15/2012		9,262.50	-9,262.50		-8,771.03
06/01/2012	12,937.50		12,937.50		12,224.02
10/15/2012		359,262.50	-359,262.50		-337,273.67
12/01/2012	362,937.50		362,937.50		339,972.37
12/31/2012				7,350.00	
04/15/2013		3,575.00	-3,575.00		-3,327.32
06/01/2013	5,062.50		5,062.50		4,701.38
10/15/2013		223,575.00	-223,575.00		-206,295.76
12/01/2013	230,062.50		230,062.50		211,813.73
12/31/2013				7,975.00	
	1,886,500.00	1,830,818.03	55,681.97	55,681.97	49,904.38

Savings Summary

PV of savings from cash flow	49,904.38
Plus: Refunding funds on hand	84.80
<b>Net PV Savings</b>	<b>49,989.18</b>

BOND DEBT SERVICE

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
04/15/2009			8,579.28	8,579.28	
10/15/2009	402,000	3.250%	27,576.25	429,576.25	
12/31/2009					438,155.53
04/15/2010			21,043.75	21,043.75	
10/15/2010	375,000	3.250%	21,043.75	396,043.75	
12/31/2010					417,087.50
04/15/2011			14,950.00	14,950.00	
10/15/2011	350,000	3.250%	14,950.00	364,950.00	
12/31/2011					379,900.00
04/15/2012			9,262.50	9,262.50	
10/15/2012	350,000	3.250%	9,262.50	359,262.50	
12/31/2012					368,525.00
04/15/2013			3,575.00	3,575.00	
10/15/2013	220,000	3.250%	3,575.00	223,575.00	
12/31/2013					227,150.00
	1,697,000		133,818.03	1,830,818.03	1,830,818.03

BOND PRICING

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Serial Bonds:					
	10/15/2009	402,000	3.250%	1.100%	101.399
	10/15/2010	375,000	3.250%	1.450%	102.932
	10/15/2011	350,000	3.250%	1.480%	104.591
	10/15/2012	350,000	3.250%	1.570%	105.944
	10/15/2013	220,000	3.250%	1.760%	106.630
		1,697,000			

Dated Date	02/19/2009	
Delivery Date	02/19/2009	
First Coupon	04/15/2009	
Par Amount	1,697,000.00	
Premium	68,077.48	
Production	1,765,077.48	104.011637%
Underwriter's Discount	-8,485.00	-0.500000%
Purchase Price	1,756,592.48	103.511637%
Accrued Interest		
<b>Net Proceeds</b>	<b>1,756,592.48</b>	

SUMMARY OF BONDS REFUNDED

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Various Purposes Serial Bonds, 1998, 1998:					
12SERI	12/01/2009	4.500%	375,000.00	06/01/2009	102.000
	12/01/2010	4.500%	375,000.00	06/01/2009	102.000
	12/01/2011	4.500%	350,000.00	06/01/2009	102.000
	12/01/2012	4.500%	350,000.00	06/01/2009	102.000
	12/01/2013	4.500%	225,000.00	06/01/2009	102.000

1,675,000.00

RESOLUTION NO. (92-2009) continued

SOURCES AND USES OF FUNDS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)

PRIOR BOND DEBT SERVICE					Dated Date	02/19/2009
Town of Clarkstown, New York REFUNDING BONDS REFUNDING OF 04/01/1998 BONDS (12/01/2009 - 2013)					Delivery Date	02/19/2009
Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service	
06/01/2009			37,687.50	37,687.50		
12/01/2009	375,000	4.500%	37,687.50	412,687.50		
12/31/2009					450,375	
06/01/2010			29,250.00	29,250.00		
12/01/2010	375,000	4.500%	29,250.00	404,250.00		
12/31/2010					433,500	
06/01/2011			20,812.50	20,812.50		
12/01/2011	350,000	4.500%	20,812.50	370,812.50		
12/31/2011					391,625	
06/01/2012			12,937.50	12,937.50		
12/01/2012	350,000	4.500%	12,937.50	362,937.50		
12/31/2012					375,875	
06/01/2013			5,062.50	5,062.50		
12/01/2013	225,000	4.500%	5,062.50	230,062.50		
12/31/2013					235,125	
	1,675,000		211,500.00	1,886,500.00	1,886,500	1,433,435.70

Sources:

Bond Proceeds:	
Par Amount	1,375,000.00
Premium	58,435.70
	<u>1,433,435.70</u>

Uses:

Refunding Escrow Deposits:	
Cash Deposit	0.14
SLGS Purchases	1,417,760.14
	<u>1,417,760.14</u>
Delivery Date Expenses:	
Cost of Issuance	8,796.75
Underwriter's Discount	6,875.00
	<u>15,671.75</u>
Other Uses of Funds:	
Additional Proceeds	3.81

SUMMARY OF REFUNDING RESULTS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)

Dated Date	02/19/2009
Delivery Date	02/19/2009
Arbitrage yield	1.735228%
Escrow yield	0.316610%
Bond Par Amount	1,375,000.00
True Interest Cost	1.817752%
Net Interest Cost	1.870039%
All-In TIC	2.056488%
Average Coupon	3.250000%
Average Life	2.717
Par amount of refunded bonds	1,343,000.00
Average coupon of refunded bonds	5.051125%
Average life of refunded bonds	2.788
PV of prior debt to 02/19/2009 @ 1.735228%	1,485,840.88
Net PV Savings	56,223.28
Percentage savings of refunded bonds	4.186395%
Percentage savings of refunding bonds	4.088966%

SAVINGS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 02/19/2009 @ 1.7352280%
04/15/2009	33,635.13	6,951.39	26,683.74		26,612.12
10/15/2009	338,635.13	357,343.75	-18,708.62		-18,497.92
12/31/2009				7,975.12	
04/15/2010	26,162.63	16,900.00	9,262.63		9,079.54
10/15/2010	258,762.63	256,900.00	1,862.63		1,810.11
12/31/2010				11,125.26	
04/15/2011	20,347.63	13,000.00	7,347.63		7,079.02
10/15/2011	252,947.63	248,000.00	4,947.63		4,725.76
12/31/2011				12,295.26	
04/15/2012	14,532.63	9,181.25	5,351.38		5,067.43
10/15/2012	247,132.63	244,181.25	2,951.38		2,770.74
12/31/2012				8,302.76	
04/15/2013	8,717.63	5,362.50	3,355.13		3,122.68
10/15/2013	241,317.63	235,362.50	5,955.13		5,494.88
12/31/2013				9,310.26	
04/15/2014	2,757.25	1,625.00	1,132.25		1,035.76
10/15/2014	110,357.25	101,625.00	8,732.25		7,919.35
12/31/2014				9,864.50	
	1,555,305.80	1,496,432.64	58,873.16	58,873.16	56,219.47

Savings Summary

PV of savings from cash flow	56,219.47
Plus: Refunding funds on hand	3.81
Net PV Savings	<u>56,223.28</u>

RESOLUTION NO. (92-2009) continued

BOND DEBT SERVICE

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
04/15/2009			6,951.39	6,951.39	
10/15/2009	335,000	3.250%	22,343.75	357,343.75	
12/31/2009					364,295.14
04/15/2010			16,900.00	16,900.00	
10/15/2010	240,000	3.250%	16,900.00	256,900.00	
12/31/2010					273,800.00
04/15/2011			13,000.00	13,000.00	
10/15/2011	235,000	3.250%	13,000.00	248,000.00	
12/31/2011					261,000.00
04/15/2012			9,181.25	9,181.25	
10/15/2012	235,000	3.250%	9,181.25	244,181.25	
12/31/2012					253,362.50
04/15/2013			5,362.50	5,362.50	
10/15/2013	230,000	3.250%	5,362.50	235,362.50	
12/31/2013					240,725.00
04/15/2014			1,625.00	1,625.00	
10/15/2014	100,000	3.250%	1,625.00	101,625.00	
12/31/2014					103,250.00
	1,375,000		121,432.64	1,496,432.64	1,496,432.64

BOND PRICING

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Serial Bonds:					
	10/15/2009	335,000	3.250%	1.100%	101.399
	10/15/2010	240,000	3.250%	1.450%	102.932
	10/15/2011	235,000	3.250%	1.480%	104.591
	10/15/2012	235,000	3.250%	1.570%	105.944
	10/15/2013	230,000	3.250%	1.760%	106.630
	10/15/2014	100,000	3.250%	1.990%	106.706
		1,375,000			

Dated Date	02/19/2009		
Delivery Date	02/19/2009		
First Coupon	04/15/2009		
Par Amount	1,375,000.00		
Premium	58,435.70		
Production	1,433,435.70	104.249869%	
Underwriter's Discount	-6,875.00	-0.500000%	
Purchase Price	1,426,560.70	103.749869%	
Accrued Interest			
Net Proceeds	1,426,560.70		

SUMMARY OF BONDS REFUNDED

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Various Purposes Serial Bonds, 1999, 1999:					
SERIALS	10/15/2009	4.900%	305,000.00		
	10/15/2010	5.000%	232,600.00	10/15/2009	101.000
	10/15/2011	5.000%	232,600.00	10/15/2009	101.000
	10/15/2012	5.000%	232,600.00	10/15/2009	101.000
	10/15/2013	5.125%	232,600.00	10/15/2009	101.000
	10/15/2014	5.125%	107,600.00	10/15/2009	101.000

1,343,000.00

PRIOR BOND DEBT SERVICE

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/1999 BONDS (10/15/2009 - 2014)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
04/15/2009			33,635.13	33,635.13	
10/15/2009	305,000	4.900%	33,635.13	338,635.13	
12/31/2009					372,270.26
04/15/2010			26,162.63	26,162.63	
10/15/2010	232,600	5.000%	26,162.63	258,762.63	
12/31/2010					284,925.26
04/15/2011			20,347.63	20,347.63	
10/15/2011	232,600	5.000%	20,347.63	252,947.63	
12/31/2011					273,295.26
04/15/2012			14,532.63	14,532.63	
10/15/2012	232,600	5.000%	14,532.63	247,132.63	
12/31/2012					261,665.26
04/15/2013			8,717.63	8,717.63	
10/15/2013	232,600	5.125%	8,717.63	241,317.63	
12/31/2013					250,035.26
04/15/2014			2,757.25	2,757.25	
10/15/2014	107,600	5.125%	2,757.25	110,357.25	
12/31/2014					113,114.50
	1,343,000		212,305.80	1,555,305.80	1,555,305.80

RESOLUTION NO. (92-2009) continued  
SOURCES AND USES OF FUNDS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)

Dated Date	02/19/2009
Delivery Date	02/19/2009
<b>Sources:</b>	
<hr/>	
Bond Proceeds:	
Par Amount	1,549,000.00
Premium	73,738.96
	<hr/>
	1,622,738.96
<hr/>	
<b>Uses:</b>	
<hr/>	
Refunding Escrow Deposits:	
Cash Deposit	0.69
SLGS Purchases	1,603,409.00
	<hr/>
	1,603,409.69
<hr/>	
Delivery Date Expenses:	
Cost of Issuance	9,909.94
Underwriter's Discount	7,745.00
	<hr/>
	17,654.94
<hr/>	
Other Uses of Funds:	
Additional Proceeds	1,674.33
	<hr/>
	1,622,738.96

SUMMARY OF REFUNDING RESULTS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)

Dated Date	02/19/2009
Delivery Date	02/19/2009
Arbitrage yield	1.735228%
Escrow yield	0.668132%
<hr/>	
Bond Par Amount	1,549,000.00
True Interest Cost	1.960398%
Net Interest Cost	2.022310%
All-In TIC	2.149022%
Average Coupon	3.250000%
Average Life	3.470
<hr/>	
Par amount of refunded bonds	1,475,000.00
Average coupon of refunded bonds	4.977833%
Average life of refunded bonds	3.682
<hr/>	
PV of prior debt to 02/19/2009 @ 1.735228%	1,659,083.75
Net PV Savings	33,812.20
Percentage savings of refunded bonds	2.292353%
Percentage savings of refunding bonds	2.182841%

SAVINGS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 02/19/2009 @ 1.7352280%
04/15/2009		7,831.06	-7,831.06		-7,810.04
06/01/2009	36,537.50		36,537.50		36,359.08
10/15/2009		284,171.25	-284,171.25		-280,970.79
12/01/2009	261,537.50		261,537.50		258,021.70
12/31/2009				6,072.69	
04/15/2010		20,962.50	-20,962.50		-20,548.13
06/01/2010	31,025.00		31,025.00		30,344.66
10/15/2010		260,962.50	-260,962.50		-253,603.74
12/01/2010	256,025.00		256,025.00		248,256.79
12/31/2010				5,125.00	
04/15/2011		17,062.50	-17,062.50		-16,438.74
06/01/2011	25,512.50		25,512.50		24,525.62
10/15/2011		252,062.50	-252,062.50		-240,758.87
12/01/2011	250,512.50		250,512.50		238,750.71
12/31/2011				6,900.00	
04/15/2012		13,243.75	-13,243.75		-12,541.03
06/01/2012	20,000.00		20,000.00		18,897.03
10/15/2012		223,243.75	-223,243.75		-209,580.01
12/01/2012	220,000.00		220,000.00		206,079.34
12/31/2012				3,512.50	
04/15/2013		9,831.25	-9,831.25		-9,150.14
06/01/2013	15,000.00		15,000.00		13,930.01
10/15/2013		214,831.25	-214,831.25		-198,227.78
12/01/2013	215,000.00		215,000.00		197,946.00
12/31/2013				5,337.50	
04/15/2014		6,500.00	-6,500.00		-5,946.05
06/01/2014	10,000.00		10,000.00		9,127.60
10/15/2014		206,500.00	-206,500.00		-187,276.64
12/01/2014	210,000.00		210,000.00		190,030.84
12/31/2014				7,000.00	
04/15/2015		3,250.00	-3,250.00		-2,922.10
06/01/2015	5,000.00		5,000.00		4,485.63
10/15/2015		203,250.00	-203,250.00		-181,171.81
12/01/2015	205,000.00		205,000.00		182,328.75
12/31/2015				3,500.00	
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	1,761,150.00	1,723,702.31	37,447.69	37,447.69	32,137.87

Savings Summary

PV of savings from cash flow	32,137.87
Plus: Refunding funds on hand	1,674.33
	<hr/>
Net PV Savings	33,812.20

RESOLUTION NO. (92-2009) continued  
BOND DEBT SERVICE

BOND PRICING

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service	Bond Component	Maturity Date	Amount	Rate	Yield	Price
04/15/2009			7,831.06	7,831.06		Serial Bonds:	10/15/2009	259,000	3.250%	1.100%	101.399
10/15/2009	259,000	3.250%	25,171.25	284,171.25			10/15/2010	240,000	3.250%	1.450%	102.932
12/31/2009					292,002.31		10/15/2011	235,000	3.250%	1.480%	104.591
04/15/2010			20,962.50	20,962.50			10/15/2012	210,000	3.250%	1.570%	105.944
10/15/2010	240,000	3.250%	20,962.50	260,962.50			10/15/2013	205,000	3.250%	1.780%	106.630
12/31/2010					281,925.00		10/15/2014	200,000	3.250%	1.990%	108.706
04/15/2011			17,062.50	17,062.50			10/15/2015	200,000	3.250%	2.210%	106.402
10/15/2011	235,000	3.250%	17,062.50	252,062.50							
12/31/2011					269,125.00			1,549,000			
04/15/2012			13,243.75	13,243.75							
10/15/2012	210,000	3.250%	13,243.75	223,243.75							
12/31/2012					236,487.50		Dated Date		02/19/2009		
04/15/2013			9,831.25	9,831.25			Delivery Date		02/19/2009		
10/15/2013	205,000	3.250%	9,831.25	214,831.25			First Coupon		04/15/2009		
12/31/2013					224,662.50		Par Amount		1,549,000.00		
04/15/2014			6,500.00	6,500.00			Premium		73,738.96		
10/15/2014	200,000	3.250%	6,500.00	206,500.00			Production		1,622,738.96	104.760423%	
12/31/2014					213,000.00		Underwriter's Discount		-7,745.00	-0.500000%	
04/15/2015			3,250.00	3,250.00			Purchase Price		1,614,993.96	104.280423%	
10/15/2015	200,000	3.250%	3,250.00	203,250.00			Accrued Interest				
12/31/2015					206,500.00		Net Proceeds		1,614,993.96		
	1,549,000		174,702.31	1,723,702.31	1,723,702.31						

SUMMARY OF BONDS REFUNDED

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Various Purposes Serial Bonds, 2000, 2000:					
SERIALS	12/01/2009	4.900%	225,000.00		
	12/01/2010	4.900%	225,000.00		
	12/01/2011	4.900%	225,000.00	12/01/2010	101.000
	12/01/2012	5.000%	200,000.00	12/01/2010	101.000
	12/01/2013	5.000%	200,000.00	12/01/2010	101.000
	12/01/2014	5.000%	200,000.00	12/01/2010	101.000
	12/01/2015	5.000%	200,000.00	12/01/2010	101.000

1,475,000.00  
PRIOR BOND DEBT SERVICE

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 12/01/2000 BONDS (12/01/2009 - 2015)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
06/01/2009			36,537.50	36,537.50	
12/01/2009			36,537.50	36,537.50	261,537.50
12/31/2009					298,075
06/01/2010			31,025.00	31,025.00	
12/01/2010	225,000	4.900%	31,025.00	256,025.00	
12/31/2010					287,050
06/01/2011			25,512.50	25,512.50	
12/01/2011	225,000	4.900%	25,512.50	250,512.50	
12/31/2011					276,025
06/01/2012			20,000.00	20,000.00	
12/01/2012	200,000	5.000%	20,000.00	220,000.00	
12/31/2012					240,000
06/01/2013			15,000.00	15,000.00	
12/01/2013	200,000	5.000%	15,000.00	215,000.00	
12/31/2013					230,000
06/01/2014			10,000.00	10,000.00	
12/01/2014	200,000	5.000%	10,000.00	210,000.00	
12/31/2014					220,000
06/01/2015			5,000.00	5,000.00	
12/01/2015	200,000	5.000%	5,000.00	205,000.00	
12/31/2015					210,000

1,475,000  
SOURCES AND USES OF FUNDS

286,150.00 1,761,150.00 1,761,150

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)

SUMMARY OF REFUNDING RESULTS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)

Dated Date	02/19/2009		
Delivery Date	02/19/2009		
<b>Sources:</b>			
Bond Proceeds:			
Par Amount		4,674,000.00	Dated Date 02/19/2009
Premium		224,722.56	Delivery Date 02/19/2009
		4,898,722.56	Arbitrage yield 1.735228%
			Escrow yield 0.665964%
<b>Uses:</b>			
Refunding Escrow Deposits:			Bond Par Amount 4,674,000.00
Cash Deposit	0.28		True Interest Cost 1.950903%
SLGS Purchases	4,844,167.00		Net Interest Cost 2.012740%
	4,844,167.28		All-in TIC 2.138791%
			Average Coupon 3.250000%
Delivery Date Expenses:			Average Life 3.482
Cost of Issuance	29,902.57		Par amount of refunded bonds 4,550,000.00
Underwriter's Discount	23,370.00		Average coupon of refunded bonds 4.204700%
	53,272.57		Average life of refunded bonds 3.707
Other Uses of Funds:			PV of prior debt to 02/19/2009 @ 1.735228% 4,981,235.36
Additional Proceeds	1,282.71		Net PV Savings 72,496.86
	4,898,722.56		Percentage savings of refunded bonds 1.593338%
			Percentage savings of refunding bonds 1.551067%

RESOLUTION NO. (92-2009) continued

SAVINGS

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 02/19/2009 @ 1.7352280%
04/15/2009		23,629.67	-23,629.67		-23,566.25
06/15/2009	94,093.75		94,093.75		93,571.37
10/15/2009		899,952.50	-899,952.50		-889,816.86
12/15/2009	844,093.75		844,093.75		832,187.42
12/31/2009				14,605.33	
04/15/2010		62,562.50	-62,562.50		-61,325.82
06/15/2010	79,093.75		79,093.75		77,307.37
10/15/2010		707,562.50	-707,562.50		-687,610.27
12/15/2010	704,093.75		704,093.75		682,271.85
12/31/2010				13,062.50	
04/15/2011		52,081.25	-52,081.25		-50,177.29
06/15/2011	66,593.75		66,593.75		63,974.76
10/15/2011		692,081.25	-692,081.25		-661,045.17
12/15/2011	691,593.75		691,593.75		658,680.08
12/31/2011				14,025.00	
04/15/2012		41,681.25	-41,681.25		-39,469.63
06/15/2012	54,093.75		54,093.75		51,076.23
10/15/2012		706,681.25	-706,681.25		-663,428.50
12/15/2012	704,093.75		704,093.75		659,098.71
12/31/2012				9,825.00	
04/15/2013		30,875.00	-30,875.00		-28,735.96
06/15/2013	40,687.50		40,687.50		37,759.76
10/15/2013		735,875.00	-735,875.00		-679,002.09
12/15/2013	740,687.50		740,687.50		681,477.45
12/31/2013				14,625.00	
04/15/2014		19,418.75	-19,418.75		-17,763.83
06/15/2014	25,812.50		25,812.50		23,544.79
10/15/2014		719,418.75	-719,418.75		-652,447.12
12/15/2014	725,812.50		725,812.50		656,352.93
12/31/2014				12,787.50	
04/15/2015		8,043.75	-8,043.75		-7,232.20
06/15/2015	10,937.50		10,937.50		9,805.72
10/15/2015		503,043.75	-503,043.75		-448,400.23
12/15/2015	510,937.50		510,937.50		454,126.94
12/31/2015				10,787.50	
	5,292,625.00	5,202,907.17	89,717.83	89,717.83	71,214.15

Savings Summary

PV of savings from cash flow	71,214.15
Plus: Refunding funds on hand	1,282.71
Net PV Savings	72,496.86

BOND DEBT SERVICE

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
04/15/2009			23,629.67	23,629.67	
10/15/2009	824,000	3.250%	75,952.50	899,952.50	923,582.17
12/31/2009					
04/15/2010			62,562.50	62,562.50	
10/15/2010	645,000	3.250%	62,562.50	707,562.50	770,125.00
12/31/2010					
04/15/2011			52,081.25	52,081.25	
10/15/2011	640,000	3.250%	52,081.25	692,081.25	744,162.50
12/31/2011					
04/15/2012			41,681.25	41,681.25	
10/15/2012	665,000	3.250%	41,681.25	706,681.25	748,362.50
12/31/2012					
04/15/2013			30,875.00	30,875.00	
10/15/2013	705,000	3.250%	30,875.00	735,875.00	766,750.00
12/31/2013					
04/15/2014			19,418.75	19,418.75	
10/15/2014	700,000	3.250%	19,418.75	719,418.75	738,837.50
12/31/2014					
04/15/2015			8,043.75	8,043.75	
10/15/2015	495,000	3.250%	8,043.75	503,043.75	511,087.50
12/31/2015					
	4,674,000		528,907.17	5,202,907.17	5,202,907.17

BOND PRICING

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Serial Bonds:					
	10/15/2009	824,000	3.250%	1.100%	101.399
	10/15/2010	645,000	3.250%	1.450%	102.932
	10/15/2011	640,000	3.250%	1.480%	104.591
	10/15/2012	665,000	3.250%	1.570%	105.944
	10/15/2013	705,000	3.250%	1.780%	106.630
	10/15/2014	700,000	3.250%	1.990%	106.706
	10/15/2015	495,000	3.250%	2.210%	106.402
		4,674,000			

Dated Date	02/19/2009
Delivery Date	02/19/2009
First Coupon	04/15/2009
Par Amount	4,674,000.00
Premium	224,722.56
Production	4,898,722.56
Underwriter's Discount	-23,370.00
Purchase Price	4,875,352.56
Accrued Interest	
Net Proceeds	4,875,352.56

SUMMARY OF BONDS REFUNDED

Town of Clarkstown, New York  
REFUNDING BONDS  
REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Public Improvement Serial Bonds - 2001, 2001:					
SERI	12/15/2009	4.000%	750,000.00		
	12/15/2010	4.000%	625,000.00		
	12/15/2011	4.000%	625,000.00	12/15/2010	100.000
	12/15/2012	4.125%	650,000.00	12/15/2010	100.000
	12/15/2013	4.250%	700,000.00	12/15/2010	100.000
	12/15/2014	4.250%	700,000.00	12/15/2010	100.000
	12/15/2015	4.375%	500,000.00	12/15/2010	100.000

4,550,000.00

RESOLUTION NO. (92-2009) continued

PRIOR BOND DEBT SERVICE  
 Town of Clarkstown, New York  
 REFUNDING BONDS  
 REFUNDING OF 08/15/2001 BONDS (12/15/2009 - 2015)

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
06/15/2009			94,093.75	94,093.75	
12/15/2009	750,000	4.000%	94,093.75	844,093.75	
12/31/2009					938,187.50
06/15/2010			79,093.75	79,093.75	
12/15/2010	625,000	4.000%	79,093.75	704,093.75	
12/31/2010					783,187.50
06/15/2011			66,593.75	66,593.75	
12/15/2011	625,000	4.000%	66,593.75	691,593.75	
12/31/2011					758,187.50
06/15/2012			54,093.75	54,093.75	
12/15/2012	650,000	4.125%	54,093.75	704,093.75	
12/31/2012					758,187.50
06/15/2013			40,687.50	40,687.50	
12/15/2013	700,000	4.250%	40,687.50	740,687.50	
12/31/2013					781,375.00
06/15/2014			25,812.50	25,812.50	
12/15/2014	700,000	4.250%	25,812.50	725,812.50	
12/31/2014					751,625.00
06/15/2015			10,937.50	10,937.50	
12/15/2015	500,000	4.375%	10,937.50	510,937.50	
12/31/2015					521,875.00
	4,550,000		742,625.00	5,292,625.00	5,292,625.00

EIC

Date	Cashflow	Present Value to 02/19/2009 @ 1.7352280%
04/15/2009	47,901.40	47,772.83
05/01/2009	239,452.50	238,626.50
10/15/2009	2,153,968.75	2,129,709.85
11/01/2009	7,312.50	7,224.59
04/15/2010	121,468.75	119,067.67
05/01/2010	232,312.50	227,545.57
10/15/2010	1,621,468.75	1,575,745.70
11/01/2010	3,656.25	3,550.42
04/15/2011	97,093.75	93,544.24
05/01/2011	228,656.25	220,128.05
10/15/2011	1,557,093.75	1,487,266.56
04/15/2012	73,368.75	69,475.78
10/15/2012	1,533,368.75	1,439,518.21
04/15/2013	49,643.75	46,204.41
10/15/2013	1,409,643.75	1,300,697.87
04/15/2014	27,543.75	25,196.39
10/15/2014	1,027,543.75	931,888.36
04/15/2015	11,293.75	10,154.30
10/15/2015	706,293.75	629,572.04
	11,149,085.15	10,602,889.35

Summary

Valuation date	02/19/2009
Amount	10,602,889.35
Target for yield calculation	10,602,889.35

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. (93-2009)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the following have applied for a Certificate of Registration pursuant to Section 236-48 of the

Town Code of the Town of Clarkstown :

DAVE'S SEWER AND DRAIN  
 46A Franck Road  
 Stony Point, New York 10980  
 David E. Schneider, Jr., President

BELLEVILLE LANDSCAPING, INC.  
 84 No. Route 9W  
 Congers, New York 10920  
 James Miele, President

MONSEY EXCAVATING  
 71 Montebello Commons Drive  
 Suffern, New York 10901  
 Al Lepori, President

AMERICAN MINUTEMEN SEWER & DRAIN SERVICE  
 307 South Main Street  
 New City, New York 10956  
 Joseph Simonetti, Jr. President

ENVIRONMENTAL CONSTRUCTION, INC.  
 21 Kay Fries Drive  
 Stony Point, New York 10901  
 Susan, Oelkers, President

JGC HEATING, INC.  
 8 Fairmont Terrace  
 West Nyack, New York 10994  
 Gerard Campitiello, President

RESOLUTION NO. (93-2009) continued

RONALD J. TARIGO  
5 Crosscreek Lane  
Stony Point, New York 10980  
Ron Tarigo, President

A SASSO PLUMBING CORP.  
468 Haverstraw Road  
Montebello, New York 10901  
Michael Sasso, President

RINO PAVING & CONSTRUCTION, INC.  
400 Route 17  
Tuxedo, New York 10987  
Robert Rino, President

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

- |  |  |
|--|--|
| No. 09-08 Dave's Sewer and Drain               | 09-13 JGC Heating, Inc.                |
| 09-09 Monsey Excavating                        | 09-14 Ronald J. Tarigo                 |
| 09-10 Environmental Construction, Inc.         | 09-15 Rino Paving & Construction, Inc. |
| 09-11 Belleville Landscaping, Inc.             | 09-16 A Sasso Plumbing Corp.           |
| 09-12 American Minutemen Sewer & Drain Service |  |

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. (94-2009)

Co. Maloney offered and Co. Borelli seconded

RESOLUTION AUTHORIZING REFUND OF BUILDING PERMIT FEE TO RAYMOND AND LISA LOCKEY FOR PROPERTY KNOWN AS MAP NO. 51.8-4-26

WHEREAS, Raymond and Lisa Lockey have requested a refund of Building Permit Fee (No. 08-451) paid in the amount of \$1,685.00 for property located at 2 Colt Court, New City, New York, more particularly described as Tax Map No. 51.8-4-26, because they have decided to withdraw their application for a building permit, and WHEREAS, the Building Inspector has recommended a partial refund with retention of a processing review fee of \$120.00;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Building Inspector, the Town Board hereby authorizes a partial refund of \$1,565.00, of the total Building Permit fee paid in the amount of \$1,685.00, to Raymond and Lisa Lockey, to be charged to Account No. B 02-6-2555-0, subject to receipt and cancellation of the Building Permit.

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. (95-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO RETAIN THE SERVICES OF A CONTRACTOR TO REPLACE AN EXISTING STORM DRAIN LINE WITHIN THE TOWN ROW IN THE VICINITY OF #203 RED HILL ROAD, NEW CITY

WHEREAS, approximately 200 lf of existing storm drain line located within the Town ROW in the vicinity of #203 Red Hill Road, New City, has deteriorated and needs to be replaced; and  
WHEREAS, the Department of Environmental Control has prepared a plan to replace the deteriorated drain line; and  
WHEREAS, the Department of Environmental Control has solicited proposals from five (5) qualified contractors to replace the pipe; and  
WHEREAS, the Department of Environmental Control has received five (5) proposals in response to its solicitation; and  
WHEREAS, Department of Environmental Control staff has reviewed the low proposal submitted by Pinebrook Industries and has found it to be acceptable; and  
WHEREAS, the Director of the Department of Environmental Control recommends that the work be awarded to Pinebrook Industries as per their low proposal of \$14,750.00; and  
NOW, THEREFORE, BE IT RESOLVED that the director of Environmental Control is hereby authorized to retain the services of: Pinebrook Industries, 49 Rolling Ridge Road, New City, NY 10956 to perform this work in accordance with their proposal for an amount not to exceed \$14,750.00; 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 8760 409 0 84 1

RESOLUTION NO. (95-2009) continued

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. (96-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH CLARKSTOWN HOLDINGS, LLC REGARDING WATER SERVICE CHARGES FOR LOWE'S OF CLARKSTOWN ROCKLAND COUNTY, NEW YORK SITE PLAN (TAX MAP DESIGNATION 57.12-1-47)

WHEREAS, as a condition of final site plan approval by the Planning Board, it has been recommended that five (5) fire hydrants be installed for proper fire protection within the said approved site plan known as "Lowe's of Clarkstown Rockland County, New York", designated on the Clarkstown tax map as Map 57.12, Block 1, Lot 47, and

WHEREAS, said property is private property; and the hydrants have been installed at the owner's expense, but the water charges shall be billed to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with Clarkstown Holdings, LLC, as owner, in the form of a Declaration of Covenant, which shall be filed with the Rockland County Clerk and shall run with the land, in a form as approved by the Town Attorney, whereby Clarkstown Holdings, LLC, or its successor(s) in interest, shall pay the water service charges of United Water New York, rendered yearly to the Town of Clarkstown on a per-hydrant basis in connection with the fire hydrants located on such property known as Map 57.12, Block 1, Lot 47, located in the hamlet of Nanuet, for the site plan known as "Lowe's of Clarkstown Rockland County, New York", affecting the tax map parcel referred to above; and the Comptroller is hereby authorized and directed, pursuant to such Covenant, to provide periodic statements to Clarkstown Holdings, LLC, or its successor(s) in interest, for payment of water service charges imposed, plus 10% as a handling fee, and be it

FURTHER RESOLVED, that the amounts to be billed, if not paid in the aggregate within thirty (30) days of billing shall be subject to a 5% penalty and, if not paid thereafter, shall be a lien upon the premises and said charge shall become an additional tax on the following year's tax bill.

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. (97-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT FOR IMPLEMENTING A TOWN PROGRAM THAT WILL PROMOTE CONTROL OF THE CANADIAN GEESE POPULATION

WHEREAS, the Town has previously contracted with wildlife control specialist Thomas J. Maglaras of Nuisance Wildlife Control Agents to implement a program to egg addle Canadian Geese sites throughout the Town under a License granted to the Town by the USDA Wildlife Services in order to promote control of the Canadian Geese population, and

WHEREAS, the Town has received a proposal for a 2009 Canadian Geese Program from Nuisance Wildlife Control Agents, and its past programs have been most successful, and the proposed fee is found to be reasonable along past years' proposals.

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with wildlife control specialist Thomas J. Maglaras, satisfactory to the Town Attorney, to implement a Town program for the control of the Canadian Geese Population during 2009, including a License Agreement with United Water New York Inc., to enter upon its property during implementation of the program, and to take all steps necessary for the Town of Clarkstown to comply with all applicable State and Federal regulations; and be it

FURTHER RESOLVED, that all reasonable expenses in connection with the use of a wildlife control specialist to carry out the Town of Clarkstown program shall not exceed \$10,200.00 and shall be charged to Account No. A-8090-409-0.

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. (98-2009)  
Co. Maloney offered and Co. Lasker seconded

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AMENDED DECLARATION OF COVENANT WITH SISTERS OF CHARITY TO PROVIDE FOR DIRECT BILLING FOR FIRE HYDRANTS FOR SISTERS OF CHARITY (SETON VILLAGE) PHASE I (63.11-2-13)

WHEREAS, Sisters of Charity of St. Vincent de Paul of New York ("Sisters of Charity") has requested that the Town Board authorize direct billing with respect to four (4) fire hydrants located on Sisters of Charity property for which annual charges are currently billed through the Town and reimbursed with a 10% handling charge in accordance with a covenant which was a condition of site plan approval, and

WHEREAS, United Water is willing to bill said charges directly to Sisters of Charity;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a modification of the Declaration of Covenant recorded in the Rockland County Clerk's Office on January 9, 2004, by instrument drawn subject to the Town Attorney's approval, which shall provide that annual maintenance charges for the four (4) fire hydrants located in the interior of the Sisters of Charity (Seton Village) Phase I development may be billed directly to said Sisters of Charity of St. Vincent de Paul of New York, provided further that United Water agrees to immediately notify the Town if timely payment is not made, if service is interrupted, or required maintenance is unreasonably deferred.

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. (99-2009)  
Co. Maloney offered and Co. Hoehmann seconded

Resolution Authorizing the Release of Maintenance Bond (Hidden Ridge II Subdivision – 95-A-12)

WHEREAS, Western LLC furnished to the Town of Clarkstown a Maintenance Bond secured by Letter of Credit No. 2341 in the amount of \$6,172.50 to guaranty the road and improvements in the Hidden Ridge II Subdivision, as shown on the final plat of Hidden Ridge II (95-A-12), which was filed in the Rockland County Clerk's Office on January 7, 2004 and re-filed with a correction on February 10, 2004, and

WHEREAS, the Deputy Director of Environmental Control of the Town of Clarkstown, with the concurrence of the Superintendent of Highways, has advised that the security may be released, as the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that Maintenance Bond in the amount of \$6,172.50, in connection with the dedication of the road and improvements in a subdivision known as Hidden Ridge II (95-A-12), is hereby terminated; and the sum of \$6,172.50 may be released to the guarantor.

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. (100-2009)  
Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Rockland County Commissioner of Finance has offered the tax delinquent and foreclosed .23 acre parcel (50 feet x 200 +/- feet) of vacant land known as 30 Van Nostrand Avenue, Nanuet (64.9-2-40 f/k/a 32-B-27.5/02) to the Town of Clarkstown, and

WHEREAS, the Town Board believes it is in the best interest of the Town to acquire this parcel as it represents the paved the vacant parcel offered is the paved easterly extension of Van Nostrand Avenue, which has connections to five separate residential parcels, and

WHEREAS, the Rockland County Executive has agreed to offer the parcel for the amount of \$3000, an amount which is less than the Town has already received in back taxes from the County during the delinquency process,

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the expenditure of \$3000 to acquire 30 Van Nostrand Avenue, Nanuet (64.9-2-40 f/k/a 32-B-27.5/02) from the County of Rockland, and be it

FURTHER RESOLVED that said expenditure shall be a proper charge to Account No. A-1940-505, and the Town Attorney is hereby directed to prepare and/or approve, as necessary, all documentation required to consummate the transaction for signature by the Supervisor.

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. (101-2009)  
Co. Maloney offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney - Purchasing and the Director of Automated Services that

BID # 21-2008 – SURVEILLANCE CAMERAS – CLARKSTOWN HIGHWAY DEPARTMENT  
is hereby awarded to: CARE SECURITY SYSTEMS, 28 PARKER BOULEVARD, MONSEY, NY 10952  
PRINCIPAL: NATHAN SCHWAB, ABE SCHWAB

as per their proposed project cost not to exceed \$22,874.10 and be it

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

- a) Certificate of Contractor's Liability and Property Damage Coverage, including a Save Harmless Agreement
- b) Certificate of Automobile Liability Coverage
- c) Certificate of Worker's Compensation insurance coverage
- d) 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-8758-400-409-0-83-08 and be it

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

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. (102-2009)  
Co. Maloney offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney - Purchasing and the Superintendent of Recreation and Parks that

BID # 37-2008 - VALLEY COTTAGE HAMLET GREEN  
is hereby awarded as follows:  
GENERAL CONSTRUCTION: TURCO GOLF INC., 212 ORANGE AVENUE, SUFFERN, NY 10901  
PRINCIPAL: DENNIS TURCO, PRESIDENT

as per their proposed project cost of \$448,500.00;  
Add alternate "b" – Precast Concrete Fountain Work: \$16,577.00;  
Add alternate "c" – Stamped/Colored Concrete: \$18,000.00

ELECTRICAL: HVS, LLC, 54 SOUTH LIBERTY DRIVE, STONY POINT, NY 10980  
PRINCIPAL: JAMES J. MULLEN, PRESIDENT

as per their proposed project cost of \$23,000.00;  
Add alternate "b" – Miscellaneous Electrical Work: \$399.00  
for a total proposed project cost not to exceed \$506,476.00 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 Department of Recreation and Parks and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8759-400-409-83-31 and be it

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

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. (103-2009)  
Co. Maloney offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent that  
BID #2-2009 – SWIMMING POOL CHEMICALS

RESOLUTION NO. (103-2009) continued

is hereby awarded to: DUSO CHEMICAL CO., INC., 26 VAN KLEEK DRIVE, POUGHKEEPSIE, NY 12601

PRINCIPALS: DAVID LANDESMAN, PRESIDENT

JERSEY CHEMICALS, INC., 775 RIVER STREET, PATERSON, NJ 07524

PRINCIPALS: DAVID PAULEN, PRESIDENT

BEL-AQUA POOL SUPPLY INC., 20 COMMERCE DRIVE, NEW ROCHELLE, NY 10801

PRINCIPALS: MARTIN SILVER, SUSAN WISAN

LINCOLN EQUIPMENT, P.O. BOX 941, GLASTONBURY, CT 06033

PRINCIPALS: A PUBLIC CORPORATION

as per the item/price schedule:

ITEM NO	ITEM DESCRIPTION	UNIT	UNIT PRICE	AWARD
1.	SODIUM HYPOCHLORITE BULK LAKE NANUET 2600 GAL – about every 2 weeks, GERMONDS 1200 GAL – about every 2 weeks <u>*DELIVERY BEFORE 11AM– A MUST TO ALL LOCATIONS</u>	tank	\$1.49/GL.	DUSO CHEMICAL
2.	CALCIUM HYPOCHLORITE GRANULAR	100#/drum 4-6	\$144.20	BEL-ACQUA
3.	CARBON DIOXIDE (CO2)	50 LB CYL. AS REQUIRED	NO BID	NO AWARD
4.	LAMOTTE PM3, (PM3363)	KIT	3 \$36.80 *	JERSEY CHEMICAL
	TEST KIT & REFILLS .5 INCREMENT	REFILL	6 \$2.89*	JERSEY CHEMICAL
*MUST TAKE ALL				
5.	BULK CARBON DIOXIDE	PER GALLON	NO BID	NO AWARD
6.	DPD Test Refills Tabs 1 box 1000 DPD Phenol Red Tabs	1	\$28.00	BEL-ACQUA
7.	Pulsar Plus CHI Briquettes- Congers	Slab of 24	\$115.00	LINCOLN EQUIP.
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. (104-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney - Purchasing and the Director of the Department of Environmental Control that

BID # 17-2009 – GREEN AVENUE STREAM CHANNEL STABILIZATION

is hereby awarded to: Ascape Landscape and Construction Corp., 634 Route 303, Blauvelt, NY 10913

PRINCIPAL: STUART CHAITIN, PRESIDENT

as per their proposed project cost not to exceed \$54,527.00 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 Department of Environmental Control and be it

FURTHER RESOLVED, that this project shall constitute a proper charge to account number

H-8758-400-409-0-82-11 and be it

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

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. (105-2009)

Co. Borelli offered and Co. Hoehmann seconded

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

BID #21-2009 – BUENA VISTA DRIVE DRAINAGE AND ROADWAY IMPROVEMENTS

RESOLUTION NO. (105-2009) continued

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 Department of Environmental Control at the above address.

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. (106-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:  
BID #22-2009 – ROADWAY RECONSTRUCTION VARIOUS LOCATIONS 2009

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 Department of Purchasing at the above address.

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. (107-2009)

Co. Borelli offered and Co. Hoehmann seconded

RESOLVED, that the Authorized Purchasing Agent is hereby authorized to advertise for bids for:  
BID #23-2009 – SIDEWALK (RE) CONSTRUCTION VARIOUS LOCATIONS 2009

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 Department of Purchasing at the above address.

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. (108-2009)

Co. Borelli offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED FEBRUARY 10, 2009, AUTHORIZING THE CONSTRUCTION OF A NEW PARK AT VALLEY COTTAGE HAMLET GREEN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$625,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$625,000 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 a new park at Valley Cottage Hamlet Green. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$625,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$625,000 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 \$625,000 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

RESOLUTION NO. (108-2009) continued

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 full, 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. (109-2009)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Deputy Town Attorney- Purchasing and the Clarkstown Superintendent of Recreation and Parks that

BID # 13-2009 – FIREWORKS DISPLAY

is hereby awarded to: Pyro Engineering D/B/A, Bay Fireworks, 400 Broadhollow Road, Suite 3, Farmingdale, NY 11735

Principals: Dennis Brady, President, Charles Rappa, Vice President, John Barnett, Treasurer

as per their proposed total project cost of \$15,000.00 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
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of General Liability Insurance
- e) Certificate of Fireworks Display 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

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. (110-2009)  
Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AUTHORIZING AN AGREEMENT WITH TILCON NEW YORK,  
FOR REPAIR OF CERTAIN PORTIONS OF SOUTH MAIN STREET, NEW CITY

WHEREAS, the Superintendent of Highways solicited proposals for the repair of certain portions of South Main Street, New City, New York, and  
WHEREAS, Tilcon has submitted a proposal to the Town dated February 9, 2009, to supply labor, equipment and trucking for the placement of asphalt on South Main Street, and  
WHEREAS, the Superintendent of Highways has reviewed said proposal and finds it reasonable in terms of scope and price, and  
WHEREAS, the Town of Clarkstown intends to utilize its own employees for preparation work and maintenance and protection of traffic, and  
WHEREAS, the Town of Clarkstown will purchase the required asphalt material utilizing New York State Contract No. PC63694;  
NOW, THEREFORE, be it  
RESOLVED, that the Supervisor is authorized to enter into an agreement with Tilcon, in a form satisfactory to the Town Attorney, for asphalt restoration of South Main Street, New City, in an amount not to exceed \$20,000.00, and be it  
FURTHER RESOLVED, that this project will be charged to Account Number H-5111-400-4-16.

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. (111-2009)  
Co. Maloney offered and Co. Hoehmann seconded

WHEREAS, the New York State Department of Environmental Conservation approved a “Supplemental Investigation Work Plan” (the “Work Plan”), which provides a scope of work for the Town’s conducting field investigation activities on certain property owned by Raphael Riverso (“Riverso”); and  
WHEREAS, in order to carry out its investigation under the Work Plan, the Town must enter upon and perform certain investigation activities on, Riverso’s property located at 411 West Route 59, West Nyack, New York; and  
WHEREAS, the Town and Riverso have negotiated a license agreement, in a form acceptable to the Town Attorney, which allows the Town access to the property to perform the work;  
NOW, THEREFORE, BE IT  
RESOLVED, that the Supervisor is hereby authorized to execute the Temporary License Agreement with Riverso in the form approved by the Town Attorney.

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. (112-2009)  
Co. Maloney offered and Co. Hoehmann seconded

WHEREAS, The South Main Street Revitalization Economic Recovery Project(s) (hereinafter the “the Projects”) in the Town of Clarkstown, in Rockland County, (hereinafter “the Municipality/Sponsor”) is (are) eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds.  
NOW, THERFORE, the Municipal/Sponsor Board duly convened does hereby:  
RESOLVE, that the Municipal/Sponsor Board hereby approves the above Projects; and it is hereby further  
RESOLVED, that the Municipality/Sponsor agrees to advance the Projects through:  
The Municipality/Sponsor’s resources and agrees that the Municipal/Sponsor Board hereby authorizes the Municipality/Sponsor to pay in the first instance the full federal costs and full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates from Town of Clarkstown Appropriations for New City-South Main Street Revitalization and accounts established therefore [or pursuant to ] the funds necessary to complete the Project(s) including all phase(s) or portions thereof  
RESOLVED, that the Municipal/Sponsor Board makes a 100% commitment of the non-federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Project(s) or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (hereinafter “NYSDOT”) pursuant to the State/Local Agreement and it is hereby further  
RESOLVED, that upon completion of construction of the Projects, or a fully usable portion thereof, the Municipality/Sponsor agrees to maintain the Project(s), or fully usable portion thereof, at their sole cost and expense; and it is hereby further  
RESOLVED, that in the event the full federal and non-federal share of the Projects exceeds the amount appropriated above, the Municipal/Sponsor Board shall convene as soon as possible to appropriate said excess amount immediately; and it is hereby further  
RESOLVED, that the Town Supervisor, Alexander J. Gromack of the Town of Clarkstown is hereby authorized to execute all necessary Agreements or certifications on behalf of the Municipality/Sponsor, (subject to the Municipality/Sponsor Attorney’s approval as to form and content), with NYSDOT in connection with the advancement

RESOLUTION NO. (112-2009) continued

or approval of the Projects identified in the State/Local Agreement; and providing for the administration of the Projects and the municipality's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Project(s); and it is further

RESOLVED, that this Resolution shall take effect immediately.

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. (113-2009)

Co. Maloney offered and Co. Hoehmann seconded

WHEREAS, by Resolution No. 299-2008 dated May 13, 2008, as amended by Resolution No. 792-2008 dated December 16, 2008, the Town Board authorized the Supervisor to enter into an agreement with Cambridge Systematics, 33 East 33<sup>rd</sup> Street, Suite 804, New York, New York, 10016, to provide certain professional services in connection with the transportation component of the Town's Comprehensive Plan update; and

WHEREAS, the Town has requested a proposal from Cambridge Systematics to provide additional professional services not originally included in the original scope; and

WHEREAS, Cambridge Systematics has submitted a proposal dated February 4, 2009, to provide the additional services requested at a cost of \$4,959, which the Town Planner has reviewed and found reasonable in terms of scope and price;

NOW, THEREFORE BE IT

RESOLVED, that the Supervisor is hereby authorized to enter into an amendment to the contract with Cambridge Systematics to provide additional professional services as per their February 4, 2009 proposal; and be it

FURTHER RESOLVED, that Resolution No. 299-2008, as amended by Resolution No. 792-2008, is hereby amended to increase the total cost of the project by \$4,959, for a total of \$164,844.00, which amount shall constitute a proper charge to Account No. A-8021-409.

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. (114-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby ratifies and approves a Side Letter of Agreement between the Civil Service Employees Association, Inc., Town of Clarkstown Unit and the Town dated February 10, 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. (115-2009)

Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION AMENDING RESOLUTION NO. 789-2008 REGARDING INTERMUNICIPAL AGREEMENT WITH NEW YORK STATE THRUWAY AUTHORITY

WHEREAS, by Resolution No. 789-2008 dated December 16, 2008, the Town Board authorized the Supervisor to enter into an Intermunicipal Agreement with the New York State Thruway Authority with respect to certain work to be performed on the Mountainview Avenue Bridge located within the Town, specifically, the replacement of hangers on the sewer line which are attached to the underside of the bridge; and

WHEREAS, in said Resolution, the cost of the replacement was estimated to be \$6,000 based upon design estimates; and

WHEREAS, the New York State Thruway Authority has advised that the cost of the work will be \$12,000, based upon the bid award;

NOW, THEREFORE BE IT

RESOLVED, that Resolution No. 789 is hereby amended by deleting the last "RESOLVED" clause and

RESOLUTION NO. (115-2009) continued  
substituting the following:

“FURTHER RESOLVED, that reimbursement for the cost of said work by the Authority on the Town’s sewer line shall not exceed \$12,000 and shall constitute a proper charge to Account No. H-8760-400-409-0-84-1, and be it FURTHER RESOLVED, that it is the intention of the Town Board that this project is to be funded through serial bonds.”

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. (116-2009)  
Co. Maloney offered and Co. Hoehmann seconded

RESOLUTION ADOPTING FEE SCHEDULE FOR CHAPTER 250

RESOLVED, that the Town Board hereby adopts the attached schedule of fees for Road Opening/Excavation Permits, as follows:

- \$175.00 - Road Opening/Excavation Permit Fee (Includes first inspection)
- \$100.00 – Re-inspection fee

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.

Patrick Rocco- Congers

Spoke about property on Massachusetts Avenue and referred to a letter Mr. Goldberg previously submitted asking that an environmental lien be removed, but it is important that it remains as is. Submitted environmental reports (on file with Town Clerk) that show hazardous materials are far above safe levels and are a threat to human health. Stated concerns about a dead tree at 141 Massachusetts Avenue that could fall on his house.

Amy Mele- Town Attorney

Stated the town has no intention of removing the lien on the property at 141 Massachusetts Avenue. Asked Mr. Rocco to call her office to discuss options concerning the tree.

Steven Levine- Congers

Spoke about issues regarding property on Massachusetts Avenue and asked if the bank requested remediation. Stated a sign should be posted saying the soil is unstable and no trespassing.

K. Luke Kalarickal, Director, Department of Environmental Control

Stated the bank has not requested remediation.

Sean Gerlis- West Nyack

Spoke about concerns that the deaf community cannot hear the emergency management sirens.

Chief Peter Noonan

Stated the only sirens are for Indian Point and that the town has a phone system for notifying deaf people. The only time there is a problem with the system is when there is a loss of power, the phone lines do not function.

Kevin Gilroy- New City

Stated we need an additional crosswalk across Congers Road for the high school students.

On motion of Co. Maloney, seconded by Co. Lasker, and unanimously adopted, Town Board Meeting was closed 9:17 P.M.

Respectfully submitted,

David Carlucci  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING #1

Town Hall

2/10/09

8:26 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

Re: Continuation: Proposed Local Law entitled: "A Local Law amending Chapter 250 (Streets and Sidewalks) of the Code of the Town of Clarkstown.

\*\*\*\*\*

On motion of Co. Maloney, seconded by Co. Borelli, hearing opened 8:26 P.M.

Amy Mele- Town Attorney

Gave an overview of the proposal, stating the proposal would remove the fees from the body of the code so they could be reset with future resolutions without opening up each local law.

There being no one wishing to be heard, on motion of Co. Maloney, seconded by Co. Borelli, and unanimously adopted, the public hearing was closed 8:29 P.M. RESOLUTION NO. (85-2009)

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (85-2009)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #2

Town Hall

2/10/09

8:29 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

Re: Proposed Local Law entitled: "A Local Law amending Chapter 290 (Zoning – Contractor Storage Yard) of the Code of the Town of Clarkstown. On motion of Co. Lasker, seconded by Co. Borelli, hearing opened 8:29 P.M.

\*\*\*\*\*

Amy Mele- Town Attorney  
Gave an overview of the proposal.

There being no one wishing to be heard, on motion of Co. Borelli, seconded by Co. Lasker, and unanimously adopted, the public hearing was closed 8:33 P.M. RESOLUTION NO. (86-2009)

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (86-2009)

TOWN OF CLARKSTOWN  
PUBLIC HEARING #3

Town Hall

2/10/09

8:33 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

Public Hearing #3 re: Proposed Local Law entitled: "A Local Law amending Chapter 146 (Flood Damage Prevention) of the Code of the Town of Clarkstown.

\*\*\*\*\*

On motion of Co. Maloney, seconded by Co. Hoehmann, hearing opened 8:33 P.M.

Amy Mele- Town Attorney  
Gave an overview of the proposal.

Fred Lester- New City  
Stated New City Condos had flood damage a year ago and asked if anything has been done to assure there is no more flooding, even if the AAR is constructed at Squadron Blvd.?

Supervisor Gromack  
Stated engineering studies show a mitigation of flooding and there would be no additional increase in runoff. As the Squadron Blvd. development goes through the process, the goal is to make the drainage better than it is, but during the site plan review, there will be further studies.

There being no one wishing to be further heard, on motion of Co. Maloney, seconded by Co. Hoehmann, and unanimously adopted, the public hearing was closed 8:39 P.M. RESOLUTION NO. (87-2009)

Respectfully submitted,

David Carlucci  
Town Clerk

RESOLUTION NO. (87-2009)