

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

11/25/97

8:00 P.M.

Present: Supervisor Charles E. Holbrook  
Council Members Maloney, Mandia Profenna and Smith  
Murray N. Jacobson, Town Attorney  
Patricia Sheridan, Town Clerk

Supervisor declared the Town Board meeting open. Assemblage saluted the Flag.

Supervisor opened the public portion of the meeting.

Appearance: Russell Trojan  
Nanuet

Regarding Item #10, he asked what street would be include in the annexation. He asked the Town Board to delay the printing of the mini trans schedule until changes can be made regarding Palisades Center. Mr. Trojan heard that Home Depot is coming to Kemmer Lane and there is going to be a zone change from residential to commercial on some properties. He wants Home Depot or the developer of the property to present a Petition for the zone change. He spoke about a fire dispatcher inadvertently activating the Nanuet Fire Department for a telephone alarm in Amber Fields.

Appearance: Ted Dusanenko

He spoke regarding televising Town Board Meetings and in opposition to the golf course. Mr. Dusanenko would like to have the golf course put to a vote.

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RESOLUTION NO. (880-1997)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that the Town Board Meeting of November 13, and November 18, 1997 are hereby accepted as submitted by the Town Clerk.

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. (881-1997)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown has established a yardwaste program, and entered into county-wide intermunicipal agreements and

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RESOLUTION NO. (881-1997) Continued

WHEREAS, expansion of the French Farms compost site would increase program efficiency and,

WHEREAS, 6 NYCRR part 360 requires detailed, certified surveys as part of the application.

NOW, THEREFORE, be it

RESOLVED, that Guterl and Greenwell be retained to provide surveying services to prepare a base boundary and topographic map for the French Farms facility, at a cost of \$11,500.00. Said fee to be a proper charge to account SR 8160-409-0.

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. (882-1997)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, pursuant to Section 115 of the Town Law, the Comptroller of the Town of Clarkstown is hereby authorized to amend the 1997 budget for transferring unexpended balances of appropriations among various accounts, and by increasing and decreasing revenue accounts for the purpose of balancing all funds.

NOW THEREFORE, be it

RESOLVED, that the 1997 budget is hereby amended.

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. (883-1997)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown has received \$68,544.00 from EklecCo for police protection and \$1,143.50 from Teplitz Auto & Scrap for the Sale of Scrap, and be it

THEREFORE RESOLVED, to increase Estimated Revenue Account No. A 01 3 2705 (General-Gifts and Donations) and Appropriation Account No. A3120 113 (Police

RESOLUTION NO. (883-1997) Continued

Overtime) by \$68,544.00 and Estimated Revenue Account No. SR 16 8 2650 (Sanitation Dists.-Sale of Scrap) and Appropriation Account No. SR 8160 443 (Private Equipment Rental) by \$1,143.00 and

WHEREAS, various Appropriation Accounts require additional funding and be it

THEREFORE RESOLVED, to decrease A 1410 204 (Town Clerk-Office Machines) and increase A 1410 438 (Maintenance Agreements) by \$2,000.00

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. (884-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, to decrease Account No. A-1621-406 (Repairs to Vehicles) by \$300.00 and to increase Account #A-1621-312 (Auto-Maintenance) by \$300.00, and to decrease Account #A-7210-404 (Travel/Mileage) by \$910.33 and to increase Account #A-7210-301 (Food) by \$910.33.

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. (885-1997)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown has received a donation of \$350.00 from Bell Atlantic, Inc. and be it

THEREFORE RESOLVED, to increase Estimated Revenue Account No. A 01-3-2001 (General Fund-Park & Recreation) and Appropriation Account No. A 7310-329 (Parks & Recreation - Supplies) by \$350.00

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. (886-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Cathy Conklin, Robert Davies, Ann Daino and Frances Koppel are hereby authorized to attend a one day seminar on "Analyzing Tax Returns/STAR" on January 22, 1998 in Mt. Kisco.

FURTHER RESOLVED, that all proper charges be charged against line 1010-414.

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. (887-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Assessor, Nicholas Longo; Supervising Real Property Appraiser, Cathy Conklin; Real Property Appraisers Robert Davies & Philip Platz; Data Collector II, Margaret Whelan; Data Collector Dawn Mauro and Joan Derella are hereby authorized to attend the following courses sponsored by the New York State Assessor's Association and the New York Office of Real Property Services for continuing education credits.

July 19 - 24, 1998	Seminar on Appraising Cornell University, Ithaca, New York
October 4 - 7, 1998	Annual Meeting & Fall Seminar on Assessment Administration Syracuse, New York

FURTHER RESOLVED, that all proper charges be charged against line 1010-414.

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. (888-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Ann Marie Smith and Louis J. Profenna Council Members, and Edward J. Duer, Comptroller, are hereby authorized to attend the Tenth Annual

RESOLUTION NO. (888-1997) Continued

Conference on Labor and Employment Law at the Holiday Inn, Airmont, NY on December 3, 1997, and be it

FURTHER RESOLVED, that all necessary expenses be charged to A 1010-414 (Conferences and Schools).

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. (889-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control that

BID #7-1998  
SECURITY GUARD SERVICE FOR SOLID WASTE FACILITY

is hereby awarded to:

ACCURATE SECURITY CO.  
84 SO. LIBERTY DRIVE  
STONY POINT, NY 10980  
PRINCIPALS: JOHN A. SCHASSLER  
                  JOHN KEELEY  
                  JOHN A. SCHASSLER, JR.

as per their proposal cost of \$9.10 per guard, per hour, and be it

FURTHER RESOLVED, that said award is subject to the receipt of:

- 1 - Certificate of General Liability Insurance, including coverage for errors and omissions in the face amount of \$1 million.
- 2 - Certificate of Workers Compensation & Workers Disability Coverage.
- 3 - Executed Save Harmless Agreement

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. (890-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control that

BID #52-1997  
BREWERY ROAD IMPROVEMENTS

is hereby awarded to:

HUDSON CANYON CONSTRUCTION INC.,  
115 DEVRIES AVE.  
SLEEPY HOLLOW, NY 10591

as per their proposed project cost of \$341,158.50, and be it

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

- a) Signed contract document - 2 copies
- b) Performance Bond - 100% of proposed project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractors Liability and Property Damage Coverage
- e) Certificate of Workers compensation and Workers Disability Coverage

The Town of Clarkstown shall be named as co-insured on liability policies.

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. (891-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control that

BID #57-1997  
ELECTRICAL WORK AT LAKE NANUET PARK

is hereby awarded to:

C.G.R. ELECTRICAL CORP.  
d/b/a/ EAGLE ELECTRIC  
110 W. CROOKED HILL ROAD  
PEARL RIVER, NY 10965

as per their proposed project cost of \$37,500.00, and be it

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RESOLUTION NO. (891-1997) Continued

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

- a) Signed contract document - 2 copies
- b) Performance Bond - 100% of proposed project cost
- c) Labor and Materials Payment Bond - 100% of proposed project cost
- d) Certificate of Contractors Liability and Property Damage Coverage
- e) Certificate of Workers compensation and Workers Disability Coverage

The Town of Clarkstown shall be named as co-insured on liability policies.

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. (892-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, Performance Bond, dated August 8, 1995, secured by Letter of Credit No. 1425, in the amount of \$275,000.00, which was furnished to the Town in connection with the Gold-El Heights Subdivision, is hereby terminated; and the aforementioned Letter of Credit may be released to the guarantor.

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. (893-1997)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Town Board of the Town of Clarkstown has complied with New York State's Environmental Quality Review Act (SEQR) for the proposed horizontal and vertical realignment of the Demarest Kill to mitigate potential flooding problems in a residential area located along Cranford Drive, in the Town of Clarkstown, New City, Rockland County, New York, and

WHEREAS, an Environmental Assessment has been prepared in compliance with 6NYCRR - Part 617 (SEQR), under authority of the New York State Environmental Conservation Law, to evaluate potential impacts and mitigation measures (if any) resulting from the proposed project, and

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RESOLUTION NO. (893-1997) Continued

WHEREAS, it has been determined that the proposed project is an UNLISTED action, and

WHEREAS, the impacts and mitigating measures are documented in the Environmental Assessment for the Cranford Drive Flood Amelioration Project, and

WHEREAS, the streambanks are scoured with extensive areas of sediment deposits limiting the establishment of fish and benthic communities within the project area and streambank vegetation is being undercut by erosion creating more sediment deposition, and

WHEREAS, the potential beneficial impacts far outweigh any short term environmental impacts, to wit: mitigate potential flooding problems in a residential area and to improve the hydraulic efficiency of the Demarest Kill and its reaches;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown, as lead agency, has determined that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

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. (894-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that based upon the recommendation of Howard L. Lampert, PE, Traffic and Highway Engineering Consultant, the Superintendent of Highways is hereby authorized to implement the following parking regulations and install signs and/or pavement markings regarding same:

1. Parking reserved for the handicapped shall be permitted on the south side of Orchard Street from 15 feet to 40 feet west of Middletown Road
2. Standing shall be prohibited anytime on:
  - a) The south side of Orchard Street from Middletown Road to 15 feet west of Middletown Road
  - b) The north side of Orchard Street from Middletown Road to 15 feet west of Middletown Road
  - c) The south side of Orchard Street from Middletown Road to 15 feet east of Middletown Road, and be it

FURTHER RESOLVED, that the Town Clerk is directed to forward copies of this resolution to John Mauro, Superintendent of Highways for implementation and to the Traffic and Traffic Fire Safety Advisory Board and the Chief of Police for their information.

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RESOLUTION NO. (894-1997) 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. (895-1997)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Hudson River is an area of rich heritage intrinsic to the history of New York State and the Nation, and

WHEREAS, Governor George E. Pataki, has nominated the Hudson River as an American Heritage River, and

WHEREAS, the Town Board of the Town of Clarkstown wishes to support this worthwhile endeavor;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby supports Governor George E. Pataki's nomination to designate the Hudson River as an American Heritage River.

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. (896-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Petition of KELLY BERNARD and LORNA RISSIER BERNARD, for the annexation of territory located in the Town of Clarkstown to the Village of Spring Valley, more specifically described on the Clarkstown Tax Map as Map 8, Block A, Lots 7, 8, 9, 10, 11, 15, 16 and 17, be referred to the Clarkstown Planning Board, Building Inspector, Superintendent of Highways and Tax Assessor for their report and recommendations on or before January 15, 1998.

On roll call the vote was as follows:

Councilman Maloney.....Yes  
Councilman Mandia.....No  
Councilman Profenna.....Yes  
Councilwoman Smith.....No  
Supervisor Holbrook .....Yes

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RESOLUTION NO. (897-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, it is necessary for the Town of Clarkstown to purchase additional property for the Town of Clarkstown Golf Course;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a contract with Gary and Ronni A. Tortorello, for the Town of Clarkstown to acquire approximately 75,000 sq. ft. (+/-) of property in the Town of Ramapo known as Section 3, Lot 10-A. In turn the Town of Clarkstown will exchange a piece of property of 200,000 sq. ft. (+/-). No money shall be paid, and be it

FURTHER RESOLVED, that this Resolution shall be subject to 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. (898-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, it is necessary for the Town of Clarkstown to purchase additional property for the Town of Clarkstown Golf Course;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a contract of sale with Arthur J. Harris, to purchase approximately 29,000 sq. ft. (+/-) of Lot 17-A6, for a cost of \$60,000 plus additional land from the Town of Clarkstown. This land will enable Mr. Harris to maintain the same lot area and conform with zoning. A survey of the property is attached to this Resolution, and be it

FURTHER RESOLVED, that this Resolution shall be subject to 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. (899-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, HATTENBURG DEVELOPMENT COMPANY, INC. and SL REALTY, CO. v. CHARLES E. HOLBROOK, Supervisor, RALPH MANDIA, JOHN MALONEY, LOUIS PROFENNA, and ANN MARIE SMITH, Councilpersons comprising the TOWN BOARD OF THE TOWN OF CLARKSTOWN, and the TOWN OF CLARKSTOWN;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps to defend said proceeding.

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. (900-1997)

Co. Smith offered and Co. Mandia seconded

WHEREAS, Town of Clarkstown Department of Recreation and Parks in conjunction with Valley Cottage Little League is planning to develop a parcel of land for ballfields, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 139 Block A Lot 3 and said property is under the ownership of the Palisades Interstate Park Commission, and

WHEREAS, the New York State Department of Environmental Conservation has requested that the Town of Clarkstown act as Lead Agency for the proposed Valley Cottage Little League Fields

NOW THEREFORE, be it

RESOLVED, for the purposes of the New York State Environmental Review Act(SEQR), the Town Board determines that it shall act as lead agency and the Director of Environmental Control is hereby authorized and directed to act as agent for the Town Board with respect to SEQR review.

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. (901A-1997)

Co. Maloney offered and Co. Mandia 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 reconstruct improvements to various park facilities in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,335,000 and said amount is hereby appropriated therefore or has heretofore been appropriated for such purpose. The plan of financing includes: (a) the expenditure of current funds and the proceeds of previously issued serial bonds of the Town, in the aggregate amount of \$1,340,000, to pay a part of said appropriation; (b) the issuance of \$995,000 serial bonds of the Town to finance the balance of said appropriation; and (c) 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 \$995,000 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 a part of 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 serial 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. 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.

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 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 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

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RESOLUTION NO. (901A-1997) Continued

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, 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.

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. (901B-1997)

Co. Maloney offered and Co. Mandia 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/or 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 for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on November 25, 1997, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted November 25, 1997, authorizing the construction of improvements to various park facilities, in the Town; stating the estimated maximum cost thereof is \$2,335,000; appropriating said amount therefor, including the expenditure of current funds and the proceeds of previously issued serial bonds of the Town, in the aggregate

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RESOLUTION NO. (901B-1997) Continued

amount of \$1,340,000, to pay a part of said appropriation; and authorizing the issuance of \$995,000 serial bonds to finance the balance of said appropriation.”

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

FIRST: AUTHORIZING said Town to reconstruct improvements to various park facilities in the Town; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,335,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the expenditure of current funds and the proceeds of previously issued serial bonds of the Town, in the aggregate amount of \$1,340,000, to pay a part of said appropriation; the issuance of \$995,000 serial bonds of the Town to finance the balance of said appropriation; and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$995,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the “Law”) to finance a part of said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$995,000 serial bonds will exceed five (5) years;

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

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

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

Section 2. The Town Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 1 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.

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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RESOLUTION NO. (902A-1997)

Co. Maloney offered and Co. Mandia 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 construct a salt dome for use by the Town Highway Department. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$45,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$45,000 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 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 \$45,000 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 building to be constructed is of at least Class "B" construction as defined by Section 11.00 a. 11. a of the Law, and the period of probable usefulness of the specific object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. 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.

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 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 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

Continued on Next Page

RESOLUTION NO. (902A-1997) Continued

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, 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.

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. (902B-1997)

Co. Maloney offered and Co. Mandia 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 "THE JOURNAL NEWS," a newspaper published in Nyack, New York, and/or 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 for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on November 25, 1997, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

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RESOLUTION NO. (902B-1997) Continued

"Bond Resolution of the Town of Clarkstown, New York, adopted November 25, 1997, authorizing the construction of a salt dome for use by the Town Highway Department, stating the estimated maximum cost thereof is \$45,000, appropriating said amount therefor, and authorizing the issuance of \$45,000 serial bonds to finance said appropriation,"

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

FIRST; AUTHORIZING said Town to construct a salt dome for use by the Town Highway Department; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$45,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$45,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$45,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years: the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$45,000 serial bonds will exceed five (5) years:

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

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

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

Section 2. The Town Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 1 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.

Section 3. This resolution shall take effect immediately.

Continued on Next Page

RESOLUTION NO. (902B-1997) 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. (903A-1997)

Co. Maloney offered and Co. Mandia 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 reconstruct the bridge on Phillips Hill Road, in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$110,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$110,000 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 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 \$110,000 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 object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) 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.

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 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

RESOLUTION NO. (903A-1997) Continued

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, 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.

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. (903B-1997)

Co. Maloney offered and Co. Mandia 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 "THE JOURNAL

Continued on Next Page

RESOLUTION NO. (903B-1997) Continued

NEWS," a newspaper published in Nyack, New York, and/or 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 for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on November 25, 1997, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted November 25, 1997, authorizing the reconstruction of the bridge on Phillips Hill Road, in the Town, stating the estimated maximum cost thereof is \$110,000, appropriating said amount therefor, and authorizing the issuance of \$110,000 serial bonds to finance said appropriation,"

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

FIRST; AUTHORIZING said Town to reconstruct the bridge on Phillips Hill Road, in the town; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$110,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$110,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$110,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is twenty (20) years: the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$110,000 serial bonds will exceed five (5) years:

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

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

Continued on Next Page

RESOLUTION NO. (903B-1997) Continued

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

Section 2. The Town Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 1 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.

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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RESOLUTION NO. (904A-1997)

Co. Maloney offered and Co. Mandia 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 construct improvements to various sidewalks in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$167,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$167,000 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 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 \$167,000 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 object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 24 of the Law, is ten (10) years.

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

RESOLUTION NO. (904A-1997) Continued

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.

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 as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal 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, 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.

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. (904B-1997)

Co. Maloney offered and Co. Mandia 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 "THE JOURNAL NEWS," a newspaper published in Nyack, New York, and/or 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 for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on November 25, 1997, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted November 25, 1997, authorizing the construction of improvements to various sidewalks in the Town, stating the estimated maximum cost thereof is \$167,000, appropriating said amount therefor, and authorizing the issuance of \$167,000 serial bonds to finance said appropriation."

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

FIRST; AUTHORIZING said Town to construct improvements to various sidewalks in the Town; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$167,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$167,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$167,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is ten (10) years: the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$167,000 serial bonds will exceed five (5) years:

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

Continued on Next Page

RESOLUTION NO. (904B-1997) Continued

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

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

Section 2. The Town Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 1 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.

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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RESOLUTION NO. (905A-1997)

Co. Maloney offered and Co. Mandia 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 construct improvements to various roads in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$881,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$881,000 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 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 \$881,000 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 object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years.

RESOLUTION NO. (905A-1997) Continued

(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.

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 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 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, 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.

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. (905B-1997)

Co. Maloney offered and Co. Mandia 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 "THE JOURNAL NEWS," a newspaper published in Nyack, New York, and/or 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 for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on November 25, 1997, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted November 25, 1997, authorizing the construction of improvements to various roads in the Town, stating the estimated maximum cost thereof is \$881,000, appropriating said amount therefor, and authorizing the issuance of \$881,000 serial bonds to finance said appropriation,"

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

FIRST; AUTHORIZING said Town to construct improvements to various roads in the Town; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$881,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$881,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$881,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years: the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$881,000 serial bonds will exceed five (5) years:

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

Continued on Next Page

RESOLUTION NO. (905B-1997) Continued

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

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

Section 2. The Town Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 1 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.

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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RESOLUTION NO. (906A-1997)

Co. Maloney offered and Co. Mandia 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 construct various drainage improvements in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,302,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,302,000 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 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 \$1,302,000 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 object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes

RESOLUTION NO. (906A-1997) Continued

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.

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 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 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, 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.

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. (906B-1997)

Co. Maloney offered and Co. Mandia 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 "THE JOURNAL NEWS," a newspaper published in Nyack, New York, and/or 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 for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on November 25, 1997, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted November 25, 1997, authorizing the construction of various drainage improvements in the Town, stating the estimated maximum cost thereof is \$1,302,000, appropriating said amount therefor, and authorizing the issuance of \$1,302,000 serial bonds to finance said appropriation."

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

FIRST; AUTHORIZING said Town to construct various drainage improvements in the Town; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,302,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$1,302,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$1,302,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is forty (40) years: the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$1,302,000 serial bonds will exceed five (5) years:

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

Continued on Next Page

RESOLUTION NO. (906B-1997) Continued

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

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

Section 2. The Town Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 1 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.

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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RESOLUTION NO. (907-1997)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, the Town Board, on its own motion, shall consider Amending the Official Map of the Town of Clarkstown by deleting Virginia Avenue, Besso Street, and a portion of Route 59 service road, West Nyack, New York;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on December 9, 1997 at 8:20 P.M., or as soon thereafter as possible, pursuant to Section 273 of the Town Law, to consider Amending the Official Map of the Town of Clarkstown by deleting Virginia Avenue, Besso Street, and a portion of Route 59 service road, West Nyack, New York, more particularly described on the attached "Schedule A," and be it

FURTHER RESOLVED, that the Town Attorney prepare said notice of public hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk, and be it

FURTHER RESOLVED, that the Town Attorney shall fulfill the additional requirements of Section 290-33(C) of the Zoning Ordinance of the Town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notice to property owners of record within five hundred feet of the affected property, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and the Director of the Department of Environmental Control is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

RESOLUTION NO. (907-1997)

FURTHER RESOLVED, that a copy of this Resolution be referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for their report and recommendation.

On roll call the vote was as follows:

Councilman Maloney . . . . .	Yes
Councilman Mandia . . . . .	Yes
Councilman Profenna . . . . .	Yes
Councilwoman Smith . . . . .	Yes
Supervisor Holbrook . . . . .	No

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There being no further business to come before the Town Board and no one wishing to be heard, on motion of Councilwoman Smith, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 8:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk