TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall 09/28/2004 8:00 P.M.

Present: Supervisor Alex J. Gromack
Council Members Maloney, Mandia & Nowicki
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

Supervisor declared the Town Board Meeting open. Assemblage saluted the Flag. Certificate of Award for achieving the rank of Eagle Scout was presented to Steven Seminelli of Boy Scout Troop #2027. Supervisor opened the public portion of the meeting.

Phil Bosco
West Nyack
Spoke about item 12j and said that drainage problems pose a danger to the health of the residents

Martin Bernstein
New City
Inquired as to what is covered by item 12b on streetscape improvements in New City

John Lodico
New City
Said that credit on the solid waste landfill should be given to Mike Araneo; Asked how the Board arrived at the value of Petersen's Boatyard and gave the Board a copy of an appraisal of the property

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RESOLUTION NO. (752-2004)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that the Town Board Minutes of September 14, 2004 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (753-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, pursuant to Town Board Resolution 353-2004 the Town Board authorized a change order for the replacement of culvert no. 505 at Christian Herald Road, Valley Cottage, and

WHEREAS, the Superintendent of Highways has recommended that one (1) inlet with a heavy-duty flat casting and grate and approximately 95 linear feet of piping be installed in connection with the culvert replacement; and

RESOLUTION NO. (753-2004) CONT.

WHEREAS, the Highway Department solicited quotes from three (3) qualified contractors to perform said work;

NOW, THEREFORE, BE IT RESOLVED, that, based upon the recommendation of the Superintendent of Highways and the Deputy Director, Environmental Control, the Town is hereby authorized to retain Danny Clapp Landscaping Inc. to install a pipe and catch basin on Christian Herald Road, as per their low quote of $8,989.00 and as further outlined in their proposal dated August 13, 2004; and be it

FURTHER RESOLVED, that said cost shall constitute a proper charge to account number H 8749-409-0-78-6; and be it

FURTHER RESOLVED, that said project shall be under the supervision of the Highway Department and the Department of Environmental Control.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (754-2004)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town has purchased a Geographical Information System (GIS), which enhances the present property assessment system in the Tax Assessor's Office, which provides the ability to perform perimeter searches programmatically, and Cathy Conklin, Tax Assessor, has recommended that the Town provide such services, optionally, to supplement the current manual procedure on a fee paying basis, which would help offset the annual service fee for the software;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby authorizes the Tax Assessor to request a fee of $100.00 to perform perimeter searches using the property assessment system and the GIS system.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (755-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, John Ovchinnikoff, 22 Vermont Avenue, Congers, New York, has requested a waiver of the condition provided for in Section 109-4(G)(5) of the Town Code, to construct a new house, with variances, while residing in his current house on the same property, and

RESOLUTION NO. (755-2004) CONT.

WHEREAS, Peter Beary, Building Inspector, has advised that no greater risk of harm would likely exist with the construction of the new house, and is satisfied with the safety measures presently in place;

NOW, THEREFORE, be it RESOLVED, that the Town Board hereby grants a waiver a waiver of the condition provided for in Section 109-4(G)(5) of the Town Code, to construct a new house while Mr. Ovchinnikoff lives in his current house, and hereby authorizes the Building Inspector to issue a Building Permit subject to the rules and regulations of the Town of Clarkstown.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (756-2004)

Co. Nowicki offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with KEEP ROCKLAND BEAUTIFUL, INC., in a form approved by the Town Attorney, for rental of two rooms on the first floor of the former Clarkstown Police Station, 10 Maple Avenue, New City, New York, consisting of 500 sq. ft., for a period of one year with a ninety day termination clause commencing December 1, 2004 to November 30, 2005, at an annual rental of $9,000.00 payable in equal monthly installments of $750.00, in advance of the first day of each month.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (757-2004)

Co. Mandia offered and Co. Maloney seconded

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

JMK BUILDING CORP.
6 Sky Drive
New City, NY 10956
John Knutsen, Jr., President

NOW, THEREFORE, be it RESOLVED, that the following Certificate of Registration be issued:

No. 04-22 JMK BUILDING CORP.

RESOLUTION NO. (757-2004) CONT.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (758-2004)

Co. Maloney offered and Co. Nowicki seconded

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

Bid #58-2004 – Closed Circuit Cameras At Commuter Parking Lots

Bids to be returnable to Purchasing Department, 10 Maple Avenue, New City, New York by (date and time 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 Purchasing Department.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (759-2004)

Co. Maloney offered and Co. Nowicki seconded

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

Bid #59-2004 – Rental Of Trucks For The Clarkstown Highway Department
(Leaf Pick-Up/Snow Removal)

Bids to be returnable to Purchasing Department, 10 Maple Avenue, New City, New York by (time and place 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 Purchasing Department.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (760-2004)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Tentative Budget for the year 2005, on file in the Town Clerk's Office and presented to the Town Board on September 28, 2004, shall be considered the Preliminary Budget for the year 2005 for the purposes of public distribution and review, and be it

FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to prepare 25 copies of same for public distribution pursuant to Town Law Section 106, and be it

FURTHER RESOLVED, that the public hearing to be held on the preliminary budget shall be November 3, 2004, at 7:00 p.m., or as soon thereafter as possible, in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (761-2004)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that Victoria L. Willows, 12 Susan Drive, New City, New York, is hereby appointed to the position of (temporary) Account Clerk Typist (part-time) – Office of the Town Comptroller – at the current hourly rate of $12.00 – effective and retroactive to September 13, 2004, for a period not to exceed 90 days.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (762-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, the Rockland County Personnel Office has certified on August 19, 2004 that the position of Automotive Mechanic II and Body Repairer – Town Garage – can be created,

Now, therefore, be it RESOLVED, that the position of Automotive Mechanic II and Body Repairer – Town Garage – is hereby created – effective and retroactive to September 13, 2004, and be it,

FURTHER RESOLVED, that the grade for the position of Automotive Mechanic II and Body Repairer – is hereby established as a grade 26.

RESOLUTION NO. (762-2004) CONT.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (763-2004)

Co. Maloney offered and Co. Nowicki seconded

RESOLVED, that GARY Marina 266 Nelson Road, Monroe, New York 10950, is hereby appointed to the position of Automotive Mechanic II and Body Repairer – Town Garage – at the current 2004 annual salary of $68,982., effective and retroactive to September 13, 2004.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (764-2004)

Co. Mandia offered and Co. Maloney seconded

BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and ratifies the Employment Agreement between Captain Thomas Purtill and the Town of Clarkstown, dated September 23, 2004, and be it

FURTHER RESOLVED, that the Supervisor of the Town is hereby authorized to execute said Agreement.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (765-2004)

Co. Mandia offered and Co. Maloney seconded

BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and ratifies the Amendment to the Employment Agreement between Captain Thomas Purtill and the Town of Clarkstown, dated September 23, 2004, and be it

FURTHER RESOLVED, that the Supervisor of the Town is hereby authorized to execute said Amendment.

RESOLUTION NO. (765-2004) CONT.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (766-2004)

Co. Mandia offered and Co. Maloney seconded

BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby approves and ratifies the Employment Agreement between Chief Peter Noonan and the Town of Clarkstown, dated September 23, 2004, and be it

FURTHER RESOLVED, that the Supervisor of the Town is hereby authorized to execute said Agreement.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (767-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommended of the Superintendent of Parks and Recreation and the Deputy Town Attorney – Purchasing that

RESOLUTION #619-2004 awarding Bid #48-2003 be amended to include specific proposed and accepted alternates totaling $302,010; and

FURTHER RESOLVED, that the total Bid Award for Congers Station and Town Square Restoration project including alternates be in the amount of $3,118,433; and be it

FURTHER RESOLVED, that said project shall be funded through the issuance of serial bonds.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (768-2004)

Co. Mandia offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 28, 2004, AUTHORIZING THE CONSTRUCTION OF VARIOUS SIDEWALK IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $20,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $20,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct improvements to various sidewalks, including any ancillary or related work required in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $20,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $20,000 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 $20,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said 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, or for such expenditures made before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

RESOLUTION NO. (768-2004) CONT.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 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 is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 28, 2004, 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 September 28, 2004, authorizing the construction of various sidewalk improvements, stating the estimated maximum cost thereof is $20,000, appropriating said amount therefor, and authorizing the issuance of $20,000 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to construct improvements to various sidewalks, including any ancillary or related work required in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $20,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of $20,000 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 $20,000 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

RESOLUTION NO. (768-2004) CONT.

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 $20,000 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, or the renewals thereof; and

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

DATED: September 28, 2004

Patricia Sheridan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 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.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (769-2004)

Co. Mandia offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 28, 2004, AUTHORIZING THE CONSTRUCTION OF STREETSCAPE IMPROVEMENTS IN NEW CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $21,250, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $21,250 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

RESOLUTION NO. (769-2004) CONT.

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct streetscape improvements in New City. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $21,250 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $21,250 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 $21,250 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) Such streetscape improvements are a physical public betterment or improvement classified as a capital asset under generally accepted accounting principles for municipalities and it has been determined by an appropriate engineering, architectural or other professional that the useful life of such improvements is at least fifteen (15) years. 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. 35 (c) of the Law, is therefore hereby determined to be fifteen (15) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 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

RESOLUTION NO. (769-2004) CONT.

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 28, 2004, 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 September 28, 2004, authorizing the construction of steetscape improvements in New City, stating the estimated maximum cost thereof is $21,250, appropriating said amount therefor, and authorizing the issuance of $21,250 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to construct streetscape improvements in New City; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $21,250; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of $21,250 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 $21,250 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 $21,250 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;

RESOLUTION NO. (769-2004) CONT.

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, or the renewals thereof; and

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

DATED: September 28, 2004

Patricia Sheridan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 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.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (770-2004)

Co. Mandia offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 28, 2004, AUTHORIZING THE INSTALLATION OF TRAFFIC SIGNALS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $40,746, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $40,746 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to install traffic signals. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $40,746 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $40,746 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 $40,746 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

RESOLUTION NO. (770-2004) CONT.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 72 (a) of the Law, is twenty (20) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 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 is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

RESOLUTION NO. (770-2004) CONT.

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 28, 2004, 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 September 28, 2004, authorizing the installation of traffic signals, stating the estimated maximum cost thereof is $40,746, appropriating said amount therefor, and authorizing the issuance of $40,746 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to install traffic signals; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $40,746; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of $40,746 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 $40,746 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is twenty (20) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said $40,746 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, or the renewals thereof; and

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

DATED: September 28, 2004

Patricia Sheridan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 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.

RESOLUTION NO. (770-2004) CONT.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (771-2004)

Co. Mandia offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 28, 2004, AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $162,620, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $162,620 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to acquire various equipment. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $162,620 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $162,620 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 $162,620 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law, is five (5) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued

RESOLUTION NO. (771-2004) CONT.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 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 in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated as the official newspaper of the Town for such publication.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (772-2004)

Co. Mandia offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 28, 2004, AUTHORIZING THE CONSTRUCTION OF VARIOUS ROAD IMPROVEMENTS IN THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $291,698, APPROPRIATING SAID

RESOLUTION NO. (772-2004) CONT.

AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $291,698 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct various road improvements in the Town. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $291,698 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $291,698 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 $291,698 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said 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, or for such expenditures made before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 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:

RESOLUTION NO. (772-2004) CONT.

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 28, 2004, 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 September 28, 2004, authorizing the construction of various road improvements in the Town, stating the estimated maximum cost thereof is $291,698, appropriating said amount therefor, and authorizing the issuance of $291,698 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to construct various road improvements in the Town; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $291,698; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of $291,698 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 $291,698 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 $291,698 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;

RESOLUTION NO. (772-2004) CONT.

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, or the renewals thereof; and

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

DATED: September 28, 2004

Patricia Sheridan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 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.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (773-2004)

Co. Mandia offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 28, 2004, AUTHORIZING THE ACQUISITION OF HIGHWAY EQUIPMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $444,430, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $444,430 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to acquire highway equipment. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $444,430 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $444,430 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 $444,430 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

RESOLUTION NO. (773-2004) CONT.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 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 is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

RESOLUTION NO. (773-2004) CONT.

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 28, 2004, 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 September 28, 2004, authorizing the acquisition of highway equipment, stating the estimated maximum cost thereof is $444,430, appropriating said amount therefor, and authorizing the issuance of $444,430 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to acquire highway equipment; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $444,430; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of $444,430 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 $444,430 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 $444,430 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, or the renewals thereof; and

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

DATED: September 28, 2004

Patricia Sheridan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 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.

RESOLUTION NO. (773-2004) CONT.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (774-2004)

Co. Mandia offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 28, 2004, AUTHORIZING THE CONSTRUCTION OF STREETSCAPE IMPROVEMENTS IN NANUET, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $500,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $500,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct streetscape improvements in Nanuet. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $500,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $500,000 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 $500,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) Such streetscape improvements are a physical public betterment or improvement classified as a capital asset under generally accepted accounting principles for municipalities and it has been determined by an appropriate engineering, architectural or other professional that the useful life of such improvements is at least fifteen (15) years. 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. 35 (c) of the Law, is therefore hereby determined to be fifteen (15) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

RESOLUTION NO. (774-2004) CONT.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 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 is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 28, 2004, 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 September 28, 2004, authorizing the construction of steetscape improvements in Nanuet, stating the estimated maximum cost thereof is $500,000, appropriating said amount therefor, and authorizing the issuance of $500,000 serial bonds of said Town to finance said appropriation,"

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

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FIRST: AUTHORIZING said Town to construct streetscape improvements in Nanuet; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $500,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of $500,000 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 $500,000 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 $500,000 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, or the renewals thereof; and

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

DATED: September 28, 2004

Patricia Sheridan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 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.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (775-2004)

Co. Mandia offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 28, 2004, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS TOWN PARKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $625,144, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $625,144 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct improvements to various Town parks. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $625,144 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $625,144 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of $625,144 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said 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, or for such expenditures made before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

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

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56.00 to 60.00 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 is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 28, 2004, 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 September 28, 2004, authorizing the construction of improvements to various Town parks, stating the estimated maximum cost thereof is $625,144, appropriating said amount therefor, and authorizing the issuance of $625,144 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town construct improvements to various Town parks; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $625,144; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of $625,144 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 $625,144 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

RESOLUTION NO. (775-2004) CONT.

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 $625,144 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, or the renewals thereof; and

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

DATED: September 28, 2004

Patricia Sheridan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 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.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (776-2004)

Co. Mandia offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 28, 2004, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS TOWN BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $650,069, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $650,069 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct improvements to various Town buildings, including any ancillary or related work required in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs

RESOLUTION NO. (776-2004) CONT.

incidental thereto and the financing thereof, is $650,069 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $650,069 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 $650,069 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(3) 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, or for such expenditures made before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 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

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(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 28, 2004, 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 S eptember 2 8, 2004, authorizing the construction of improvements to various Town buildings, stating the estimated maximum cost thereof is $650,069, appropriating said amount therefor, and authorizing the issuance of $650,069 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to construct improvements to various Town buildings, including any ancillary or related work required in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $650,069; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of $650,069 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 $650,069 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 $650,069 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, or the renewals thereof; and

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

DATED: September 28, 2004

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Patricia Sheridan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 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.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (777-2004)

Co. Mandia offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 28, 2004, AUTHORIZING THE CONSTRUCTION OF VARIOUS DRAINAGE IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $1,530,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $1,530,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct various drainage improvements, including any ancillary or related work required in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $1,530,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $1,530,000 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 $1,530,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

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

RESOLUTION NO. (777-2004) CONT.

which said bonds are authorized, or for such expenditures made before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 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 is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 28, 2004, 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 September 28, 2004, authorizing the construction of various drainage improvements, stating the estimated maximum cost thereof is $1,530,000, appropriating said

RESOLUTION NO. (777-2004) CONT.

amount therefor, and authorizing the issuance of $1,530,000 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to construct various drainage improvements, including any ancillary or related work required in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $1,530,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of $1,530,000 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: A UTHORIZING the issuance of $ 1,530,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said $ 1,530,000 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, or the renewals thereof; and

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

DATED: September 28, 2004

Patricia Sheridan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 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.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (778-2004)

Co. Mandia offered and Co. Maloney seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 28, 2004, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE CONGERS RAILROAD STATION BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $2,821,423, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF $2,821,423 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

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

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called the "Town"), is hereby authorized to construct improvements to the Congers Railroad Station building, owned by the Town and used for various Town purposes. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $2,821,423 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of $2,821,423 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 $2,821,423 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a)(3) 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, or for such expenditures made before such effective date if the Town Board has made a prior declaration of intent to issue indebtedness therefor. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with

RESOLUTION NO. (778-2004) CONT.

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 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 is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in "THE JOURNAL-NEWS," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on September 28, 2004, 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 September 28, 2004, authorizing the construction of improvements to the Congers Railroad Station building, stating the estimated maximum cost thereof is $2,821,423, appropriating said amount therefor, and authorizing the issuance of $2,821,423 serial bonds of said Town to finance said appropriation,"

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

FIRST: AUTHORIZING said Town to construct improvements to the Congers Railroad Station building, owned by the Town and used for various Town purposes; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is $2,821,423; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of $2,821,423 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 $2,821,423 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

RESOLUTION NO. (778-2004) CONT.

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 $2,821,423 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, or the renewals thereof; and

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

DATED: September 28, 2004

Patricia Sheridan
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper(s) referred to in Section 7 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.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (779-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS, a severe storm with extreme rainfall occurred in the Town on July 23, 2004, and

WHEREAS, said storm caused high flow of water in the east branch of the Hackensack River in the area of Old Mill Road, Valley Cottage, and

WHEREAS, said flows caused the erosion of the embankment of Old Mill Road at an area west of Babbling Brook Road creating a hazardous condition, and

WHEREAS, the condition was inspected by the Superintendent of Highways, the Deputy Director of the Department of Environmental Control, and the Police Department Emergency Coordinator, who concurred that emergency repair was necessary to protect the integrity of the roadway and prevent potential collapse of the roadway or rupture of utility services, and

RESOLUTION NO. (779-2004) CONT.

WHEREAS, said officials further concluded that the dangerous situation at Old Mill Road affected the lives, health and safety of the surrounding town residents, and that the situation required immediate repair leaving no time to obtain competitive quotes; and

WHEREAS, WJL Equities Corp. was able to respond with manpower, equipment and materials to perform said emergency work, at a cost considered reasonable by the aforementioned officials, and

NOW THEREFORE, BE IT RESOLVED that the Town Board does hereby authorize the emergency work performed by WJL Equities at the direction of the Superintendent of Highways, the Deputy Director of the Department of Environmental Control, and the Police Department Emergency Coordinator in the amount of $12,817.53, and

BE IT FURTHER RESOLVED that the amount shall be a proper charge to account number H 8754 409 0 78 35, and

BE IT FURTHER RESOLVED that this authorization shall be retroactive to and effective as of July 24, 2004.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (780-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, various accounts need additional funding,

THEREFORE BE IT RESOLVED, to decrease Account SR 8160-447 (Sanitation – Equipment Repair) by $2,200 and increase Account's SR 8160-462 (Sanitation – Water) by $2,000 and SR 8160-319 (Sanitation – Misc Supplies) by $200; and decrease Account B 8110-324 (Sewer – Operational Supplies) and increase Account B 8110-404 (Sewer – Travel Meals & Mileage) by $60; and decrease Account A 1430-204 (Personnel – Office Machines) by $1,000 and increase Account's A 1430-313 (Personnel – Office Supplies) by $800 and A 1430-328 (Personnel – Books & Publications) by $150 and A 1430-414 (Personnel – Conferences & Schools) by $50.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (781-2004)

Co. Maloney offered and Co. Mandia seconded

Whereas, the Police Department is in need of a new four wheel drive emergency services vehicle, which shall be under the direct supervision of the EMS Officer,

Therefore be it resolved, that the Town Board authorizes the purchase of a new four wheel drive vehicle to be used for emergency services and,

Be it further resolved, that the cost of the vehicle shall be a proper charge to Account A 3989-203 (Police Emergency Operations – Motor Vehicles) which shall be funded by Unexpended Balance.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (782-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, pursuant to Village/Town Sewer Contract VT03-04, the Rockland County Sewer District #1 has authorized $98,885.75 in additional funds for the paving of Christian Herald Road, Mountainview Avenue and Christian Herald Road; and

WHEREAS, pursuant to an agreement between Rockland County Sewer District #1 and the Town of Clarkstown Highway Department, the Town of Clarkstown is to contribute $65.00 per ton toward leveling required in excess of 500 tons, with a maximum contribution of $13,000; and

WHEREAS, the Rockland County Sewer District #1 has advised the Town of Clarkstown in writing that due to the fiscal structure of this project it is unable to accept payment from the Town of Clarkstown directly and has requested that the Town of Clarkstown make payment directly to the Rockland County Sewer District's contractor on its behalf;

NOW THEREFORE BE IT RESOLVED, that the Town of Clarkstown is hereby authorized to contribute $65.00 per ton toward leveling in excess of 500 tons, in connection with the paving of Christian Herald Road, Mountainview Avenue and Storms Road, subject to a maximum contribution of $13,000; and be it

FURTHER RESOLVED, that, pursuant to the request of Rockland County Sewer District #1, the Town of Clarkstown may make such payments directly to the Sewer District's contractor, Parsippany Construction Co.; and be it

FURTHER RESOLVED, that said charges shall be a proper charge to account number H 8749-409-0-78-6.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (783-2004)

Co. Maloney offered and Co. Nowicki seconded

WHEREAS by memorandum dated September 23, 2004, the Town's Highway and Traffic engineering consultant, Howard L. Lampert, P.E., reported upon the need for a Change Order #3, to an amount of $24,234.95, to Bid #36-2003 and has recommended acceptance of same for additional excavation, sub-base course, asphalt binder course; asphalt top course, and pre-cast concrete block retaining wall; and

WHEREAS Change Order #2 which was approved by the Town Board for $1,400.00 was eliminated from the project; and

WHEREAS during construction there were a few other small quantity changes for a cost reduction of $940.00;

NOW, THEREFORE, BE IT RESOLVED that the additional expenditure of $21,894.95 shall be charged to Account # H 8752-409-0-76-10.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (784-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, as part of subdivision approval for Dimitrios Vangas and Mary Vangas on premises known as Tax Map 59.07-1-20, the Planning Board and the Town Board required that owner provide a Declaration of Covenant running with the land to maintain the private right of way on Park Avenue, Valley Cottage, New York, and to participate in a road improvement district when and if required by the Town Board of the Town of Clarkstown, and

WHEREAS, the Town Attorney has reviewed the proposed covenant and recommends acceptance and recording of said covenant;

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts said Declaration of Covenant, and approves the recording of said instrument subject to payment of the filing fee by the owners.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (785-2004)

Co. Maloney offered and Co. Nowicki 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 in conjunction with Hydrant Investigation No. 12200 Linden Court, Meyer Lane, Almuth Drive, New City, NY

H#1 – X10881H – w/s Meyer Lane approx. 700' n/o Old Route 304
H#2 – X10882 – w/s Linden Ct. approx. 650 n/e of the intersection of Meyer Lane & Linden Court between #11 & #21 Linden Court
H#3 – X10883 – s/s Linden Ct. approx 700' Hyd. #2 located between #27 & #29 Linden Court
H#4 – X10884H – at intersection of Linden Court, Meyer Lane and Almuth Drive at #1 Linden Court
H#5 – X10885 – e/s Almuth Drive approx. 400' n/o Old Route 304

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:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (786-2004)

Co. Mandia offered and Co. Maloney seconded

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

Bid #51-2004 – Installation Of Low Flow Channel, Allen Street

is hereby awarded to:

Cal Mart Enterprises, Inc.
357A Route 59
West Nyack, NY 10994

Principals: Carl Wortendyke, Martin Wortendyke, Peter Wortendyke

As per their low bid proposal of $55,555.00, and be it

FURTHER RESOLVED, that said project shall be under the supervision of the Department of Environmental Control; and be it

FURTHER RESOLVED, that the cost of said project shall be a proper charge to account number H8754-409-0-78-30; and be it

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

RESOLUTION NO. (786-2004) CONT.

a) Signed Contract Documents two sets
b) Performance Bond and Labor and Material Payment Bond in amount equal to 100% of bid price;
c) Certificate of General Liability Coverage;
d) Executed Save Harmless Agreement;
e) Certificate of Automobile Liability Coverage;
f) Certificate of Worker's Compensation Insurance coverage; and
g) Certificate of Worker's Disability Insurance coverage.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (787-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by Resolution No. 619-2004, the Town Board awarded Bid No. 48-2003, Congers Station and Town Square Restoration project; and

WHEREAS, a notice to proceed has been forwarded to all contractors; and

WHEREAS, the Superintendent of Parks and Recreation has sought proposals for a project coordinator for the Congers Station and Town Square Restoration project (Bid No. 48-2003); and

WHEREAS, the Superintendent of Parks and Recreation received two proposals in response; and

WHEREAS, the Superintendent of Parks and Recreation has recommended that the Town accept the low bid proposal of William Gizas, dated August 12, 2004, to perform the role of coordinator for the project; and

WHEREAS, the Superintendent of Parks and Recreation has advised that retention of Mr. Gizas is in the best interests of the Town and that the cost of Mr. Gizas' services are competitive;

NOW, THEREFORE, BE IT RESOLVED, that the Town is hereby authorized to retain the services of William Gizas to serve as project coordinator for the Congers Station and Town Square Restoration Project, as per his low bid proposal of $35.00 per hour, 5 hour days, 5 day work week; and be it

FURTHER RESOLVED, that Mr. Gizas shall report to the Superintendent of Parks and Recreation; and be it further

RESOLVED, that the cost for Mr. Gizas' services, not to exceed $43,750 (based upon $875.00 per week over a 50 week project period) without further authorization of the Town Board, shall be funded by the issuance of serial bonds in connection with Bid No. 48-2003.

RESOLUTION NO. (787-2004) CONT.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (788-2004)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Supervisor is hereby authorized to enter an agreement with Nyack Hospital for an Employee Assistance Program covering all employees and members of their immediate families, for the twenty four (24) month period commencing October 1, 2004 and terminating on September 30, 2006, in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the agreement shall provide, among other provisions required by the Town Attorney, for contract indemnification of the Town, proof of professional liability insurance, and other general liability insurance with the Town of Clarkstown named as additional insured, and be it

FURTHER RESOLVED, that the fee of $16,443.00 per year for such services shall be charged to Account No. A 8840-424, and be it

FURTHER RESOLVED, either party may terminate the agreement on thirty (30 days written Notice.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

****

RESOLUTION NO. (789-2004)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by Resolution No. 913-2002 granting a zone change to Pondview LLC for premises designated as Map 58.19-1-19 from the LO District to the R-15 District, which zone change was contingent upon the developer providing, among other things, a connecting road between West Nyack Road and Crosfield Avenue, as shown on previously approved subdivision, and

WHEREAS, the developer, Pondview LLC, has tended a developer's agreement intended to secure its obligation to install said road at the direction of the Town within thirty days after the Town has secured legal access, and

WHEREAS, the Town Attorney has recommended acceptance of said developer's agreement provided that it contains security for the performance of the agreement in the amount of $310,600.00, which security shall be placed in an interest bearing account in a Rockland County Bank and assigned as collateral to the Town of Clarkstown;

RESOLUTION NO. (789-2004) CONT.

NOW, THEREFORE, be it RESOLVED, that the Supervisor is hereby authorized to enter into a developer's agreement with Pondview LLC to secure the performance by Pondview LLC of its obligation to install the connector road referred to herein, and to secure its promise by the cash deposit, as stated herein, in an interest bearing account, to be assigned to the Town of Clarkstown as collateral, and be it

FURTHER RESOLVED, that the Town Board shall reconsider this matter nine months from the date hereof.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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RESOLUTION NO. (790-2004)

Co. Mandia offered and Co. Maloney seconded

WHEREAS the visitors parking area at the Clarkstown Solid Waste Facility requires repaving; and

WHEREAS the Deputy Director of Operations - Environmental Control has solicited two proposals to complete the work; and

WHEREAS the proposal submitted by E. R. Gabrielson Blacktop Paving, 221 Midland Avenue, Nyack, New York 10960, was the lowest proposal received; and

WHEREAS the Deputy Director of Operations – Environmental Control recommends awarding the work to E. R. Gabrielson in accordance with their proposal dated September 22, 2004;

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

E. R. Gabrielson
221 Midland Avenue
Nyack, New York 10960

to perform the repaving work at the Clarkstown Solid Waste Facility in accordance with their proposal dated September 22, 2004; and

BE IT FURTHER RESOLVED that the cost of the work shall not exceed $4,200 and shall be a proper charge to Account SR 8160 409.

On roll call the vote was as follows:

Co. Lasker . . . . . Absent
Co. Maloney . . . . . Yes
Co. Mandia. . . . . Yes
Co. Nowicki. . . . . Yes
Supervisor Gromack . . . . . Yes

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There being no further business and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted the Town Board Meeting closed, time 9:40 P.M.

Respectfully submitted,

Patricia Sheridan

Patricia Sheridan
Town Clerk