

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

5/25/99

8:00 PM

Present: Supervisor Charles E. Holbrook  
Council Members Maloney, Mandia Profenna and Smith  
Philip Fogel, Deputy 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. No one appeared.

RESOLUTION NO. (411-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of May 11, 1999 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. (412-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby amends Resolution No. 386, adopted by the Town Board on May 11, 1999, dealing with the REYNOLDS METALS SITE, by changing the requirement for the minimal undisturbed buffer of fifty feet (50') to reflect the grading line (commonly known as the "Siragusa line") as shown on the Average Density Map of March 3, 1999, S.L. 51-A-20.01 and 21. At no point shall the undisturbed buffer be less than 55 feet. The balance of the buffer will be only disturbed to the degree necessary to conform to the aforementioned site plan map, as approved by the Architecture and Landscape Commission and the Department of Environmental Control.

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. (413-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution No. 93-1999 is hereby amended to read :

RESOLUTION NO. (413-1999) Continued

RESOLVED, that the Town Board hereby authorizes the renewal of the Mini-Trans Bus Insurance with Lancer Insurance Company for a period of two years beginning on March 1, 1999 and expiring on February 28, 2001, at an annual premium of \$52,754.00 charged to Account CS 1910 420, and be it

FURTHER RESOLVED, that this resolution is retroactive to May 18, 1999.

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. (414-1999)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown, by agreement dated November 6, 1978, entered into a contract with the Village of Upper Nyack for the use of the Upper Nyack sewer system which connects to the Town of Orangetown sewers, to service various properties in the Town of Clarkstown known as 136-C-3.2, 136-C-3.3, 136-C-5, 136-C-8 and 136-C-10.1, and

WHEREAS, the Village of Upper Nyack seeks reimbursement from the Town of Clarkstown for sewer service provided to the affected properties during the year 1997-1998, and

WHEREAS, it is just and proper that the Village of Upper Nyack be compensated for the sewer service provide the Clarkstown properties during 1997-1998;

NOW, THEREFORE, be it

RESOLVED, that the sum of \$19,276.06 shall be paid to the Village of Upper Nyack for reimbursement from the Town of Clarkstown for sewer service provided to the affected properties during the year 1997-1998.

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. (415-1999)

Co. Maloney offered and Co. Mandia seconded

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

PIPELINE INC.  
15 Conklin Drive  
Stony Point, New York 10930

RESOLUTION NO. (415-1999) Continued

RESOLVED, that the following Certificate of Registration be issued:  
No. 99-23 PIPELINE INC.

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. (416-1999)

Co. Maloney offered and Co. Mandia seconded

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

ULTIMATE LAND DEVELOPERS, INC.  
2306 Y Street  
New Windsor, New York 12553

RESOLVED, that the following Certificate of Registration be issued:  
No. 99-25 - ULTIMATE LAND DEVELOPERS, INC.

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. (417-1999)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby ratifies and  
approves the terms of a Memorandum of Agreement to amend the Contract of  
Employment with the Chief of Police and the Captains dated May 21, 1999, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute an  
Employment Contract consistent with the terms thereof.

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. (418-1999)**

Co. Smith offered and Co. Maloney seconded

WHEREAS, continued operation of the RTE 59/RTE303 compost facility in a sound and environmentally safe manner is both a requirement of our operating permit and beneficial to the overall community.

NOW, THEREFORE, be it

RESOLVED, that K. Luke Kalarickal, Director, Department of Environmental Control, is hereby authorized to rent the following equipment from Vantage Vista Inc., 117A Rte 303, Tappan, N.Y. for a period of five years:

One new, Frontier PS16 Self-Propelled Windrow Turner at an estimated cost of \$4,690.00 per month, plus a one-time delivery fee of \$4,500.

Subject to required budget approval from Rockland County Solid Waste Management Authority as set forth in the agreement between the Town of Clarkstown and RCSWMA and review and approval of the rental agreement by the Town Attorney.

FURTHER RESOLVED, that all proper charges be charged against account SR 8160-443.

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. (419-1999)**

Co. Mandia offered and Co. Profenna seconded

WHEREAS, GEORGE WALD AND BARBARA WALD have commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 16, Block C, Lot 28.1, for the year(s) 1996/97, 1997/98 and 1998/99, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000 per appraisal.

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. (420-1999)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, WALD REALTY CO. #4, LLC has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 13, Block D, Lot 1.2, for the year(s) 1996/97, 1997/98 and 1998/99, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000 per appraisal.

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. (421-1999)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, GEORGE AND BARBARA WALD has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 13, Block D, Lot 14, for the year(s) 1996/97, 1997/98 and 1998/99, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000 per appraisal.

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. (422-1999)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, with Albertus Magnus High School, a non-profit organization, to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

RESOLUTION NO. (422-1999) Continued

FURTHER, \$1,000.00 in economic assistance to Albertus Magnus High School for "Project Graduation '99," and be it

FURTHER RESOLVED, that the amount of \$1,000.00 be transferred from Account No. A 1990-505 to Account No. A 8840-424, and be it

FURTHER RESOLVED, that these funds are to be charged to Account No. A 8840-424.

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. (423-1999)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes Murray N. Jacobson, Town Attorney, John A. Costa, Deputy Town Attorney and Marsha Coopersmith, Deputy Town Attorney to attend a seminar concerning the Basics of Administration and Enforcement of Land Use Controls, which is being held on June 2, 1999, at the Westchester Marriott Hotel in Tarrytown, New York and be it

FURTHER RESOLVED, that the fee total of \$390.00 for said seminar, and any necessary expenses, shall be charged to Account No. A 1420-414.

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. (424-1999)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes Philip B. Fogel, 1st Deputy, Town Attorney, to attend a seminar concerning Environmental Land Use and Related Public Policy Issues, which is being held on June 8, 1999 in White Plains, New York, and be it

FURTHER RESOLVED, that the fee of \$40.00 for said seminar, and any necessary expenses, shall be charged to Account No. A 1420-414.

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. (425-1999)**

**Co. Smith offered and Co. Mandia seconded**

**RESOLVED**, that the Town Board hereby adopts the following schedule of pay rate increases for Office Worker Students an Laborer Students effective and retroactive to May 24, 1999:

**Year Round High School Students (Office Worker Students) and Laborer Students . . . . .50¢Per Hour**

**Year Round College Students (Office Worker Students) and Laborer Students . . . . . 50¢Per Hour**

**Returning Seasonal College Students**

**Office Worker Students . . . . .50¢Per Hour**

**Laborer Students . . . . . 50¢Per Hour**

**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. (426-1999)**

**Co. Smith offered and Co. Mandia seconded**

**RESOLVED**, that the resignation of Josephine A. Walsh, 209 Radcliff Drive, Upper Nyack, New York - Senior Clerk Stenographer - Town Highway Department - is hereby accepted - with regret - effective and retroactive to May 13, 1999.

**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. (427-1999)**

**Co. Smith offered and Co. Mandia seconded**

**WHEREAS**, Fritz Ernest, has requested a leave of absence, without pay,

**WHEREAS**, Article XIX, Section I of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., provides for a leave of absence, without pay,

**NOW, THEREFORE**, be it

**RESOLUTION NO. (427-1999) Continued**

**RESOLVED**, that Fritz Ernest, 16 Park Avenue, Spring Valley, New York - Bus Driver (part-time) - Mini Trans Department - is hereby granted a three (3) month leave of absence, without pay, effective June 14, 1999 to September 12, 1999.

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. (428-1999)**

Co. Smith offered and Co. Mandia seconded

**RESOLVED**, that the resignation of Anna L. Newhouse, 286 Hungry Hollow Road, Spring Valley, New York - Clerk Town Justice Department- is hereby accepted - effective and retroactive to May 21, 1999, at the close of the business day.

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. (429-1999)**

Co. Smith offered and Co. Mandia seconded

**RESOLVED**, that Dorothy G. Poust, 17 Floral Court, Nanuet, New York, is hereby appointed to the position of (Provisional) Counselor (Municipal Counseling Services), Clarkstown Counseling Center at the current annual salary of \$36,667.00., effective and retroactive to May 17, 1999.

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. (430-1999)**

Co. Profenna offered and Co. Maloney seconded

**WHEREAS**, the principal of Congers Elementary School has requested parking restrictions be implemented in the vicinity of Congers Elementary, specifically near the Kings Highway entrance to the school,

RESOLUTION NO. (430-1999) Continued

NOW THEREFORE BE IT,

RESOLVED, that the Rockland County Highway Superintendent is hereby authorized to install the following signs implementing parking restrictions:

“No Parking/No Standing between the hours of 2:00 pm - 3:00 pm” along the southbound lane of Kings Highway from the south side of the driveway at 6 Kings Highway to Reginald Drive, and

“No Parking/No Standing Anytime” along the northbound lane of Kings Highway from the area across from Reginald Drive, north to Lake Road, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to A. Douglas Jobson, Superintendent of the Rockland County Highway Department for implementation, and to Wayne T. Ballard, PE, CSP, Superintendent of the Clarkstown Highway Department, the Traffic and Traffic Fire Safety Advisory Board and the Chief of Police for their information.

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. (431-1999)

Co. Profenna offered and Co. Maloney 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 install a three color (red, yellow, green) traffic signal at the intersection of Highview Avenue and Church Street, Nanuet; and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Wayne T. Ballard, PE, CSP, Superintendent of Highways and Patricia A. Betz, Utility Services Coordinator for implementation, and to the Traffic and Traffic Fire Safety Advisory Board and the Chief of Police for their information.

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. (432-1999)

Co. Profenna offered and Co. Maloney 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 install the following curve warning signs on Woodhaven Road, New City

RESOLUTION NO. (432-1999) Continued

<u>Location</u>	<u>Legend</u>	<u>NYSDOT Sign #</u>
WB W/O southerly driveway for House #18	(Left Turn (20MPH	W1-1C W9-1X
WB W/O southerly driveway for House #26	(Left Turn (20MPH	W1-1C W9-1X
NB N/O driveway for House #27	(Right Turn (20 MPH	W1-2C W9-1X
NB at cable box in front of House #35	(Right Turn (20 MPH	W1-2C W9-1X

and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Wayne T. Ballard, PE, CSP, Superintendent of Highways for implementation and to the Traffic and Traffic Fire Safety Advisory Board and the Chief of Police for their information.

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. (433-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Director of Purchasing that

BID #45-1999  
 CAST IRON CURB INLETS, CATCH BASINFRAMES & GRATES

is hereby awarded to:

CAMPBELL FOUNDRY COMPANY  
 800 BERGEN STREET  
 HARRISON, NJ 07029  
 PRINCIPALS: J. ROBERT CAMPBELL, JR.  
 JOHN CAMPBELL  
 LEIGH V. MAYNARD

EXPANDED SUPPLY PRODUCTS, INC.  
 3330 RT. 9  
 COLD SPRING, NY 10516  
 PRINCIPALS: BRUCE KEHR  
 DONNA KEHR

CAPITOL HIGHWAY MATERIALS, INC.  
 ROUTE SIX  
 BALDWIN PLACE, NY 10505  
 PRINCIPALS: NAZ KAROGLANIAN ESTATE  
 VICTOR PAIS  
 S. BHATTACHARJI  
 ESTATE OF MARK ABRAMS

(price list on file in Town Clerk's Office)

RESOLUTION NO. (433-1999) 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. (434-1999)

Co. Maloney offered and Co. Mandia seconded

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

BID #47-1999  
LEIF BLVD. ROADWAY MODIFICATIONS

is hereby awarded to:

LUONGO ENTERPRISES, INC.  
8 HIGH RIDGE ROAD  
W. HARRISON, NY 10604  
PRINCIPAL: VITO LUONGO

as per their low bid proposal of \$42,500.00, and be it

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

- a) Signed Contract Documents - 2 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 Clause
- e) Certificate of Worker's Compensation
- f) Certificate of Worker's Disability Coverage

The Town of Clarkstown must be named as co-insured party on all liability policies, as they pertain to the project awarded.

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. (435-1999)

Co. Maloney offered and Co. Mandia seconded

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

RESOLUTION NO. (435-1999) Continued

BID #46-1999  
CUSTODIAL SERVICES AT THE CLARKSTOWN HIGHWAY DEPARTMENT

is hereby awarded to:

ALLSHINE CS, INC.  
P.O. BOX 419  
HAVERSTRAW, NY 10927  
PRINCIPAL: GERMAIN DOMINGUEZ

as per their low bid proposal of \$700.00 per month and be it

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

- a) Certificate of Contractor's Liability, and Property Damage Coverage, in the sum of \$1,000,000.00. The Town of Clarkstown shall also be named as a coinsured party on this certificate
- b) Certificate of Worker's Compensation insurance coverage
- c) Certificate of Worker's Disability Insurance coverage

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. (436-1999)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Director of Purchasing is hereby authorized to advertise for bids for:

BID #50-1999  
NEW LAKE ROAD, VALLEY COTTAGE - CULVERT IMPROVEMENT

Bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 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 Director of Environmental Control upon payment of the indicated non-refundable fee .

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. (437-1999)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to Marie and Frank Geronimo, 55 Bluebird Drive, Congers, New York, desiring to dispense alcoholic beverages on public property in the Town of Clarkstown.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to Marie and Frank Geronimo, 55 Bluebird Drive, Congers, New York to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at:

V.J. Geronimo's 30<sup>th</sup> Birthday Celebration  
July 24, 1999  
Congers Community Center, Gilcrest Road  
Congers, New York

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. (438-1999)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown installed a new culvert at #177 Ridge Road in Valley Cottage as part of the Amory Drive Drainage Project - Phase I; and

WHEREAS, the homeowner at #177 Ridge Road signed a right-of-entry agreement with the Town of Clarkstown requiring the site to be "restored to the same condition as the area surrounding the existing work site"; and

WHEREAS, the homeowner at #177 Ridge Road is not satisfied with the condition of the lawn area disturbed during construction; and

WHEREAS, the Department of Environmental Control has made an inspection and determined that additional restoration of the site is called for; and

WHEREAS, the Department of Environmental Control has obtained a proposal to have further restoration of the lawn area performed; and

WHEREAS, the Department of Environmental Control has reviewed said proposal and found it to be acceptable; and be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to retain the services of

Danny Clapp Landscaping  
59 Schriever Lane  
New City, New York 10956

RESOLUTION NO. (438-1999) Continued

to perform said lawn restoration in accordance with their proposal for an amount not to exceed \$1,900.00; and be it

FURTHER RESOLVED, that this shall be a proper charge to account # H 8735 409 0 123.

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. (439-1999)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Rockland-Orange District Council of the Jewish War Veterans of the U.S.A. is sponsoring an outdoor carnival at the Nanuet Mall, Nanuet, New York, from August 16 through August 23, 1999, and

WHEREAS, the Council is requesting a waiver of the application fee of \$75.00;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 117-4 of the Clarkstown Town Code, the Town Board hereby waives the application fee of \$75.00 for the carnival being sponsored by the Rockland-Orange District Council of the Jewish War Veterans of the U.S.A.

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. (440-1999)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, as a condition to the approval of the final map with regard to a site known as Miele Sanitation Co., Inc., the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Snake Hill Road, West Nyack, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of Environmental Control of the Town of Clarkstown, deed dated April 8, 1999 from Joseph Miele to the Town of Clarkstown, gratuitously conveying a strip of land along Snake Hill Road, West Nyack, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

RESOLUTION NO. (440-1999) 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. (441-1999)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received \$2,000.00 from Hasty Hills Stable, \$6,144.00 from EklecCo (Palisades Center) and \$1,092.00 from NYS Multi-Modal Program, and be it

RESOLVED, to increase Estimated Revenue Account No. H 15 5 2410 2 (Rent-Hasty Hills) and Budgetary Account No. H 1942-409 58-2 (Golf Course-Plans, Specs) by \$2,000.00 and increase Estimated Revenue Account No. A 01 3 2705 2 (Donations-Palisades Center Mall) and Budgetary Account A 3120 113 (Police-Overtime) by \$6,144.00 and increase Estimated Revenue No. H 15 10 3850 0 by \$1,092.00 and Budgetary Account H 5111 409 (S. Main St. Project) by \$192.00 and H 8735 409 (Old Mill Road Project) by \$900.00 and

WHEREAS, various Budgetary accounts need additional funding, and be it

RESOLVED, to reduce Contingency Account No. A 1990 505 by \$500.00 and increase Budgetary Account A 8511-409 (Community Beautification) by \$500.00 and reduce Budgetary Account A 4210 110 (Counseling-Salary's) and increase A 4210 408 (Counseling-Building Repairs & Improvements) by \$36 and reduce Budgetary Account A 1680-409 (Data Processing-Fees for Services) by \$1689.66 and increase A 1680 313 (Data-Processing-Office Supplies) by \$1,536.56 and A 1680 314 (Data-Processing-Computer Supplies) by \$153.10 and reduce Budgetary Account B 8030 114 (Architectural Review-Part Time) and increase B 3620 111 (Building Department-Overtime) by \$2,800.00.

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. (442-1999)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received \$1,024 from EklecCo. (Palisades Center) and \$4,104 from the Nanuet Mall BE IT

RESOLVED, to increase Estimated Revenue Account No. A 01 3 2705 2 (Donations-Palisades Center) by \$1,024 and A 01 9 2705 3 (Donations-Nanuet Mall) by \$4,104 and increase Appropriation Accounts A 3120 113 (Police-Overtime/Palisades Center) by \$1,024 and A 3120 111 (Police-Overtime) by \$4,104 and

**RESOLUTION NO. (442-1999) Continued**

**WHEREAS, various Appropriation Accounts need additional funding, be it**

**RESOLVED, to decrease Appropriation Account A 1345 404 (Purchasing-Travel Expenses) and increase A 1345 301 (Purchasing-Food) by \$14.29 and decrease Appropriation Account DA 5130 219 (Highway/Townwide-Misc Equipment) and increase DB 5110 225 (Highway/PartTown-Comp. Hardware) by \$5000 and decrease Appropriation Account A 4210 110 (Counseling-Salary's) and increase A 4210 204 (Counseling-Office Machines) by \$141 and increase Estimated Revenue Account No. DA 042 14 2999 0 (Highway-Unexpended Balance) by \$120,238.17 and Appropriation Accounts No.**

**DA 5142 111 (Highway-Overtime) by \$100,684.03  
DA 5142 386 (Highway-Salt/Calcium) by 19,554.14**

**On roll call the vote was as follows:**

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

**\*\*\*\*\***

**RESOLUTION NO. (443-1999)**

**Co. Maloney offered and Co. Mandia seconded**

**WHEREAS, the Nanuet School District has requested a driveway access be constructed for the Highview School athletic fields from Church Street, and**

**WHEREAS, the construction of the new driveway necessitates the removal and reconstruction of the existing sidewalk, and**

**WHEREAS, the cost for the construction of the driveway access is \$1, 100.00.**

**NOW, THEREFORE be It**

**RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to have the driveway construction performed by the contractor, Environmental Construction Inc., in accordance with Change Order No. 2, dated December 30, 1998, in an amount not to exceed \$1,100,00.**

**On roll call the vote was as follows:**

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

**\*\*\*\*\***

**RESOLUTION NO. (444-1999)**

**Co. Maloney offered and Co. Profenna seconded**

**WHEREAS, the Town of Clarkstown has previously awarded the 1999 Site Maintenance Contract to Pro-Cut Lawns, Landscaping & Contracting to perform property maintenance work at specific locations in the Town; and**

**RESOLUTION NO. (444-1999) Continued**

WHEREAS, the Town of Clarkstown is desirous of adding two new locations, #11 Doral Court (tax lot 61-B-1) in New City and the island located at the intersection of West Nyack Road and the exit ramp from the west bound lane of New York State Route 59 in West Nyack, to this existing contract; and

WHEREAS, the Department of Environmental Control has prepared a schedule of work for these two locations; and

WHEREAS, the Department of Environmental Control has obtained a proposal from Pro-Cut Lawns, Landscaping & Contracting to perform this work in accordance with said schedule; and

WHEREAS, the Department of Environmental Control has reviewed said proposal and found it to be acceptable;

NOW, THEREFORE, be It

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to add #11 Doral Court (tax lot 61-B-1) and the island located at the intersection of West Nyack Road and the exit ramp of New York State Route 59 to the 1999 Site Maintenance Contract; and be it

FURTHER RESOLVED that the amount of this contract be increased by \$4,000.00 to cover the cost of this work; and be it

FURTHER RESOLVED that this shall be a proper charge to account # H-8740-409-0-64-1.

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. (445-1999)**

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Rockland Builders, Inc. or its predecessor or successor companies have placed escrow deposits with the Town of Clarkstown to guarantee the timely performance of work incomplete at such time as Certificates of Occupancy were issued for residential structures in a subdivision known as Long Meadow West, and

WHEREAS, said work has not been completed within the times specified under the provisions of Town Ordinance or in the escrow performance agreements executed by Rockland Builders, Inc. or its predecessor or successor companies, and

WHEREAS, notification of Town Ordinance requirements for completion of work was sent to Rockland Builders, Inc. and/or its predecessor or successor companies,

NOW, THEREFORE, be it

RESOLVED that the Town of Clarkstown directs that Rockland Builders, Inc. or its predecessor or successor companies complete all said work not later than June 16, 1999 to the satisfaction of the Property Owners and the Town Departments of jurisdiction, and be it

**RESOLUTION NO. (445-1999) Continued**

**FURTHER RESOLVED** that if said work is not complete by June 16, 1999 the Town of Clarkstown declares Rockland Builders, Inc. and/or its predecessor or successor companies to be in default; and be it

**FURTHER RESOLVED** that in the event of such default the Town Board directs the Department of Environmental Control to hire contractors as necessary to have all said work completed.

On roll call the vote was as follows:

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

\*\*\*\*\*

**RESOLUTION NO. (446-1999)**

Co. Smith offered and Co. Maloney seconded

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Rockland County Board of Cooperative Education (BOCES), in a form satisfactory to the Town Attorney, to provide computer training for the Clarkstown Police Department, and be it

**FURTHER RESOLVED**, that the cost of said training shall not exceed the sum of \$1,440.00 and shall be charged to Account A 3120-414.

On roll call the vote was as follows:

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

\*\*\*\*\*

**RESOLUTION NO. (447-1999)**

Co. Smith offered and Co. Maloney seconded

**WHEREAS**, the Town of Clarkstown entered into an agreement with the County of Rockland on April 3, 1995, as amended by agreements dated October 31, 1995, February 14, 1997 and February 25, 1998, wherein the County of Rockland agreed to reimburse the Town of Clarkstown for compensation and overtime expenses actually incurred by the Town of Clarkstown's Police Department for any officer assigned to the Rockland County Narcotics Task Force, and

**WHEREAS**, the parties hereto agree to extend these agreements for the period January 1, 1999 through December 31, 1999 in the amount stated hereafter;

**NOW, THEREFORE**, be it

**RESOLVED**, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an extension agreement with the County of Rockland, accepting financial

RESOLUTION NO. (447-1999) Continued

assistance for the Town of Clarkstown's law enforcement activities, whereby the Town would provide the Rockland County Narcotics Task Force with a member of the Town of Clarkstown Police Department for drug fighting activities, and in return the County of Rockland would partially reimburse the Town for one police officer in the amount of \$25,000.00, and the sum of \$12,500.00 for partial reimbursement of overtime expenses for one police officer of the Town of Clarkstown assigned to the Rockland County Narcotics Task Force for the year 1999, in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that all other terms and conditions of the agreement between the Town and the County dated April 3, 1995, as amended October 31, 1995, February 14, 1997, and February 25, 1998 shall remain in full force and effect.

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. (448-1999)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes, on a one-time basis during 1999 only and subject to approval by the appropriate Unions, the administration of LYMERIX™ to employees of the Town who, as a result of the duties contained in their job description are generally exposed o the outdoors, upon the following conditions.

1. That this vaccination shall be subject to a consent form to be approve by the Town Attorney;
2. That each such employee who consents to be vaccinated attend an educational seminar on the benefits and effects of LYMERIX™ or in the alternative, submit a signed consent form from a physician confirming a consultant on such effects and benefits;
3. That the cost of such vaccination be submitted to the employee's health insurance carrier with the Town to pay for any portion not reimbursed by the insurance carrier.

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. (449-1999)**

Co. Maloney offered and Co. Mandia seconded

WHEREAS, various drainage and roadway improvement projects are planned for the fiscal year ending December 31, 1999, and

WHEREAS, Town Board authorization is required for the improvement projects to be adopted into the Town's intended Use Plan for the fiscal year 1999, and

WHEREAS, the following is a list of the improvement projects with their estimated costs:

- 1. Demarest Mill Creek Dam Construction \$170,000
- 2. Third Street Reconstruction \$365,000
- 3. Downtown New City Shared Parking \$360,000

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the various improvement projects and their estimated costs stated above for the fiscal year ending December 31, 1999, and be it

FURTHER RESOLVED, that the Town Board here directs Edward J. Duer, Town Comptroller, to include the projects in the Town's Intended Use Plan for the fiscal year 1999.

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. (450-1999)**

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board as lead agency hereby determines that the improvements to the following areas have SEQRA approval, and are Type II actions or unlisted actions and shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required.

- Collyer Avenue Sidewalk Project
- Computer Equipment
- Demarest Mill Creek Dam Construction Project
- Drainage Improvements
- Improvements to Recreational Facilities
- Improvements to the Barn
- Lake Lucille Dam Reconstruction Project
- Land Acquisition
- Land Acquisition
- Road Improvements
- Swartwout Lake Project

RESOLUTION NO. (450-1999) Continued

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (451A-1999)

Co. Maloney offered and Co. Mandia seconded

**BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 25, 1999, AUTHORIZING THE CONSTRUCTION OF SIDEWALK IMPROVEMENTS ON COLLYER AVENUE, IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$30,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$30,000 SERIAL BONDS 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 "Town"), is hereby authorized to construct sidewalk improvements on Collyer Avenue, in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$30,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$30,000 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 \$30,000 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 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**

RESOLUTION NO. (451A-1999) Continued

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 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

\*\*\*\*\*

RESOLUTION NO. (451B -1999)

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

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RESOLUTION NO. (451B-1999) Continued

JOURNAL-NEWS," a newspaper published in Nyack, New York, and/or in the "ROCKLAND COUNTY TIMES," 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 May 25, 1999, 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 May 25, 1999, authorizing construction of sidewalk improvements on Collyer Avenue, in the Town, stating the estimated maximum cost thereof is \$30,000, appropriating said amount therefor, and authorizing the issuance of \$30,000 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 sidewalk improvements on Collyer Avenue, in the Town; **STATING** the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$30,000; **APPROPRIATING** said amount therefor; and **STATING** the plan of financing includes the issuance of \$30,000 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 \$30,000 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 \$30,000 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

RESOLUTION NO. (451B-1999) Continued

newspaper(s) referred to in Section 1 hereof, and hereby designated the official newspaper(s) 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. (452 -1999)

Co. Maloney offered and Co. Mandia seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 25, 1999, AUTHORIZING THE ACQUISITION OF COMPUTER EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$116,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$116,000 SERIAL BONDS 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 "Town"), is hereby authorized to acquire computer equipment for use by the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$116,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$116,000 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 \$116,000 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. 32 of the Law, is five (5) years.

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

RESOLUTION NO. (452-1999) Continued

(c) The proposed maturity of the bonds authorized by this resolution will not 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 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 published in Nyack, New York, and/or in the "ROCKLAND COUNTY TIMES," newspaper having a general circulation in the Town and hereby designated the official newspapers of said Town for such publication.

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. (453A-1999)

Co. Maloney offered and Co. Mandia seconded

**BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 25, 1999, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE DEMAREST MILL DAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$170,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$170,000 SERIAL BONDS 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 "Town"), is hereby authorized to construct improvements to the Demarest Mill Dam, in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$170,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$170,000 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 \$170,000 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. 3. 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.**

**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.**

RESOLUTION NO. (453A-1999) Continued

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 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. (453B -1999)

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 "ROCKLAND COUNTY TIMES," 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 May 25, 1999, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

## RESOLUTION NO. (453B-1999) Continued

"Bond Resolution of the Town of Clarkstown, New York, adopted May 25, 1999, authorizing the construction of improvements to the Demarest Mill Dam, stating the estimated maximum cost thereof is \$170,000, appropriating said amount therefor, and authorizing the issuance of \$170,000 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 the Demarest Mill Dam, in the Town; **STATING** the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$170,000; **APPROPRIATING** said amount therefor; and **STATING** the plan of financing includes the issuance of \$170,000 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 \$170,000 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 thirty (30) 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 \$170,000 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(s) referred to in Section 1 hereof, and hereby designated the official newspaper(s) 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. (454A -1999)

Co. Maloney offered and Co. Mandia seconded

**BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 25, 1999, AUTHORIZING THE CONSTRUCTION OF VARIOUS DRAINAGE IMPROVEMENTS IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,165,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,165,000 SERIAL BONDS 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 "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 \$1,165,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,165,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.**

**Section 2. Serial bonds of the Town in the principal amount of \$1,165,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "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 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.**

RESOLUTION NO. (454A-1999) Continued

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 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

\*\*\*\*\*

RESOLUTION NO. (454B -1999)

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 "ROCKLAND COUNTY TIMES," 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 May 25, 1999, the Town Board of the

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RESOLUTION NO. (454B-1999) Continued

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 May 25, 1999, authorizing the construction of various drainage improvements in the Town, stating the estimated maximum cost thereof is \$1,165,000, appropriating said amount therefor, and authorizing the issuance of \$1,165,000 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 \$1,165,000; **APPROPRIATING** said amount therefor; and **STATING** the plan of financing includes the issuance of \$1,165,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

**SECOND: AUTHORIZING** the issuance of \$1,165,000 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 \$1,165,000 serial bonds will exceed five (5) years;

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

**FIFTH: DELEGATING** to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, 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(s) referred to in Section 1 hereof, and hereby designated the official newspaper(s) 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.

RESOLUTION NO. (454B-1999) Continued

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (455A -1999)

Co. Maloney offered and Co. Mandia seconded

**BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 25, 1999, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS RECREATIONAL FACILITIES IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$310,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$310,000 SERIAL BONDS 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 "Town"), is hereby authorized to construct improvements to various recreational facilities in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$310,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$310,000 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 \$310,000 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. 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.**

RESOLUTION NO. (455A-1999) 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 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 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

\*\*\*\*\*

RESOLUTION NO. (455B -1999)

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:

RESOLUTION NO. (455B-1999) Continued

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 "ROCKLAND COUNTY TIMES," 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 May 25, 1999, 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 May 25, 1999, authorizing the construction of improvements to various recreational facilities in the Town, stating the estimated maximum cost thereof is \$310,000, appropriating said amount therefor, and authorizing the issuance of \$310,000 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 recreational facilities in the Town; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$310,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$310,000 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 \$310,000 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 \$310,000 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

RESOLUTION NO. (455B-1999) Continued

newspaper(s) referred to in Section 1 hereof, and hereby designated the official newspaper(s) 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

\*\*\*\*\*

RESOLUTION NO. (456A -1999)

Co. Maloney offered and Co. Mandia seconded

**BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 25, 1999, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO A BARN LOCATED AT CONGERS LAKE MEMORIAL PARK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$84,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$84,000 SERIAL BONDS 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 "Town"), is hereby authorized to construct improvements to a barn located at Congers Lake Memorial Park. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$84,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$84,000 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 \$84,000 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. 12 of the Law, is ten (10) years.

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

RESOLUTION NO. (456A-1999) Continued

(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 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

\*\*\*\*\*

## RESOLUTION NO. (456B -1999)

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 "ROCKLAND COUNTY TIMES," 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 May 25, 1999, 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 May 25, 1999, authorizing the construction of improvements to a barn located at Congers Lake Memorial Park, stating the estimated maximum cost thereof is \$84,000, appropriating said amount therefor, and authorizing the issuance of \$84,000 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 a barn located at Congers Lake Memorial Park; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$84,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$84,000 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 \$84,000 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 \$84,000 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

RESOLUTION NO. (456B-1999) Continued

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(s) referred to in Section 1 hereof, and hereby designated the official newspaper(s) 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

\*\*\*\*\*

RESOLUTION NO. (457A-1999)

Co. Maloney offered and Co. Mandia seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 25, 1999, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE LAKE LUCILLE DAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$300,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$300,000 SERIAL BONDS 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 "Town"), is hereby authorized to construct improvements to the Lake Lucille Dam, in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$300,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$300,000 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 \$300,000 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. 3. of the Law, is thirty (30) years.

RESOLUTION NO. (457A-1999) 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 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. (457B-1999)

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 "ROCKLAND COUNTY TIMES," 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 May 25, 1999, 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 May 25, 1999, authorizing the construction of improvements to the Lake Lucille Dam, stating the estimated maximum cost thereof is \$300,000, appropriating said amount therefor, and authorizing the issuance of \$300,000 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 the Lake Lucille Dam, in the Town; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$300,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$300,000 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 \$300,000 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 thirty (30) 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 \$300,000 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

RESOLUTION NO. (457B-1999) Continued

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(s) referred to in Section 1 hereof, and hereby designated the official newspaper(s) 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. (458A-1999)

Co. Maloney offered and Co. Mandia seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 25, 1999, AUTHORIZING THE ACQUISITION OF A PARCEL OF REAL PROPERTY CONSISTING OF APPROXIMATELY 77,000 SQUARE FEET ADJACENT TO THE TOWN OF CLARKSTOWN GOLF COURSE LOCATED IN THE TOWN OF RAMAPO, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$250,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$250,000 SERIAL BONDS 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 "Town"), is hereby authorized to acquire a parcel of real property consisting of approximately 77,000 square feet adjacent to the Town of Clarkstown golf course located in the Town of Ramapo, and known as Section 3, Lot 10-A. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$250,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$250,000 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 \$250,000 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:

RESOLUTION NO. (458A-1999) Continued

(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. 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.

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 permissive referendum.

RESOLUTION NO. (458A-1999) Continued

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (458B -1999)

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 "ROCKLAND COUNTY TIMES," 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 May 25, 1999, 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 May 25, 1999, authorizing the acquisition of a parcel of real property consisting of approximately 77,000 square feet adjacent to the Town of Clarkstown golf course located in the Town of Ramapo, stating the estimated maximum cost thereof is \$250,000, appropriating said amount therefor, and authorizing the issuance of \$250,000 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 acquire a parcel of real property consisting of approximately 77,000 square feet adjacent to the Town of Clarkstown golf course located in the Town of Ramapo, and known as Section 3, Lot 10-A; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$250,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$250,000 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 \$250,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

TBM 5/25/99

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## RESOLUTION NO. (458B-1999) Continued

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is thirty (30) 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 \$250,000 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. (459A -1999)

Co. Maloney offered and Co. Mandia seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MAY 25, 1999, AUTHORIZING THE ACQUISITION OF A PARCEL OF REAL PROPERTY CONSISTING OF APPROXIMATELY 3.2 ACRES ADJACENT TO THE TOWN HIGHWAY DEPARTMENT BUILDING LOCATED IN NANUET, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$160,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$160,000 SERIAL BONDS 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:

RESOLUTION NO. (459A-1999) Continued

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to acquire a parcel of real property consisting of approximately 3.2 acres adjacent to the Town Highway Department Building located in Nanuet. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$160,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$160,000 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 \$160,000 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. 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.

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:

RESOLUTION NO. (459A-1999) Continued

(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 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. (459B -1999)

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 "ROCKLAND COUNTY TIMES," 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 May 25, 1999, 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 May 25, 1999, authorizing the acquisition of a parcel of real property consisting of approximately 3.2 acres adjacent to the Town Highway Department building located in Nanuet, stating the estimated maximum cost thereof is \$160,000, appropriating said amount therefor, and authorizing the issuance of \$160,000 serial bonds to finance said appropriation," ~

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

RESOLUTION NO. (459B-1999) Continued

FIRST: AUTHORIZING said Town to acquire a parcel of real property consisting of approximately 3.2 acres adjacent to the Town Highway Department Building located in Nanuet; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$160,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$160,000 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 \$160,000 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 thirty (30) 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 \$160,000 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(s) referred to in Section 1 hereof, and hereby designated the official newspaper(s) 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. (460A -1999)

Co. Maloney offered and Co. Mandia seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,  
NEW YORK, ADOPTED MAY 25, 1999, AUTHORIZING THE  
CONSTRUCTION OF IMPROVEMENTS TO VARIOUS  
ROADS IN THE TOWN, STATING THE ESTIMATED

RESOLUTION NO. (460A-1999) Continued

MAXIMUM COST THEREOF IS \$1,195,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,195,000 SERIAL BONDS 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 "Town"), is hereby authorized to construct improvements to various roads in the Town, including ancillary work related thereto. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,195,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,195,000 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 \$1,195,000 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.

(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

RESOLUTION NO. (460A-1999) 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 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  
\*\*\*\*\*

RESOLUTION NO. (460B -1999)

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 "ROCKLAND COUNTY TIMES," 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 May 25, 1999, 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 May 25, 1999, authorizing the construction of improvements to various roads in the Town, stating the estimated maximum cost thereof is \$1,195,000, appropriating said amount therefor, and authorizing the issuance of \$1,195,000 serial bonds to finance said appropriation,"

RESOLUTION NO. (460B-1999) Continued

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, including ancillary work related thereto; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,195,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$1,195,000 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 \$1,195,000 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 \$1,195,000 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(s) referred to in Section 1 hereof, and hereby designated the official newspaper(s) 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. (461A-1999)

Co. Maloney offered and Co. Mandia seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,

## RESOLUTION NO. (461A-1999) Continued

NEW YORK, ADOPTED MAY 25, 1999, AUTHORIZING IMPROVEMENTS TO SWARTWOUT LAKE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$60,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$60,000 SERIAL BONDS 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 "Town"), is hereby authorized to improve Swartwout Lake, including the harvesting of aquatic vegetation and any necessary diagnostic studies, analysis, sampling, drawdowns, monitoring and other related work. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$60,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$60,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$60,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "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. 3. 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.

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

**RESOLUTION NO. (461A-1999) Continued**

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 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. (461B -1999)**

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 "ROCKLAND COUNTY TIMES," 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 May 25, 1999, 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 May 25, 1999, authorizing improvements to

Swartwout Lake, stating the estimated maximum cost thereof is \$60,000, appropriating said amount therefor, and authorizing the issuance of \$60,000 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 improve Swartwout Lake, including the harvesting of aquatic vegetation and any necessary diagnostic studies, analysis, sampling, drawdowns, monitoring and other related work; **STATING** the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$60,000; **APPROPRIATING** said amount therefor; and **STATING** the plan of financing includes the issuance of \$60,000 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 \$60,000 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 thirty (30) 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 \$60,000 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(s) referred to in Section 1 hereof, and hereby designated the official newspaper(s) 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:

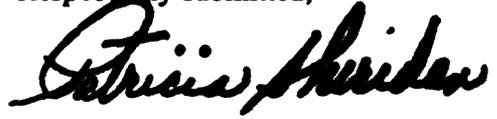
Councilman Maloney . . . . . Yes  
Councilman Mandia . . . . . Yes  
Councilman Profenna . . . . . Yes  
Councilwoman Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes

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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 Maloney, seconded by Councilwoman Smith and unanimously adopted, the Town Board Meeting was declared closed, time: 8:10 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk