

TOWN OF CLARKSTOWN  
SPECIAL TOWN BOARD MEETING

Town Hall

8/16/96

4:20 p.m.

Present: Supervisor Holbrook  
Council Members Maloney, Mandia, Profenna & Smith  
Philip B. Fogel, Deputy Town Attorney  
Patricia Sheridan, Town Clerk

Supervisor declared the Town Board Meeting open.

Assemblage saluted the Flag.

RESOLUTION NO. (771-1996)

Co. Smith offered and Co. Maloney seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE  
COUNTY OF ROCKLAND, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Board of the Town of Clarkstown has adopted a resolution which determines and states that it is the intention of the Town Board to acquire a parcel of land located in the Town of Ramapo for general municipal purposes.

Section 2. It is the intent of the Town Board to adopt a resolution and issue serial bonds for the acquisition of the property. For SEQR purposes, regarding the acquisition of property, the Town Board of the Town of Clarkstown shall be considered to be the lead agency, since no other agency has jurisdiction.

Section 3. For purposes of the acquisition, the Town Board herewith determines that the issuance of serial bonds is a Type II action not subject to further SEQR review under the provisions of 617.5 (21) and (27), relevant sections underlined.

“617.5 (21) conducting concurrent environmental, engineering, economic feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;”

“617.5 (27) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list.”

Section 4. The Town Board recognizes that an environmental review under the provisions of SEQR will be necessary prior to the issuance of serial bonds for any development of the site. Such environmental review will be performed after the preparation of preliminary plans and the designation of lead agency.

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RESOLUTION NO. (771-1996) Continued

On roll call the vote was as follows:

Councilman Maloney	Yes
Councilman Mandia	Yes
Councilman Profenna	Yes
Councilwoman Smith	Yes
Supervisor Holbrook	Yes

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RESOLUTION NO. (772-1996)

Co. Smith offered and Co. Maloney seconded

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 "Town"), is hereby authorized to acquire land located in the Town of Ramapo for general municipal purposes, consisting of approximately 190.37 acres and identified as Section 3, Lots 12A1, 13A2A, 13A2B and 13A2C on the Ramapo town tax map. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,500,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$4,500,000 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. Bonds of the Town in the principal amount of \$4,500,000 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 "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 bonds authorized to be issued pursuant to this resolution, for the purpose referred to in Section 1 hereof, within the limitations of Section 11.00 a. 21. of the Law, is thirty (30) years.

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

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

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RESOLUTION NO. (772-1996) Continued

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 the issuance 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 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 relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, 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 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.

On roll call the vote was as follows:

Councilman Maloney	Yes
Councilman Mandia	Yes
Councilman Profenna	Yes
Councilwoman Smith	Yes
Supervisor Holbrook	Yes

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RESOLUTION NO. (773-96)

Co. Smith offered and Co. Maloney seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE  
COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Clarkstown shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "THE JOURNAL NEWS," a newspaper published in Nyack, New York, and in "THE CLARKSTOWN COURIER," a newspaper published in Pearl River, New York, each having a general circulation within said Town and hereby designated the official newspapers of the Town Law, a Notice in substantially the following form:

(Notice on file in Town Clerk's Office)

Section 2. The Town Clerk is hereby directed to cause said bond resolution to be published, in full, after said bond resolution shall take effect, in the newspapers referred to in Section 1 hereof, and hereby designated the official newspapers 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.

Section 3. This resolution shall take effect immediately.

On roll call the vote was as follows:

Councilman Maloney	Yes
Councilman Mandia	Yes
Councilman Profenna	Yes
Councilwoman Smith	Yes
Supervisor Holbrook	Yes

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There being no further business to come before the Town Board, and no one further wishing to be heard, on motion of Councilman Smith, seconded by Councilman Maloney and unanimously adopted, the Town Board Meeting was declared closed, time: 4:33 p.m.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk