

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

05/24/00

7:30 P.M.

Present: Supervisor Holbrook
Council Members Lasker, Maloney, Mandia & Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

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

Town Board Meeting opened at 7:30 P.M. and convened into executive session until 8:24 P.M.

On motion of Co. Maloney seconded by Co. Lasker the public hearing re: Proposed Local Law entitled "Historic Road Preservation" was continued, time: 8:25 PM

On motion of Co. Maloney seconded by Co. Lasker the public hearing re: Proposed Local Law entitled "Historic Road Preservation" was continued to next Town Board meeting on 5/22, time . 8:26

Supervisor opened the public portion of the meeting.

Appearance: Ed Graybow
New City

Spoke regarding the proposed golf course in Ramapo and believes that this should be considered by the Town's own attorneys instead of outside counsel.

Appearance: Martin Bernstein
New City

Spoke regarding Item 20b, proposed local law regarding assisted and independent living. Feels it should be two separate issues.

Appearance: John Lodico
New City

Spoke regarding item 20b. Agreed with Mr. Bernstein that there are two separate issues here.

RESOLUTION NO. (372-2001)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board Minutes of April 24, 2001 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (373-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Denlo Realty Corp., the reputed owner of premises described on the Clarkstown Tax Map as 44.16-2-52 (formerly known as 141-B-19), had alleged that its premises was incorrectly depicted on the Zoning Map in the R-15 zone instead of the CS zone as a result of a mapping error, and

WHEREAS, Peter J. Beary, Building Inspector, and Jeffrey T. Millman, Zoning Administrator, after investigation, concluded that a mapping error as alleged was made and have recommended that the Zoning Map be corrected to depict that the said premises, known as 14 North Route 303, Congers, is in the CS zone and not in the R-15 zone;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Director of Environmental Control, to change the Zoning Map for the property located at 14 North Route 303, Congers, New York, more particularly known as 44.16-2-52 (formerly known as 141-B-19), so as to correctly depict same in the CS zone, as recommended by the Building Inspector and Zoning Administrator.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (374-2001)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board hereby authorizes renewal of membership for the Town of Clarkstown, in the Rockland Business Association, Inc., One Blue Hill Plaza, Pearl River, New York, for a period of one year at a fee of \$450.00, which fee shall be charged to Account No. A 1010-423.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (375-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, by Order dated April 24, 2001, the Town Board approved the extension of public fire protection service to the area of SHERIDAN AVENUE and WELLS AVENUE, from Liberty Avenue to Southward Avenue, Congers, New York, and

RESOLUTION NO. (375-2001) continued

WHEREAS, the Town of Clarkstown has requested that United Water New York install mains and fire hydrants for the purpose of providing public fire protection service in the area referred to herein;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Supervisor Holbrook to enter into an agreement with United Water New York, in a form satisfactory to the Town Attorney, to provide mains and fire hydrants for the purpose of providing public fire protection service in the area of SHERIDAN AVENUE and WELLS AVENUE, from Liberty Avenue to Southward Avenue, Congers, New York.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (376-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the U. S. Department of Justice, has approved the Town of Clarkstown's application (2001-5471-NY-MC), submitted by the Police Department, for the purpose of funding the Internet Crime Against Children Task Force Program, (Award No. 2001-MC-CX-K0018), and

WHEREAS, said agreement shall cover the period January 1, 2001 through December 31, 2002;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a cooperative agreement with the U.S. Department of Justice, in a form approved by the Town Attorney, to accept funds in the amount of \$45,000.00, for the purpose of funding the Internet Crime Against Children Task Force Program, for the period covering January 1, 2001 through December 31, 2002, in accordance with the government's award letter dated April 25, 2001.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (377-2001)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the administration of LYMERix™ vaccine, as required under Section 27a(3)(a)(1) of the New York State Labor

RESOLUTION NO. (377-2001) continued

Law, to those employees whose job duties require them to enter potential tick infested areas, and who desire such vaccination, upon the following two conditions:

1. That each such employee, prior to the administration of the vaccine, attend an educational program presented by the Town which includes, but is not limited to, understanding Lyme disease, as well as the benefits and risks of the Lyme disease vaccine.

2. That each such employee who requests the LYMERix™ vaccine must complete a consent, in a form approved by the Town Attorney,

and be it

FURTHER RESOLVED, that the Town Board authorizes the purchase of LYMERix™ vaccine from Glaxo SmithKline Beecham Pharmaceuticals, the sole supplier, and that the vaccine be administered by a medical professional approved by the Town.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (378-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, ARTHUR OHNIKIAN has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as 57.56-2-14 (formerly known as 6-B-16.2), for the year(s) 2000/01, 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 Scott Shedler be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (379-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION NO. (379-2001) continued

WHEREAS, MACY'S EAST, INC. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 63.8, Block 3, Lot 7 (formerly known as 14-C-1.3), for the year(s) 2000/01, 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 Scott Shedler be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
 - Councilman Maloney Yes
 - Councilman Mandia Yes
 - Councilwoman Smith Yes
 - Supervisor Holbrook Yes
- *****

RESOLUTION NO. (380-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, BRADLEES STORES, INC. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcels designated as 43.11-2-39 (formerly known as 59-A-20.20); 43.11-2-40 (formerly known as 59-A-20.21); 43.11-2-41 (formerly known as 59-A-20.22 and 43.11-2-38 (formerly known as 59-A-20.44) for the year(s) 1997/98, 1998/99, 1999/00 and 2000/01, 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 Scott Shedler be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000; and such fee shall be charged to Account No. A 1420-439-1.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
 - Councilman Maloney Yes
 - Councilman Mandia Yes
 - Councilwoman Smith Yes
 - Supervisor Holbrook Yes
- *****

RESOLUTION NO. (381-2001)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, SKYVIEW PLAZA DEVELOPMENT CORP., Index No(s). 3804/96, 4039/97, 4129/98, 4154/99 and 4144/00, affecting parcel(s) designated as 65.7-3-58 (formerly known as 120-A-28) for the year(s) 1996/97, 1997/98, 1998/99, 1999/00 and 2000/01, and

RESOLUTION NO. (381-2001) continued

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor and the Senior Deputy Town Attorney of the Town of Clarkstown, who believe the best interests of the Town are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as 65.7-3-58 (formerly known as 120-A-28) be reduced for the year(s) 1996/97 from \$722,500 to \$598,785 at a cost to the Town of \$1,884.06;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as 65.7-3-58 (formerly known as 120-A-28) be reduced for the year(s) 1997/98 from \$722,500 to \$584,440 at a cost to the Town of \$2,098.30;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as 65.7-3-58 (formerly known as 120-A-28) be reduced for the year(s) 1998/99 from \$722,500 to \$584,535 at a cost to the Town of \$1,998.09;

4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as 65.7-3-58 (formerly known as 120-A-28) be reduced for the year(s) 1999/00 from \$722,500 to \$524,210 at a cost to the Town of \$2,923.90;

5. The assessment on the premises owned by the petitioner(s) described on the assessment roll as 65.7-3-58 (formerly known as 120-A-28) be reduced for the year(s) 2000/01 from \$722,500 to \$474,810 at a cost to the Town of \$3,576.39;

6. Reimbursement for the year(s) 1996/97, 1997/98, 1998/99, 1999/00 and 2000/01 on the parcel described as 65.7-3-58 (formerly known as 120-A-28) as stated above, be made within (90) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

7. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
 - Councilman Maloney Yes
 - Councilman Mandia Yes
 - Councilwoman Smith Yes
 - Supervisor Holbrook Yes
- *****

RESOLUTION NO. (382-2001)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, ARTHUR WEISSMAN AND SIDNEY WINOKER, Index No(s). 4226/95, 3929/96, 4192/97, 3948/98, 3776/99 and 3888/00, affecting parcel(s) designated as Map 51.7, Block 1, Lot 13 (formerly known as 56-A-29) and Map 51.7, Block 1, Lot 14 (formerly known as 56-A-29.1), for the year(s) 1995/96, 1996/97, 1997/98, 1998/99, 1999/00 and 2000/01, and

RESOLUTION NO. (382-2001) continued

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, the Senior Deputy Town Attorney of the Town of Clarkstown and the attorneys for the Clarkstown Central School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 51.7, Block 1, Lot 13 (formerly known as 56-A-29) be reduced for the year(s) 1995/96, 1996/97, 1997/98, 1998/99 and 1999/00 from \$224,000 to \$190,400 at a cost to the Town of \$2,511.74;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 51.7, Block 1, Lot 13 (formerly known as 56-A-29) be reduced for the year(s) 2000/01 from \$224,000 to \$179,200 at a cost to the Town of \$646.87;

3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 51.7, Block 1, Lot 14 (formerly known as 56-A-29.1) shall remain unchanged for the year(s) 1995/96, 1996/97, 1997/98, 1998/99, 1999/00 and 2000/01;

4. Reimbursement for the year(s) 1995/96, 1996/97, 1997/98, 1998/99, 1999/00 and 2000/01 on the parcel described as Map 51.7, Block 1, Lot 13 (formerly known as 56-A-29), as stated above, be made within (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

5. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows:

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

RESOLUTION NO. (383-2001)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, KIMCO OF NANUET, INC. v. THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF TOWN OF CLARKSTOWN, Index No(s). 3984/96, 4341/97, 4058/98, 3858/99 and 3823/00, affecting parcel(s) designated as 63.8-3-16.1 (formerly known as 14-C-22); 63.12-3-33 (formerly known as 13-D-26) and 63.8-3-16 (formerly known as 14-C-21), for the year(s) 1996/97, 1997/98, 1998/99, 1999/00 and 2000/01, and

RESOLUTION NO. (383-2001) continued

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, the Senior Deputy Town Attorney of the Town of Clarkstown and the attorneys for the Nanuet Union Free School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as 63.8-3-16 (formerly known as 14-C-21) be reduced for the year(s) 1998/99 from \$2,600,000 to 2,445,000 at a cost to the Town of \$2,244.81;
2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as 63.8-3-16 (formerly known as 14-C-21) be reduced for the year(s) 1999/00 from \$2,600,000 to 2,055,000 at a cost to the Town of \$8,036.33;
3. The assessment on the premises owned by the petitioner(s) described on the assessment roll as 63.8-3-16 (formerly known as 14-C-21) be reduced for the year(s) 2000/01 from \$2,600,000 to 1,843,000 at a cost to the Town of \$10,930.30;
4. The assessment on the premises owned by the petitioner(s) described on the assessment roll as 63.8-3-16 (formerly known as 14-C-21) shall remain unchanged for the year(s) 1996/97 and 1997/98;
5. The assessment on the premises owned by the petitioner(s) described on the assessment roll as 63.8-3-16.1 (formerly known as 14-C-22) shall remain unchanged for the year(s) 1996/97, 1997/98, 1998/99, 1999/00 and 2000/01;
6. The assessment on the premises owned by the petitioner(s) described on the assessment roll as 63.12-3-33 (formerly known as 13-D-26) shall remain unchanged for the year(s) 1996/97, 1997/98, 1998/99, 1999/00 and 2000/01;
7. Reimbursement for the year(s) 1998/99, 1999/00 and 2000/01 on the parcel described as 63.8-3-16 (formerly known as 14-C-21), as stated above, be made within (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;
8. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows:

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

RESOLUTION NO. (384-2001)

Co. Mandia offered and Co. Lasker seconded

RESOLUTION NO. (384-2001) continued

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, **GEORGE RUTTER v. TOWN OF CLARKSTOWN**, Its Assessor and Board of Assessment Review of the **TOWN OF CLARKSTOWN**, Index No(s). 4923/96, 5531/97, 4249/98, 4083/99 and 4096/00, affecting parcel(s) designated as Map 51.13, Block 2, Lot 37 (formerly known as 36-H-1), for the year(s) 1996/97, 1997/98, 1998/99, 1999/00 and 2000/01, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice and without costs on the terms and conditions set forth herein, and

WHEREAS, such settlement has been recommended by the Tax Assessor, the Senior Deputy Town Attorney of the Town of Clarkstown and the attorneys for the Clarkstown Central School District, who believe the best interests of the Town and the School District are being served;

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 51.13, Block 2, Lot 37 (formerly known as 36-H-1) be reduced for the year(s) 1998/99 and 1999/00 from \$197,900 to \$168,200 at a cost to the Town of \$868.07;

2. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 51.13, Block 2, Lot 37 (formerly known as 36-H-1) be reduced for the year(s) 2000/01 from \$197,900 to \$158,300 at a cost to the Town of \$571.78;

3. Reimbursement for the year(s) 1998/99, 1999/00 and 2000/01 on the parcel described as Map 51.13, Block 2, Lot 37 (formerly known as 36-H-1), as stated above, be made within (60) days, without interest, through the Office of the Commissioner of Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

4. All municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement, and be it

FURTHER RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement.

On roll call the vote was as follows:

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

RESOLUTION NO. (385-2001)

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. (385-2001) continued

BID #29-2001
CUSTODIAL SERVICES AT THE CLARKSTOWN HIGHWAY DEPARTMENT

is hereby awarded to: MR. C'S CLEANING, INC.
7 WILDWOOD RIDGE
FORT MONTGOMERY, NY 10922
PRINCIPALS: CLAUDE HAVENER

as per their low bid proposal of \$1,000.00 per month and be it

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

- 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:

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

RESOLUTION NO. (386-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Custodian of voting machines that

BID #15-2001
STORAGE AND DELIVERY OF TOWN VOTING MACHINES

is hereby awarded to:

SANTIAGO MOVING AND STORAGE, INC
16 NORTH ROUTE 9W
CONGERS, NY 10920
PRINCIPALS: ADUA ZANGRILLI

as per their low bid proposal as follows:

Proposed total annual cost of storage, delivery, and pick-up of voting machines – twice yearly \$37,000.00 per year.

Proposed cost of additional delivery and pick-up – per machine – in excess of twice yearly at \$100.00 per machine (round trip) per occasion.

Proposed additional cost of emergency replacement of defective voting machine during use at \$100.00 per machine (round trip).

Proposed % cost increase for possible contract extension period (1 year) 0%.

RESOLUTION NO. (386-2001) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (387-2001)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Joseph Maggino, 3 Esquire Road, New City, New York, is hereby appointed to the position of Solid Waste Facility Attendant – Solid Waste Facility at the current annual salary of \$28,463., effective May 29, 2001.

On roll call the vote was as follows:

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

RESOLUTION NO. (388-2001)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the resignation (submitted to the Personnel Office on April 23, 2001) of Jean R. Louis, P.O. Box 1155, Spring Valley, New York – Part-time Bus Driver – Clarkstown Mini Trans Department – is hereby accepted –effective and retroactive to February 17, 2001 – at the close of the business day.

On roll call the vote was as follows:

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

RESOLUTION NO. (389-2001)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that the resignation of Catherine Nowicki, 149 North Middletown Road, Nanuet, New York – Member - Historical Review Board – is hereby accepted - effective and retroactive to April 25, 2001 – at the close of the business day.

RESOLUTION NO. (389-2001) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (390-2001)

Co. Lasker offered and Co. Maloney seconded

RESOLVED, that Edward J. Duer, Comptroller, is hereby authorized to attend the NYS Government Finance Officers' Association conference on May 18, 2001, at the Westchester Hills Golf Club, at White Plains, New York, and be it

FURTHER RESOLVED, that all necessary charges, including the registration fee of \$50 be charged to Appropriation Account A 1010-414 (Schools & Conferences).

On roll call the vote was as follows:

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

RESOLUTION NO. (391-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendations of Howard L. Lampert, PE, Traffic and Highway Engineering Consultant, dated April 30, 2001 and May 2, 2001, the Superintendent of Highways is hereby authorized to:

1. Install a "Stop" sign on Clydesdale Court at Laurel Road, New City, and
2. Install a "Stop" sign on Zabella Drive at West Clarkstown Road, New City
3. Remove the "Yield" signs from the following locations and install "Stop" signs in their places:
 Northbound Ohio Avenue at Lake Road, Congers,
 Northbound South Rockland Avenue at Lake Road, Congers,
 and Southbound Babbling Brook Lane at Old Mill Road,
 Valley Cottage

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, to Howard L. Lampert, and to the Chief of Police, for their information and for enforcement purposes.

RESOLUTION NO. (391-2001) continued

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (392-2001)

Co. Maloney offered and Co. Lasker seconded

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

RESOLUTION NO. (392-2001) continued

W. HARRIS & SON, INC.
 37 W. Washington Avenue
 Pearl River, NY 10965
 Timothy Harris, President

RESOLVED, that the following Certificate of Registration be issued:

No. 01-9 W. HARRIS & SON, INC.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (393-2001)

Supervisor Holbrook offered and Co. Maloney seconded

WHEREAS, the Department of Environmental is experiencing severe office space problems due to the increase in services required for the residents of the town of Clarkstown, and

WHEREAS, extensive office modifications and expansion are necessary for the department to function efficiently, and

WHEREAS, the Director of the Department of Environmental Control has obtained a proposal to perform a space study and prepare preliminary plans and cost estimates for the required modifications and expansion, and

WHEREAS, final construction plans will be prepared after review of the preliminary plans, cost estimate by the Town Board.

NOW, THEREFORE, BE IT

RESOLUTION NO. (393-2001) continued

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

Degenshein Architects
205 South Broadway
Nyack, New York 10960

To perform the space study and prepare the preliminary plans and cost estimate in accordance with their proposal dated April 24, 2001 , and

BE IT FURTHER RESOLVED, that the cost associated with the space study and preparation of the preliminary plans and cost estimates shall not exceed \$3,900.00 and shall be a proper charge to account H 8751 409 0 75 5

On roll call the vote was as follows:

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

RESOLUTION NO. (394-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown is desirous of effecting repairs to specific areas damaged as a result of Tropical Storm Floyd, and

WHEREAS, the Federal Emergency Management Agency (FEMA) has made funding available for this work, and

WHEREAS, the Department of Environmental Control has initiated the Tropical Storm Floyd Rebuilding Program for the purpose of effecting the repairs, and

WHEREAS, certain projects must be completed by the June 1, 2001 deadline imposed by FEMA, and

WHEREAS, the Department of Environmental Control has obtained proposals from qualified contractors to perform the required repairs.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to lease equipment and operators from:

CalMart Enterprises, Inc.
357A Route 59
West Nyack, New York 10994

on a lump sum basis, with all activities to be under the direct supervision of personnel of the Department of Environmental Control, and

BE IT FURTHER RESOLVED, that all materials required to complete this work shall be provided by the Town of Clarkstown, and

RESOLUTION NO. (394-2001) continued

BE IT FURTHER RESOLVED, that only a lease agreement is contemplated and therefore all work will be performed under the direct supervision and control of the Department of Environmental Control, and

BE IT FURTHER RESOLVED, that the cost for the work shall not exceed \$36,363.00 and shall be a proper charge to account H 8748 409 0 72 1.

On roll call the vote was as follows:

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

RESOLUTION NO. (395-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, an adverse drainage condition exists in the vicinity of 4 Patriots Court, New City, New York, and

WHEREAS, the Department of Environmental Control has investigated the problem and recommended the installation of an additional catch basin, and

WHEREAS, the Department of Environmental Control has obtained proposals to perform the corrective drainage work.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire:

KJS Home Improvements
95 Maple Avenue
New City, New York 10956

To perform the corrective drainage work in accordance with their proposal dated May 4, 2001, and

BE IT FURTHER RESOLVED, that the cost for the work shall not exceed \$2,250.00 and shall be a proper charge to account H 8751 409 0 75 7.

On roll call the vote was as follows:

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

RESOLUTION NO. (396-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the existing culvert located beneath the driveway at the subject location has deteriorated to the point where it represents a potentially hazardous condition; and

WHEREAS, the Department of Environmental Control has formulated a plan to correct said condition; and

WHEREAS, the Department of Environmental Control has solicited proposals from three (3) qualified contractors to perform said corrective work in accordance their plan; and

WHEREAS, the Department of Environmental Control has received three (3) responses to their solicitation; and

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

NOW, THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to retain the services of

Cal Mart Enterprises, Inc.
357A Rte. 59
West Nyack, New York 10994

to perform said corrective drainage work in accordance with the aforementioned plan as per their proposal of \$15,751.00; the lowest proposal received, and

BE IT FURTHER RESOLVED that this amount shall be a proper charge to account # H 8751-409-0-75-8.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (397-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board authorized cleaning and stabilization of the existing drainage channel adjacent to Anton Court, New City New York, and

WHEREAS, it is necessary to have additional restoration performed adjacent to the channel as a result of disturbance by construction equipment.

NOW THEREFORE BE IT,

RESOLVED, that the Town Board hereby authorizes the Director of the Department of Environmental Control to hire Pinebrook Industries, P.O. Box 723, New City, New York 10956, to perform the additional restoration work in accordance with their proposal dated 5-1-01, and

RESOLUTION NO. (397-2001) continued

BE IT FURTHER RESOLVED, that the cost for the work shall not exceed \$3,870.00 and shall be charged to H 8743 400 409 0 68 10

On roll call the vote was as follows:

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

RESOLUTION NO. (398-2001)

Co. Lasker offered and Co. Maloney seconded

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

BID #41-2001
2001 SPECIAL PAVEMENT MARKING

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by _____ (A.M.) (P.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 Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (399-2001)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section I. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to construct improvements to various Town recreational areas and all work ancillary thereto. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,000,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$3,000,000 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.

RESOLUTION NO. (399-2001) continued

Section II. Serial bonds of the Town in the principal amount of \$3,000,000 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 III. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 19 (c) of the Law, is fifteen (15) years.

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

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and 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. (399-2001) continued

* *

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 Westchester County, New York, and/or in the "ROCKLAND COUNTY TIMES," a newspaper published in Rockland County, 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 8, 2001, 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 8, 2001, authorizing the construction of improvements to various Town recreational areas, stating the estimated maximum cost thereof is \$3,000,000, appropriating said amount therefor, and authorizing the issuance of \$3,000,000 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 Town recreational areas and all work ancillary thereto; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,000,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$3,000,000 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 \$3,000,000 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 \$3,000,000 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. (399-2001) 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:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (400-2001)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section I. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to reconstruct and construct improvements to a scale house located at the Town's solid waste facility. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$110,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$110,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section II. Serial bonds of the Town in the principal amount of \$110,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section III. 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. (400-2001) 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.

* * *

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 Rockland County, 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 8, 2001, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

RESOLUTION NO. (400-2001) continued

"Bond Resolution of the Town of Clarkstown, New York, adopted May 8, 2001, authorizing the reconstruction and construction of improvements to a scale house located at the Town's solid waste facility, stating the estimated maximum cost thereof is \$110,000, appropriating said amount therefor, and authorizing the issuance of \$110,000 serial bonds to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to reconstruct and construct improvements to a scale house located at the Town's solid waste facility; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$110,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$110,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

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

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is 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 \$110,000 serial bonds will exceed five (5) years;

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

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

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:

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

RESOLUTION NO. (401-2001)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section I. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to construct sidewalk improvements in the Town, and all work ancillary thereto. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$315,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$315,000 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 II. Serial bonds of the Town in the principal amount of \$315,000 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 III. 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 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.

RESOLUTION NO. (401-2001) continued

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.

* * *

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 Westchester County, New York, and/or in the "ROCKLAND COUNTY TIMES," a newspaper published in Rockland County, 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 8, 2001, 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 8, 2001, authorizing the construction of sidewalk improvements, in the Town, stating the estimated maximum cost thereof is \$315,000, appropriating said amount therefor, and authorizing the issuance of \$315,000 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 in the Town, and all work ancillary thereto; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$315,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$315,000 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 \$315,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

RESOLUTION NO. (401-2001) 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 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 \$315,000 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:

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

RESOLUTION NO. (402-2001)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to construct various drainage improvements in the Town and all work ancillary thereto. 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 therefore. 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.

RESOLUTION NO. (402-2001) continued

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 11.00a. 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.

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 Section 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.

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

RESOLUTION NO. (402-2001) 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 Westchester County, New York, and /or in the "ROCKLAND COUNTY TIMES," a newspaper published in Rockland County, 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 8, 2001, 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 8, 2001, authorizing the construction of various drainage improvements in the Town, stating the estimated maximum cost thereof is \$160,000, appropriating said amount therefore, 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:

FIRST: AUTHORIZING said Town to construct various drainage improvements in the Town and all work ancillary thereto; **STATING** the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$160,000; **APPROPRIATING** said amount therefore; 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 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 \$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 renewal thereof; and

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

RESOLUTION NO. (402-2001) continued

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:

Councilwoman LaskerYes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor HolbrookYes

RESOLUTION NO. (403-2001)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section I. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to construct various waterway improvements in the Town and all work ancillary thereto. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$200,000 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 II. Serial bonds of the Town in the principal amount of \$200,000 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 III. 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 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. (403-2001) 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.

* * *

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 Westchester County, New York, and/or in the "ROCKLAND COUNTY TIMES," a newspaper published in Rockland County, 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 8, 2001, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

RESOLUTION NO. (403-2001) continued

"Bond Resolution of the Town of Clarkstown, New York, adopted May 8, 2001, authorizing the construction of various waterway improvements in the Town, stating the estimated maximum cost thereof is \$200,000, appropriating said amount therefor, and authorizing the issuance of \$200,000 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 waterway improvements in the Town and all work ancillary thereto; **STATING** the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000; **APPROPRIATING** said amount therefor; and **STATING** the plan of financing includes the issuance of \$200,000 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 \$200,000 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 \$200,000 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:

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

RESOLUTION NO. (404-2001)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to acquire equipment for use by the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,880,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$1,880,000 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 \$1,880,000 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 purpose for which \$1,703,773 of the serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 28. of the Law, is fifteen (15) years; the period of probable usefulness applicable to the purpose for which \$132,957 of the serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 28. of the Law, is ten (10) years; the period of probable usefulness applicable to the purpose for which \$43,270 of the serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 28. 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.

(c) The proposed maturity of the bonds authorized by this resolution is or 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 of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

RESOLUTION NO. (404-2001) 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 enhancement and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum.

* * *

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 Rockland County, 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 8, 2001, 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 8, 2001, authorizing the acquisition of equipment for use by the Town, stating the estimated maximum cost thereof is \$1,880,000, appropriating said amount therefor, and authorizing the issuance of \$1,880,000 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to acquire equipment for use by the Town; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,880,000; APPROPRIATING

RESOLUTION NO. (404-2001) continued

said amount therefor; and STATING the plan of financing includes the issuance of \$1,880,000 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 \$1,880,000 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 authorized to be issued pursuant to this resolution is or exceeds five (5) 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 \$1,880,000 serial bonds is or 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. After said bond resolution shall take effect the Town Clerk is hereby directed 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:

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

RESOLUTION NO. (405-2001)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

RESOLUTION NO. (405-2001) continued

Section I. 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 \$415,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$415,000 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 II. Serial bonds of the Town in the principal amount of \$415,000 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 III. 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 IV. 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 V. 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 VI. 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. (405-2001) 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 VII. This bond resolution is subject to permissive referendum.

* * *

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 Westchester County, New York, and/or in the "ROCKLAND COUNTY TIMES," a newspaper published in Rockland County, 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 8, 2001, 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 8, 2001, authorizing the construction of improvements to various roads in the Town, stating the estimated maximum cost thereof is \$415,000, appropriating said amount therefor, and authorizing the issuance of \$415,000 serial bonds to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to construct improvements to various roads in the Town, including ancillary work related thereto; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$415,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$415,000 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 \$415,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

RESOLUTION NO. (405-2001) 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 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 \$415,000 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:

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

RESOLUTION NO. (406-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board of the Town of Clarkstown is desirous of having regularly scheduled site maintenance performed at the following locations:

- 1. Forest Glen, Forest Ridge Road and Forest Brook Road, Spring Valley
- 2. Lake wood Drive/Scandia Drive Drainage Channel, Congers
- 3. Brewery Road Compost Site, New City
- 4. "The Fountain" Town Park at the intersection of North Middletown Road and Rte. 59, Nanuet
- 5. #11 Doral Court, New City
- 6. Island at the intersection of West Nyack Road and Rte. 59, West Nyack; and

RESOLUTION NO. (406-2001) continued

WHEREAS, the Department of Environmental Control has prepared a detailed schedule of maintenance for these sites; and

WHEREAS, the Department of Environmental Control has solicited proposals from three (3) qualified landscaping firms to perform the maintenance in accordance with said schedule; and

WHEREAS, the Department of Environmental Control has received three (3) responses to their solicitation; and

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

NOW, THEREFORE, BE IT RESOLVED that the Director of the Department of Environmental Control is hereby authorized to retain the services of

Pro-Cut Lawns, Landscaping & Contracting, Inc.
421-13 Route 59
Monsey, New York 10952

to perform said site maintenance as scheduled in accordance with their proposal for the sum of \$7,100.00; the lowest proposal received, and

BE IT FURTHER RESOLVED that this shall be a proper charge to account # A 8511409 0.

On roll call the vote was as follows:

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

RESOLUTION NO. (407-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the SISTERS OF CHARITY OF ST. VINCENT de PAUL OF NEW YORK, has petitioned the Town Board of the Town of Clarkstown for a Special Permit, pursuant to Section 290-17(O), to construct 106 residential units for Senior Citizen Housing on a portion of premises designated on the Clarkstown Tax Map as 63.11-2-13 (formerly 4-A-6), for property located on the north side of Convent Road, and the east side of Pascack Road, Nanuet;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to Section 290-17(O) of the Zoning Local Law of the Town of Clarkstown, shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on June 26, 2001, or as soon thereafter as possible, to consider the petition of the SISTERS OF CHARITY OF ST. VINCENT de PAUL OF NEW YORK, relative to said Special Permit, and be it

RESOLUTION NO. (407-2001) continued

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for its review and recommendations, to the Rockland County Commissioner of Planning, and to other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law, and other applicable provisions of law, and be it

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

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (408-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled,

**“AMENDMENT TO CHAPTER 290 (ZONING) OF
THE TOWN CODE OF THE TOWN OF CLARKSTOWN”**

and

WHEREAS, the Clarkstown Planning Board and the Ad Hoc Committee have reviewed the proposed local law and recommend its adoption;

NOW, THEREFORE, be it

FURTHER RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on June 26, 2001, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

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

FURTHER RESOLVED, that the proposed amendment is hereby referred to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

RESOLUTION NO. (408-2001) continued

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

On roll call the vote was as follows:

Councilwoman Lasker Yes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith No
Supervisor Holbrook Yes

RESOLUTION NO. (409-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore adopted a bond resolution, as described in Section 1 hereof; and

WHEREAS, said Town Board has now determined that the bonds authorized pursuant to said bond resolution shall not be issued;

NOW, THEREFORE

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

Section 1. The bond resolution of the Town of Clarkstown, New York, entitled:

“BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED JULY 13, 1999, APPROPRIATING
\$915,000 FOR THE CONSTRUCTION OF SEWER IMPROVE-
MENTS WITHIN MBSIA NO. 2 IN SAID TOWN, AND
AUTHORIZING THE ISSUANCE OF \$915,000 SERIAL BONDS
OF SAID TOWN TO FINANCE SAID APPROPRIATION,”

Is hereby rescinded, no obligations of the Town having been issued pursuant to such resolution.

Section 2. This resolution shall take effect immediately.

On roll call the vote was as follows:

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

RESOLUTION NO. (410-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore adopted a bond resolution, as described in Section I hereof; and

WHEREAS, said Town Board has now determined that the bonds authorized pursuant to said bond resolution shall not be issued;

NOW, THEREFORE,

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

Section 1. The bond resolution of Town of Clarkstown, New York, entitled:

"BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED NOVEMBER 23, 1999, APPROPRIATING \$250,000 FOR THE CONSTRUCTION OF SEWER IMPROVEMENTS WITHIN MBSIA NO. 1 IN SAID TOWN, IN ADDITION TO THE \$1,205,000 HERETOFORE APPROPRIATED THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$250,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION, IN ADDITION TO THE \$1,205,000 SERIAL BONDS HERETOFORE AUTHORIZED TO BE ISSUED FOR SUCH PURPOSE,"

is hereby rescinded, no obligations of the Town having been issued pursuant to such resolution

Section 2. This resolution shall take effect immediately.,

On roll call the vote was as follows:

Councilwoman LaskerYes
Councilman Maloney Yes
Councilman Mandia Yes
Councilwoman Smith Yes
Supervisor HolbrookYes

RESOLUTION NO. (411-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized the construction of sewer improvements, consisting of the design and reconstruction of certain pump stations, construction and reconstruction of the sewer line, including original furnishings, equipment, machinery, apparatus and appurtenances required in connection therewith, at the estimated maximum cost of \$1,615,000, which amount was appropriated therefore pursuant to the bond resolution adopted by said Town Board on July 13, 1999; and

WHEREAS, said Town Board has now determined that certain parts of such project shall not be completed by the Town and therefore the estimated maximum cost and the amount of bonds authorized to be issued for such purpose shall be decreased to \$170,000 and said bond resolution shall be amended to reflect such change; and

NOW, THEREFORE, be it

RESOLUTION NO. (411-2001) continued

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Town Board) AS FOLLOWS:

Section (A) The bond resolution of said Town duly adopted by the Town Board on July 13, 1999, entitled:

Bond resolution of the Town of Clarkstown, New York, adopted July 13, 1999, appropriating \$1,615,000 for the construction of Sewer improvements within MBSIA No. 1 in said Town, and Authorizing the issuance of \$1,615,000 serial bonds of said Town to finance said appropriation.

is hereby amended to read as follows:

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 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 sewer improvements, consisting of the design and reconstruction of certain pump stations, construction and reconstruction of the sewer line, including original furnishings, equipment, machinery, apparatus and appurtenances required in connection therewith. The estimated maximum cost of the work to be completed by the Town, including preliminary costs and costs incidental thereto and the financing thereof, is \$170,000 and said amount is hereby appropriated therefore. The plan of financing includes the issuance of serial bonds of the Town in the principal amount of \$170,000 to finance said appropriation and the levy and collection of special assessments from the several lots and parcels of land within the Benefited Area, which the Town Board shall determine to be especially benefited by said Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer Improvement shall confer upon the same, to pay the principal of and interest on said bonds 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 of the object or purpose for which said \$170,000 serial bonds are authorized to be issued, within the limitations of Section 11.00a 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 (5) years.

RESOLUTION NO. (411-2001) continued

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Section 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, 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 the "THE JOURNAL NEWS" and/or in the "ROCKLAND COUNTY TIMES," two newspapers published in Rockland County, New York, each having a general circulation within said Town and hereby designated the official newspapers of the Town for such publication.

Section (B) The amendment of the bond resolution set forth in Section A of this resolution, shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution as so amended.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (412-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Town Board Resolution #338-2001 concerning Bid 36-2001 Construction of a Parking Lot Extension – Route 59 Nanuet, is hereby rescinded.

On roll call the vote was as follows:

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

RESOLUTION NO. (413-2001)

Co. Maloney offered and Co. Mandia seconded

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

BID #42-2001
MECHANICS COVERALL RENTAL SERVICE

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by _____ (A.M.) (P.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 Purchasing.

On roll call the vote was as follows:

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

RESOLUTION NO. (414-2001)

Co. Maloney offered and Co. Mandia seconded

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

BID #43-2001
2001 COMMUTER PARKING LOT MAINTENANCE

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by _____ A.M.) (P.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 Purchasing.

RESOLUTION NO. (414-2001) continued

On roll call the vote was as follows:

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

RESOLUTION NO. (415-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrants:

- H#1 – w/s of Sheridan Avenue approx. 100' n/o Liberty Avenue
- H#2 – w/s of Sheridan Avenue approx. 200' s/o Wells Avenue.
- H#3 – e/s of Wells Avenue approx. 50' s/o Southward Avenue

Investigation No. 11912 and be it,

FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to Tricia Betz, Utility Service Coordinator.

On roll call the vote was as follows:

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

RESOLUTION NO. (416-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Assessor of the Town of Clarkstown, the sum of \$747.30 be refunded to GERARD LEONARD for County and Town taxes erroneously assessed, levied and paid on property identified as 67 Meadow Lane, Nanuet, New York and designated as 57.7-5-4/1005 (formerly known as 165-F-62), and be it

FURTHER RESOLVED, that based upon the recommendation of the Assessor of the Town of Clarkstown, the sum of \$1,461.59 be refunded to GERARD LEONARD for school taxes erroneously assessed, levied and paid on property identified as 67 Meadow Lane, Nanuet, New York and designated as 57.7-5-4/1005 (formerly known as 165-F-62), and be it

FURTHER RESOLVED, that the Tax Assessor is hereby authorized to recover that portion of the refunds provided herein which have been erroneously paid to other taxing jurisdictions.

RESOLUTION NO. (416-2001) continued

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (417-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Mr. and Mrs. Stephen Rusnock, residing at 9 Debra Lee Court, West Nyack, New York, have alleged that during a drainage project Town personnel or its contractor damaged their driveway. Although an investigation has failed to fully substantiate this claim, the Town Attorney has recommended a nuisance type settlement to dispose of this matter;

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby authorizes payment of \$500.00 to Mr. and Mrs. Stephen Rusnock, upon receipt of a general release, in a form approved by the Town Attorney, for any and all claims with respect to the alleged damage or continuing trespass to premises at 9 Debra Lee Court, West Nyack, New York, and be it

FURTHER RESOLVED, that payment of the \$500.00 shall be charged to Account No. CS 1722-409.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (418-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, as a result of correspondence received from and interviews of staff and management at the Town of Clarkstown Counseling Center, there appears to be a need for a comprehensive management review of issues relating to management, staffing, record keeping and operations of said department, and

WHEREAS, a proposal has been received from Carolyn Laredo, JD, of 978 Route 45, Pomona, NY 10970, an individual with expertise in the area of conflict management services to provide an independent comprehensive management review as described in a proposal dated May 8, 2001;

NOW, THEREFORE, be it

RESOLVED, that Carolyn Laredo, JD is hereby retained to provide the services in said management review proposal at a cost not to exceed \$1,500.00, and be it

RESOLUTION NO. (418-2001) continued

FURTHER RESOLVED, that said consultant shall work under the direction of the Town Attorney and/or his assigned Deputy or Assistant Attorney for the purpose of submitting a report to the Town Board with findings and recommendations as soon as reasonably possible, and be it

FURTHER RESOLVED, that the fee for such services shall be charged to Account No. A 1420-409.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (419-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Gerald Pritz, 8 Grandview Avenue, Nanuet, New York, alleges by letter dated May 6, 2001, that his property is located in both a residential and regional shopping zone. He is requesting that the Town Board consider rezoning his property to a PO District;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby refers said request to the Clarkstown Planning Board for its review and recommendation.

On roll call the vote was as follows:

- Councilwoman Lasker Yes
- Councilman Maloney Yes
- Councilman Mandia Yes
- Councilwoman Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (420-2001)

Co. Smith offered and Co. Mandia seconded

WHEREAS, George Renc, Commissioner of Finance for Rockland County, has advised that the position of County Director of Rockland County, in the County Real Property Tax Office is temporarily vacant, and he has requested that a leave of absence be granted to Joan A. Derella, 93 South Conger Avenue, Congers, New York, employed as Real Property Data Collection in the Town of Clarkstown Assessor's Office, for the purpose of filling said vacancy on an interim basis, and

WHEREAS, Joan A. Derella, has requested such leave of absence;

NOW, THEREFORE, be it

RESOLUTION NO. (420-2001) continued

RESOLVED, that in the interest of municipal cooperation, Joan A. Derella, Real Property Data Collector in the Town of Clarkstown Assessor's Office, is hereby granted a leave of absence without pay effective May 14, 2001 through November 14, 2001, to accept the interim position of County Director of Rockland County in the Rockland County Real Property Tax Office, and be it

FURTHER RESOLVED, that should Ms. Derella services no longer be required on an interim basis by Rockland County, the leave of absence granted herein shall be automatically deemed rescinded without further action of the Town Board.

On roll call the vote was as follows:

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

RESOLUTION NO. (421-2001)

Co. Smith offered and Co. Maloney seconded

WHEREAS the Town Board is aware of the approach of the 20th Anniversary of the armed robbery of the Brinks truck at the Nanuet Mall on October 20, 1981, in which a Brinks guard was killed, and

WHEREAS, Police Sgt. Edward O'Grady and Police Officer Chipper Brown were murdered and Police Detective Arthur Keenan was wounded as they valiantly sought to capture the perpetrators of that crime, and

WHEREAS, it has come to the Town Board's attention that Kathy Boudin, one of the persons convicted in connection with this heinous crime, may soon be considered for parole, and

WHEREAS, the Town Board is skeptical that Ms. Boudin could possibly be sufficiently rehabilitated to deserve her freedom, and

WHEREAS, the Town Board wants Governor Pataki, the Parole Board, and all others considering the parole of Kathy Boudin to remember that the "Brink's Robbery" forever changed Rockland County and left its residents with feelings of insecurity and anger from which we will never fully recover,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Clarkstown hereby implores Governor Pataki, the New York State Senate, and the New York State Assembly to oppose the early release of Kathy Boudin, and

BE IT FURTHER

RESOLVED, that the Town Clerk is requested to forward copies of this resolution to Governor George Pataki, State Senator Thomas Morahan, and Assemblyman Alexander Gromack at their offices, and to the Concerns of Brink's Survivors at P.O. Box 129, Nyack, NY 10960.

RESOLUTION NO. (421-2001) continued

On roll call the vote was as follows:

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

Co. Lasker asked for assurance that item 17 would be on next meeting.

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Co. Maloney seconded by Co. Lasker and unanimously adopted, the Town Board Meeting was closed, time: 8:40 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

5/8/01

8:25 P.M.

Present: Supervisor Holbrook
Council Members Lasker, Maloney, Mandia & Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

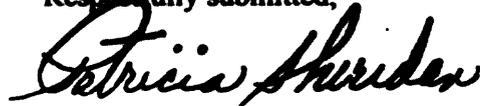
RE: - Continuation of Public Hearing on Proposed Local Law entitled "Historic Road Preservation"

On motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted the public hearing was opened.

John Costa, Town Attorney stated that at the last public hearing, the Town Board received certain recommendations from the public and the Rockland County Planning Board which required some rewrite of the proposed local law. That rewrite has not been completed as of now and therefore we can't proceed with an adoption. He recommended that it be continued to the next meeting.

On motion of Co. Maloney and seconded by Co. Lasker, the public hearing was continued to the next Town Board Meeting, time: 8:26 P.M.

Respectfully submitted,



Patricia Sheridan
Town Clerk