

TOWN OF CLARKSTOWN
TOWN BOARD MEETING
November 20, 2012 - 8:00 p.m.
Town Hall Auditorium
AGENDA
(Tentative)

SALUTE TO THE FLAG

CLERK CALLS THE ROLL

PUBLIC HEARING:

- Approving the Final Map of the Nanuet Fire District Resolution No. _____-2012 of the Town of Clarkstown.

PUBLIC COMMENTS REGARDING AGENDA ITEMS:
(Limited to 3 minutes per person)

RESOLUTIONS:

1. Authorizing the following Personnel Changes:
 - a. Resignation: Helen E. Milists, Principal Account Clerk, Town Comptroller's Department
 - b. Appointment: Dawn LaFasciano, Clerk Typist (Substitute), Police Records Department
 - c. Resignation: Arleen Whittaker, Member, Zoning Board of Appeals
 - d. Appointment: Robert Zeiss, Member, Zoning Board of Appeals
 - e. Resignation: Mara Blumenthal, Member, Planning Board
 - f. Resignation: Stephen M. Papas, Member, Historical Review Board
 - g. Appointment: Stephen M. Papas, Member, Planning Board
 - h. Appointment: Arleen Whittaker, Member, Planning Board
 - i. Appointment: Shirley Washington, Member, Parks Board & Recreation Commission
2. Scheduling a Special Town Board Meeting . . . December 4, 2012.
3. *Withdrawn*
4. Authorizing Settlement of Tax Certiorari regarding the Board of Managers of Esquire Village Office Condominium.
5. Adopting Procedures concerning municipal bonds to comply with federal tax law
6. Authorizing Funds for the following:
 - a. Construction of curb and sidewalk improvements on Squadron Boulevard, New City
 - b. Construction of road improvements in connection with the New City Revitalization project
 - c. Construction of various drainage improvements
 - d. Improvements and installation of equipment at the Police Communication room
 - e. Acquisition and installation of computer hardware and software for various system enhancements
 - f. Preparation of plans and specifications relating to site improvements and communication shelter at the Clarkstown Police Communications tower site
 - g. Installation of solar panels at the Clarkstown landfill
 - h. Acquisition and installation of a marksmanship training simulator

7. Awarding Bid No. 39-2012 – High definition use-of-force marksmanship training simulator
8. Referring and setting a public hearing on a proposed Local Law entitled “A Local Law Amending Chapter 290 (Zoning) with respect to amending a special permit use
9. Amending Resolution No. 679-2011 – Agreement with Cambridge Systematics
10. Granting Certificate of Registration:
12-35 A Sasso Plumbing, Corp.
11. Authorizing a change order to Bid No. 26-2011
12. Authorizing the Supervisor to accept a grant from the State of New York Governor’s Traffic Safety Committee, Department of Motor Vehicles, regarding Selective Traffic Enforcement Program (STEP)
13. Authorizing the Supervisor to sign an Agreement with the State of New York Governor’s Traffic Safety Committee, Department of Motor Vehicles, with respect to the Child Passenger Safety Program
14. Accepting and adopting the findings of fact and recommendations of the Hearing Officer in the matter of the termination of statutory benefits pursuant to General Municipal Law §207-C

ADDITIONAL TENTATIVE RESOLUTIONS:

GENERAL PUBLIC COMMENTS:

(Limited to 3 minutes per person)

*****PLEASE NOTE*****

Additional items may be added to this agenda

(To View Actual Resolutions, go to Town Clerk’s Website – Legal Notices)

PH

RESOLUTION APPROVING THE FINAL MAP OF THE NANUET FIRE DISTRICT
RESOLUTION NO. _____-2012 OF THE TOWN OF CLARKSTOWN

WHEREAS, Town Law § 176(5) requires fire districts to prepare a map showing the exact boundaries of the fire district, and

WHEREAS, the Nanuet Fire District has complied with the provisions of Town Law § 176(5), and

WHEREAS, the Nanuet Fire District has provided the Town Board of the Town of Clarkstown, New York with the proposed map and legal description as well as proof of service upon adjacent fire districts of the proposed map and description, and

WHEREAS, the Town Board has been advised and believes that no objections to the proposed map and description have been filed, and

WHEREAS, notice of public hearing was duly published and posted as required by law, and said public hearing was duly held at the time and place specified in said notice;

NOW, THEREFORE, be it

RESOLVED, as follows:

1. That the proposed map and legal description of the Nanuet Fire District is hereby approved.
2. The Town Clerk, pursuant to Town Law § 176(5) is directed to notify the adjacent fire districts of the filing and approval of said map.
3. That the Town Clerk is further directed to file a certified copy of the map in the Office of the Rockland County Clerk as well as to publish a notice of the filing of said map in the official newspaper of the Town of Clarkstown.

Dated: November 20, 2012

awm

1A

RESOLVED, that the resignation of Helen E. Milisits,
11 Timberline Drive, Nanuet, New York - Principal Account
Clerk - Town Comptroller's Department - is hereby accepted
effective and retroactive to November 14, 2012.

DATED: November 20, 2012
P

1B

RESOLVED, that Dawn La Fasciano, 5 Elrod Drive, West Nyack,
New York - is hereby appointed Clerk Typist (Substitute) -
Police Records Department at the hourly rate of \$19.41 -
effective November 10, 2012.

DATED: November 20, 2012
P

RESOLVED, that the resignation of Arleen Whittaker,
16 Renee Lane, Bardonia, New York - Member - Zoning Board
of Appeals - is hereby accepted effective and retroactive
to November 19, 2012.

DATED: November 20, 2012
P

1D

RESOLVED, that Robert Zeiss, 75 New Valley Road,
New City, New York - is hereby appointed to the position
of Member - Zoning Board of Appeals - (to fill the unexpired
term of Arleen Whittaker) - term effective November 20, 2012
and to expire December 31, 2015 at the current 2012 annual salary
of \$5,700.,

DATED; November 20, 2012
P

1E

RESOLVED, that the resignation of Mara Blumenthal,
506 N. Midland Avenue, Upper Nyack, New York - Member -
Planning Board - is hereby accepted effective and
retroactive November 7, 2012.

DATED: November 20, 2012
P

1F

RESOLVED, that the resignation of Stephen M. Papas,
159 Water Edge, Congers, New York - Member - Historical
Review Board - is hereby accepted effective and retroactive
November 19, 2012.

DATED: November 20, 2012
P

RESOLVED, that Stephen M. Papas, 159 Waters Edge,
Congers, New York - is hereby appointed to the position
of Member - Planning Board - (to fill the unexpired term of
Mara S. Blumenthal) - term effective November 20, 2012 and to
expire on January 3, 2013 - at the current 2012 annual salary
of \$7,250.

DATED: November 20, 2012
P

14

RESOLVED, that Arleen Whittaker, 16 Renee Lane,
Bardonia, New York - is hereby appointed to the position
of Member - Planning Board - (to fill the unexpired term of
Thomas A. Trevor) term effective November 20, 2012 and to
expire on January 2, 2015 - at the current 2012 annual
salary of 7,250.

DATED: November 20, 2012
P

11

RESOLVED, that Shirley Washington, 4 Dickinson Avenue,
Nyack, New York - is hereby appointed to the position of -
Member - Parks Board and Recreation Commission (to fill the
unexpired term of Sylvester Almiron, Jr. M.D.) - term effective
November 20, 2012 and to expire on August 15, 2015 at the current
2012 annual salary of \$3,300.

DATED: November 20, 2012

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RESOLUTION SCHEDULING SPECIAL MEETING
OF THE TOWN BOARD

RESOLVED, that the Town Board hereby schedules a Special Town Board Meeting for December 4, 2012 immediately following the workshop meeting scheduled for 7:30 p.m. on said day in Room 301 of the Clarkstown Town Hall, at 10 Maple Avenue, New City, New York. The purpose of said meeting is as follows:

To award the residential carting bid, and any such other matter that the Town Board may wish to consider.

Dated: November 20, 2012

TB 11-20 TA RES Special TB Meeting-pm



RESOLUTION APPROVING THE FINAL MAP OF THE NANUET FIRE DISTRICT
RESOLUTION NO. _____-2012 OF THE TOWN OF CLARKSTOWN

WHEREAS, Town Law § 176(5) requires fire districts to prepare a map showing the exact boundaries of the fire district, and

WHEREAS, the Nanuet Fire District has complied with the provisions of Town Law § 176(5), and

WHEREAS, the Nanuet Fire District has provided the Town Board of the Town of Clarkstown, New York with the proposed map and legal description as well as proof of service upon adjacent fire districts of the proposed map and description, and

WHEREAS, the Town Board has been advised and believes that no objections to the proposed map and description have been filed, and

WHEREAS, notice of public hearing was duly published and posted as required by law, and said public hearing was duly held at the time and place specified in said notice;

NOW, THEREFORE, be it

RESOLVED, as follows:

1. That the proposed map and legal description of the Nanuet Fire District is hereby approved.
2. The Town Clerk, pursuant to Town Law § 176(5) is directed to notify the adjacent fire districts of the filing and approval of said map.
3. That the Town Clerk is further directed to file a certified copy of the map in the Office of the Rockland County Clerk as well as to publish a notice of the filing of said map in the official newspaper of the Town of Clarkstown.

Dated: November 20, 2012



RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI
REGARDING THE BOARD OF MANAGERS OF ESQUIRE VILLAGE OFFICE
CONDOMINIUM

(TAX MAP NOS.: 51.6-3-12./10, 51.6-3-12./20, 51.6-3-12./30, 51.6-3-12./40, 51.6-3-12./50, 51.6-3-12./60, 51.6-3-12./70, 51.6-3-12./80, 51.6-3-12./90, 51.6-3-12./100, 51.6-3-12./111, 51.6-3-12./112, 51.6-3-12./113, 51.6-3-12./120, 51.6-3-12./130, 51.6-3-12./140, 51.6-3-12./150, 51.6-3-12./160, 51.6-3-12./170, 51.6-3-12./180 and 51.6-3-12./190)

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, The Board of Managers of Esquire Village Office Condominium v. The Assessor(s) of the Town of Clarkstown and The Town of Clarkstown, Index No(s). 5945/07, 6945/08, 7154/09, 7879/10 and 31178/11, affecting parcels designated as Tax Maps 51.6-3-12./10, 51.6-3-12./20, 51.6-3-12./30, 51.6-3-12./40, 51.6-3-12./50, 51.6-3-12./60, 51.6-3-12./70, 51.6-3-12./80, 51.6-3-12./90, 51.6-3-12./100, 51.6-3-12./111, 51.6-3-12./112, 51.6-3-12./113, 51.6-3-12./120, 51.6-3-12./130, 51.6-3-12./140, 51.6-3-12./150, 51.6-3-12./160, 51.6-3-12./170, 51.6-3-12./180 and 51.6-3-12./190 and more commonly known as 10 Esquire Road, New City, New York for the year(s) 2007/08, 2008/09, 2009/10, 2010/11 and 2011/12, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice pursuant to Section 727 of Real Property Tax Law of the State of New York and without costs on the terms and conditions set forth herein, and

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

NOW, THEREFORE, be it

RESOLVED, that:

1. The assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Maps 51.6-3-12./10, 51.6-3-12./20, 51.6-3-12./30, 51.6-3-12./40, 51.6-3-12./50, 51.6-3-12./60, 51.6-3-12./70, 51.6-3-12./80, 51.6-3-12./90, 51.6-3-12./100, 51.6-3-12./111, 51.6-3-12./112, 51.6-3-12./113, 51.6-3-12./120, 51.6-3-12./130, 51.6-3-12./140, 51.6-3-12./150, 51.6-3-12./160, 51.6-3-12./170, 51.6-3-12./180 and 51.6-3-12./190 be reduced for the year(s) 2010/11 from \$1,072,225 to \$986,447 at a cost to the Town of \$2,023.16;

2. There is no reduction in the assessment on the premises owned by the petitioner(s) described on the assessment roll as Tax Maps 51.6-3-12./10, 51.6-3-12./20, 51.6-3-12./30, 51.6-3-12./40, 51.6-3-12./50, 51.6-3-12./60, 51.6-3-12./70, 51.6-3-12./80, 51.6-3-12./90, 51.6-3-12./100, 51.6-3-12./111, 51.6-3-12./112, 51.6-3-12./113, 51.6-3-12./120, 51.6-3-12./130, 51.6-3-12./140, 51.6-3-12./150, 51.6-3-12./160, 51.6-3-12./170, 51.6-3-12./180 and 51.6-3-12./190 for the year(s) 2007/08, 2008/09, 2009/10 and 2011/12;

3. Reimbursement for the year(s) 2010/11 on the parcel described as Tax Maps 51.6-3-12./10, 51.6-3-12./20, 51.6-3-12./30, 51.6-3-12./40, 51.6-3-12./50, 51.6-3-12./60, 51.6-3-12./70, 51.6-3-12./80, 51.6-3-12./90, 51.6-3-12./100, 51.6-3-12./111, 51.6-3-12./112, 51.6-3-12./113, 51.6-3-12./120, 51.6-3-12./130, 51.6-3-12./140, 51.6-3-12./150, 51.6-3-12./160, 51.6-3-12./170, 51.6-3-12./180 and 51.6-3-12./190, as stated above, be made within sixty (60) days, without interest, through the Office of the Commissioner of

Finance; and such payment shall be adjusted by the Commissioner of Finance and the Town as a deficiency added to the next county levy;

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

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

Dated: November 20, 2012

TB 11-20 TA RES BOM Esquire Village Settlement- kh

A handwritten signature in black ink, appearing to read "Allan", is located in the lower right quadrant of the page.

RESOLUTION ADOPTING PROCEDURES CONCERNING MUNICIPAL BONDS
TO COMPLY WITH FEDERAL TAX LAW

WHEREAS, municipalities are now required to adopt written procedures with respect to post-issuance requirements of federal tax law to preserve the tax-exempt status of interest on tax-exempt Obligations, and

WHEREAS, the Town of Clarkstown wishes to adopt the procedures as outlined in Attachment A to be in compliance with federal tax law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby adopts the Procedures for Post-issuance Compliance with Federal Tax Law, annexed hereto as Attachment A, with respect to tax-exempt Obligations issued by the Town.

Dated: November 20, 2012

TB 11-20 TA RES Bonding Procedures-pm

awm

ATTACHMENT A
PROCEDURES FOR POST-ISSUANCE
COMPLIANCE WITH FEDERAL TAX LAW

Municipalities that borrow money on a tax-exempt basis are now required to report to the Internal Revenue Service whether they have established written procedures to comply with applicable requirements of federal tax law for all issues of bonds, bond anticipation notes, tax anticipation notes, revenue anticipation notes, financing leases, energy performance contract financings, and any other instruments evidencing the borrowing of money (collectively the "Obligations"). The procedures set forth herein will assist the Town of Clarkstown, Rockland County, New York (the "Town") in meeting the post-issuance requirements of federal tax law necessary to preserve the tax-exempt status of interest on tax-exempt Obligations issued by the Town.

These procedures address Obligations issued for physical facilities and equipment for the Town (the "Capital Obligations") and Obligations issued to finance cash-flow operating requirements of the Town (the "Cash-Flow Obligations").

I. GENERAL PROCEDURES

A. **Responsible Official.** The Comptroller of the Town (herein referred to as the "Responsible Official") will identify such officers and employee(s), who will be responsible for each of the procedures listed below, and will notify such officers and employee(s) of the responsibilities, and provide those persons with a copy of these procedures. Upon employee transitions, the Responsible Official will advise the new personnel of their responsibilities under these procedures and will ensure they understand the importance of these procedures. If employee positions are restructured or eliminated, the Town Comptroller and/or the Supervisor of the Town will reassign responsibilities as necessary.

B. Issuance of Obligations.

1. Bond Counsel. The Town will retain a firm of nationally-recognized bond counsel ("Bond Counsel") to deliver a legal opinion in connection with the issuance of all Obligations. The Responsible Official will consult with Bond Counsel and other legal counsel and advisors, as needed, following the issuance of Obligations to ensure that applicable post-issuance requirements are met, so that interest on each issue of Obligations will be excluded from gross income for federal income tax purposes.

2. Documentation of Tax Requirements. The federal tax requirements relating to each issue of Obligations will be set forth in an Arbitrage and Use of Proceeds Certificate (the "Tax Certificate") executed in connection with each issue of Obligations, which will be included in the closing transcript for each issue of Obligations. The Tax Certificate will contain certifications, representations, expectations and factual statements relating to the restriction on use of the facilities financed with Obligations by persons or entities other than the Town, changes in use of the facilities financed or refinanced with the proceeds of Obligations, restrictions applicable to the investment of the proceeds of any Obligations and other moneys relating to the Obligations, and arbitrage rebate requirements. The Responsible Official will review the Tax Certificate prior to the date of issue of each issue of Obligations.

3. Information Reporting. In connection with each issue of tax-exempt Obligations, the Town is required to file, or shall cause to be filed by Bond Counsel, an IRS Form 8038-G (or, if applicable, IRS Form 8038-GC). Any such IRS Form filed with the IRS, together with a proof of filing, will be included as part of the closing transcript for each issue of Obligations, or kept in the records maintained by Bond Counsel related to the appropriate issue of Obligations. The Responsible Official shall ascertain that such form has been filed in connection with each issue of Obligations.

C. Record Retention.

1. General. Copies of all relevant documents and records sufficient to support that the tax requirements relating to all Obligations have been satisfied, including the following documents and records, should be maintained by the Town:

- (a) Closing transcript;
- (b) All records of investments, arbitrage reports, returns filed with the IRS and underlying documents;
- (c) Construction contracts, purchase orders, invoices and expenditure and payment records;
- (d) Documents relating to costs reimbursed with the proceeds of Capital Obligations;
- (e) All contracts and arrangements involving Private Use of the property financed with Capital Obligations;
- (f) All reports relating to the allocation of the proceeds of Obligations and Private Use of property financed with Capital Obligations;
- (g) Itemization of property financed with the proceeds of Capital Obligations; and
- (h) In connection with Cash-Flow Obligations, information regarding the Town's revenue, expenditures and available balances sufficient to support the Town's prospective and actual maximum cumulative cash-flow deficit calculations.

2. Duration of Record Retention. All of the foregoing documents and records should be retained for the term of the Obligations, plus six (6) years.

D. Capital Obligations.

1. Timely Expenditure of Proceeds of Capital Obligations. At the time of issuance of Capital Obligations issued to fund original expenditures, the Town must reasonably expect to spend at least 85% of all proceeds within three (3) years of the date of issuance of the Obligations. In addition, for Capital Obligations, the Town must have incurred or expect to incur within six months after issuance original expenditures of not less than 5% of the amount of such proceeds, and must expect to complete the project financed with Capital Obligations (the

“Project”) and expend the proceeds of such Capital Obligations to pay Project costs with due diligence. Satisfaction of these requirements allows the proceeds of Capital Obligations issued for the Project to be invested at an unrestricted yield for three (3) years. Failure to satisfy these requirements could subject the Town to rebate of investment income, and other penalties. The Responsible Official will monitor the appropriate capital project accounts to ensure that the proceeds of Capital Obligations are spent within the time period(s) required under federal tax law.

Capital Obligations issued to refinance outstanding Capital Obligations are subject to separate expenditure requirements, which shall be outlined in the Tax Certificate relating to such Obligations. In connection with the issuance of any Capital Obligations issued to refinance outstanding Capital Obligations, the Responsible Official will confirm that any rebate obligation due with respect to the original issue and any subsequent refinancing thereof has been met.

2. Use of Proceeds of Capital Obligations. In general, proceeds (including investment income on original sale proceeds) of Capital Obligations, other than proceeds used to pay costs of issuance, should be spent on capital expenditures. For this purpose, capital expenditures generally mean costs to acquire, construct, or improve property (land, buildings and equipment). Capital Expenditures include design and planning costs related to the Project, and include architectural, engineering, surveying, soil testing, environmental, and other similar costs incurred in the process of acquiring, constructing, improving or adapting the property. Capital Expenditures do not include operating expenses of the Project.

3. Use of Facilities Financed with Capital Obligations. For the life of all Capital Obligations, the Project must be owned and operated by the Town. At all times while Capital Obligations issued for a Project are outstanding, no more than 5% of the proceeds of such Capital Obligations may be used, directly or indirectly, in a trade or business carried on by a person other than a state or local governmental unit (“Private Use”). Generally, Private Use consists of any contract or other arrangement, including leases, management contracts (for example, contracts relating to the operation of Town water and sewer facilities, docks, recreational areas or concessions in Town parks), operating agreements and guarantee contracts which provides for use of the facilities financed with Capital Obligations by a person who is not a state or local

government on a basis different than the general public. The Project may be used by any person or entity, including any person or entity carrying on any trade or business, if such use constitutes "General Public Use". General Public Use is any arrangement providing for use that is available to the general public at either no charge or on the basis of rates that are generally applicable and uniformly applied.

4. Management or Operating Agreements for Facilities Financed with Capital Obligations. Any management, operating or service contracts whereby a non-exempt entity is using facilities financed or refinanced with the proceeds of Capital Obligations must relate to portions of the Project that fit within the above-mentioned 5% allowable Private Use, or the contracts must meet the IRS safe harbor for management contracts (Rev. Proc. 97-13). Any renewals of or changes to such contracts should be reviewed by Bond Counsel. The Responsible Official shall contact Bond Counsel if there may be a lease, sale, disposition or other change in use of facilities financed or refinanced with the proceeds of Capital Obligations.

E. Cash-Flow Obligations.

1. Proper Sizing of Cash-Flow Obligations.

(a) If the Town is not subject the small issuer exemption from rebate, at the time of issuance of Cash-Flow Obligations, the Town must anticipate that it will incur an actual maximum cumulative cash-flow deficit on a date on or before the close of the six-month period commencing on the issue date of the Cash-Flow Obligations equal to at least 90% of the issue price of the Cash-Flow Obligations.

(b) If the Town is subject to the small issuer exemption from rebate, at the time of issuance of Cash-Flow Obligations, the Town must anticipate that it will incur an actual maximum cumulative cash-flow deficit on a date on or before the close of the twelve-month period commencing on the issue date of the Cash-Flow Obligations equal to at least 100% of the issue price of the Cash-Flow Obligations (which may include taking into account the Town's "reasonably required working capital reserve").

(c) The Responsible Official will determine the appropriate amount of Cash-Flow Obligations to issue.

(d) With respect to Towns not subject to the small issuer exemption from rebate, the Responsible Official shall determine whether or not the Town has met its requisite maximum cumulative cash-flow deficit within six months following the date of issuance of the Cash-Flow Obligations, and shall, to the extent necessary, obtain assistance from the Arbitrage Rebate Consultant, referred to below.

F. Investment Restrictions; Arbitrage Yield Calculation; Rebate.

1. Investment Restrictions. Investment restrictions relating to the proceeds of Obligations and other moneys relating to the Obligations are set forth in the Tax Certificate. The Responsible Official will monitor the investment of the proceeds of Obligations to ensure compliance with yield restriction rules.

2. Arbitrage Yield Calculation. Investment earnings on the proceeds of Obligations should be tracked and monitored to comply with applicable yield restrictions and/or rebate requirements. The Town is responsible for calculating (or causing the calculation of) rebate liability for each issue of Obligations, and for making any required rebate payments. Any funds of the Town set aside or otherwise pledged or earmarked to pay debt service on the Obligations should be analyzed to assure compliance with the tax law rules on arbitrage, invested sinking funds and pledged funds (including gifts or donations linked to facilities financed with Capital Obligations). The Responsible Official will consult with Bond Counsel to confirm that all relevant arbitrage yield requirements are met.

3. Rebate. On or before the date of any required rebate payment (see below), the Town will retain a nationally recognized arbitrage rebate consultant (the "Arbitrage Rebate Consultant") to perform rebate calculations that may be required to be made from time to time with respect to any issue of Obligations. The Responsible Official shall provide the Arbitrage Rebate Consultant with requested documents and information on a prompt basis, reviewing applicable rebate reports and other calculations and generally interacting with the Arbitrage Rebate Consultant to ensure the timely preparation of rebate reports and payment of any rebate.

The reports and calculations provided by the Arbitrage Rebate Consultant will assure compliance with rebate requirements, which require the Town to make rebate payments, if any, no later than the fifth (5th) anniversary date and each fifth (5th) anniversary date thereafter through the final maturity or redemption date of a Capital Obligation. A final rebate payment, if due, must be made within sixty (60) days of the final maturity or redemption date of all Obligations.

Rebate spending exceptions for Capital Obligations are available for periods of 6 months, 18 months and 2 years. The Responsible Official will confer and consult with the Arbitrage Rebate Consultant to determine whether any rebate spending exception may be met.

In the case of Cash-Flow Obligations, within 60 days of the maturity date of such Cash-Flow Obligations, if there is concern as to whether the Town has met its requisite maximum cumulative cash-flow deficit, a rebate analyst should be promptly engaged to determine whether either the six-month spending exception or the statutory safe harbor exception to the rebate rules was met (in which case no rebate would be owed) or whether the investment income derived from the proceeds of the Cash-Flow Obligations is subject, in whole or in part, to rebate.

Copies of all arbitrage rebate reports, related return filings with the IRS (*i.e.*, IRS Form 8038-T), copies of cancelled checks with respect to any rebate payments, and information statements must be retained as described above. The Responsible Official will follow the procedures set forth in the Tax Certificate that relate to compliance with the rebate requirements with respect to any Obligations.

II. ADDITIONAL PROCEDURES.

A. Periodic Monitoring. The Responsible Official will conduct periodic reviews of compliance with the foregoing procedures to determine whether any violations have occurred so that such violations can be remedied through the “remedial action” regulations (Treas. Reg. Section 1.141-12) or the Voluntary Closing Agreement Program (VCAP) described in IRS Notice 2008-31 (or successor guidance). If any changes to the terms or provisions of any Obligations are contemplated, the Responsible Official will consult with Bond Counsel, because

such modifications could jeopardize the tax-exempt status of interest on the Obligations after they are modified.

B. Use of Facilities. The Responsible Official will maintain records identifying any Private Use of the facilities or portion of facilities that are financed or refinanced with proceeds of Capital Obligations. Such records may be kept in any combination of paper or electronic form. In the event the use of the proceeds of Capital Obligations of the facilities financed or refinanced with the proceeds of Capital Obligations differs from the representations or factual statements in the Tax Certificate, the Responsible Official will promptly contact and consult with Bond Counsel to ensure that there is no adverse effect on the tax-exempt status of the Capital Obligations and, where appropriate, will remedy any violations through the “remedial action” regulations (Treas. Reg. Section 1.141-12), the Voluntary Closing Agreement Program (VCAP) described in IRS Notice 2008-31 (or successor guidance), or as otherwise prescribed by Bond Counsel.

6a.

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED NOVEMBER 20, 2012,
AUTHORIZING THE CONSTRUCTION OF CURB AND
SIDEWALK IMPROVEMENTS ON SQUADRON
BOULEVARD, STATING THE ESTIMATED MAXIMUM
COST THEREOF IS \$20,000, APPROPRIATING SAID
AMOUNT FOR SUCH PURPOSE, 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 curb and sidewalk improvements
on Squadron Boulevard. 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 for such purpose. 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 bonds are authorized to be issued, within the limitations of Sections 11.00 a. 24 of the Law, is ten (10) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (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. 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 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, 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 "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 November 20, 2012, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Clarkstown, New York, adopted November 20, 2012, authorizing the construction of curb and sidewalk improvements on Squadron Boulevard, stating the estimated maximum cost thereof is \$20,000, appropriating said amount for such purpose, 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 curb and sidewalk improvements on Squadron Boulevard; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$20,000; APPROPRIATING said amount for such purpose; 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 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 \$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: November 20, 2012

Justin Sweet
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 referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
 NEW YORK, ADOPTED NOVEMBER 20, 2012,
 AUTHORIZING THE CONSTRUCTION OF ROAD
 IMPROVEMENTS IN CONNECTION WITH THE NEW CITY
 REVITALIZATION PROJECT, STATING THE ESTIMATED
 MAXIMUM COST THEREOF IS \$1,330,000,
 APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
 AND AUTHORIZING THE ISSUANCE OF \$1,330,000 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 road improvements in connection
 with the New City Revitalization Project. The estimated maximum cost thereof, including
 preliminary costs and costs incidental thereto and the financing thereof, is \$1,330,000 and said
 amount is hereby appropriated for such purpose. The plan of financing includes the issuance of
 \$1,330,000 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 \$1,330,000 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 bonds are authorized to be issued, within the limitations of Sections 11.00 a. 20 (c) of the Law, is fifteen (15) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (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. 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 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, 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 "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 November 20, 2012, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Clarkstown, New York, adopted November 20, 2012, authorizing the construction of road improvements in connection with the New City Revitalization Project, stating the estimated maximum cost thereof is \$1,330,000, appropriating said amount for such purpose, and authorizing the issuance of \$1,330,000 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 road improvements in connection with the New City Revitalization Project; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$1,330,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$1,330,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$1,330,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$1,330,000 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: November 20, 2012

Justin Sweet
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 referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED NOVEMBER 20, 2012,
AUTHORIZING THE CONSTRUCTION OF VARIOUS
DRAINAGE IMPROVEMENTS, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$780,000, APPROPRIATING
SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING
THE ISSUANCE OF \$780,000 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.
The estimated maximum cost thereof, including preliminary costs and costs incidental thereto
and the financing thereof, is \$780,000 and said amount is hereby appropriated for such purpose.
The plan of financing includes the issuance of \$780,000 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 \$780,000 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 bonds are authorized to be issued, within the limitations of Sections 11.00 a. 4 of the Law, is forty (40) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (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. 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 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, 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 "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 November 20, 2012, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Clarkstown, New York, adopted November 20, 2012, authorizing the construction of various drainage improvements, stating the estimated maximum cost thereof is \$780,000, appropriating said amount for such purpose, and authorizing the issuance of \$780,000 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; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$780,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$780,000 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 \$780,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York 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 \$780,000 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: November 20, 2012

Justin Sweet
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 referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED NOVEMBER 20, 2012,
AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS
AND INSTALLATION OF EQUIPMENT AT THE POLICE
COMMUNICATIONS ROOM, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$260,000, APPROPRIATING
SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING
THE ISSUANCE OF \$260,000 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 and install
equipment at the Police communications room. The estimated maximum cost thereof, including
preliminary costs and costs incidental thereto and the financing thereof, is \$260,000 and said
amount is hereby appropriated for such purpose. The plan of financing includes the issuance of
\$260,000 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 \$260,000 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 bonds are authorized to be issued, within the limitations of Sections 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (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. 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 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, 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 "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 November 20, 2012, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Clarkstown, New York, adopted November 20, 2012, authorizing the construction of improvements and installation of equipment at the Police communications room, stating the estimated maximum cost thereof is \$260,000, appropriating said amount for such purpose, and authorizing the issuance of \$260,000 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 and install equipment at the Police communications room; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$260,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$260,000 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 \$260,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York 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 \$260,000 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: November 20, 2012

Justin Sweet
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 referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED NOVEMBER 20, 2012,
AUTHORIZING THE ACQUISITION AND INSTALLATION
OF COMPUTER HARDWARE AND SOFTWARE FOR
VARIOUS SYSTEM ENHANCEMENTS, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$120,000,
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
AND AUTHORIZING THE ISSUANCE OF \$120,000 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 acquire and install computer hardware and
software for various system enhancements. The estimated maximum cost thereof, including
preliminary costs and costs incidental thereto and the financing thereof, is \$120,000 and said
amount is hereby appropriated for such purpose. The plan of financing includes the issuance of
\$120,000 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 \$120,000 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 a part of said appropriation.

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

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

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

(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 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. 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 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, 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.

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Calvin

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
 NEW YORK, ADOPTED NOVEMBER 20, 2012,
 AUTHORIZING THE PREPARATION OF PLANS AND
 SPECIFICATIONS RELATING TO SITE IMPROVEMENTS
 AND COMMUNICATION SHELTER AT THE CLARKSTOWN
 POLICE COMMUNICATIONS TOWER SITE, STATING THE
 ESTIMATED MAXIMUM COST THEREOF IS \$16,000,
 APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
 AND AUTHORIZING THE ISSUANCE OF \$16,000 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 prepare plans and specifications relating to
 site improvements and communication shelter at the Police communications tower site, including
 preliminary costs and costs incidental thereto and the financing thereof, is \$16,000 and said
 amount is hereby appropriated for such purpose. The plan of financing includes the issuance of
 \$16,000 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 \$16,000 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 a part of said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.

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

(c) The proposed maturity of the bonds authorized by this resolution 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 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. 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 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, 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.

* * *

ALM

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
 NEW YORK, ADOPTED NOVEMBER 20, 2012,
 AUTHORIZING THE INSTALLATION OF SOLAR PANELS
 AT THE CLARKSTOWN LANDFILL, STATING THE
 ESTIMATED MAXIMUM COST THEREOF IS \$90,000,
 APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
 AND AUTHORIZING THE ISSUANCE OF \$90,000 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 install solar panels at the Clarkstown landfill,
 including preparation of plans and specifications. The estimated maximum cost thereof,
 including preliminary costs and costs incidental thereto and the financing thereof, is \$90,000 and
 said amount is hereby appropriated for such purpose. The plan of financing includes the
 issuance of \$90,000 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 \$90,000 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 a part of said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

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

(c) The proposed maturity of the bonds authorized by this resolution 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 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. 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 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, 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,

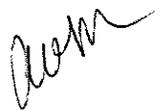
and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (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.

* * *

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BOND RESOLUTION OF THE TOWN OF CLARKSTOWN,
 NEW YORK, ADOPTED NOVEMBER 20, 2012,
 AUTHORIZING THE ACQUISITION AND INSTALLATION
 OF A MARKSMANSHIP TRAINING SIMULATOR, STATING
 THE ESTIMATED MAXIMUM COST THEREOF IS \$27,000,
 APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
 AND AUTHORIZING THE ISSUANCE OF \$27,000 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 acquire and install a marksmanship training
 simulator. The estimated maximum cost thereof, including preliminary costs and costs incidental
 thereto and the financing thereof, is \$27,000 and said amount is hereby appropriated for such
 purpose. The plan of financing includes the issuance of \$27,000 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 \$27,000 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 a part of said appropriation.

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

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

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

(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 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. 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 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, 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.

* * *

awm

RESOLVED, that based upon the recommendation of the Authorized Purchasing Agent and Clarkstown Police Captain Ovchinnikoff that

BID #39-2012 – HIGH DEFINITION USE-OF-FORCE MARKSMANSHIP TRAINING SIMULATOR

is hereby awarded to: VIR TRA
7970 SOUTH KYRENE ROAD
TEMPE, AZ 85284
PRINCIPAL: A PUBLICLY TRADED COMPANY

as per their proposed total cost not to exceed \$247,072.00 and be it

FURTHER RESOLVED, that this purchase shall be paid for with seizure funds, and

WHEREAS, the Town solicited proposals for room modifications to allow for the installation of the simulator, and

WHEREAS the Town received three (3) quotes for said modifications, and

WHEREAS, the Authorized Purchasing Agent has reviewed the low proposal submitted by Lorencin Contracting Inc. and has found it to be acceptable, and

WHEREAS, the Authorized Purchasing Agent recommends that the work be awarded to Lorencin Contracting, Inc. for their low proposal of \$27,000.00, and

NOW, THEREFORE BE IT RESOLVED, that the Authorized Purchasing Agent is hereby authorized to retain the services of:

Lorencin Contracting, Inc.
17 Schreiver Lane
New City, NY 10956

and be it,

FURTHER RESOLVED, that this project shall constitute a proper charge to account number H-8765-400-409-0-88-25, and be it

FURTHER RESOLVED, that it is the intent of the Town Board to fund this room modification project with the issuance of Serial Bonds

DATED: November 20, 2012



RESOLUTION REFERRING AND SETTING A PUBLIC HEARING ON
A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING
CHAPTER 290 (ZONING) OF THE LOCAL LAWS OF THE TOWN OF
CLARKSTOWN WITH RESPECT TO AMENDING A SPECIAL PERMIT USE"

WHEREAS, the Town Board of the Town of Clarkstown has received a petition from RM MAG West Nyack, LLC for a text amendment to the Zoning Local Law to allow shipping and receiving without a time restriction in the LO Zoning District, and

WHEREAS, Councilperson _____, a member of the Town Board of the Town of Clarkstown has introduced a proposed local law entitled,

"A LOCAL LAW AMENDING CHAPTER 290 (ZONING)
OF THE LOCAL LAWS OF THE TOWN OF CLARKSTOWN
WITH RESPECT TO AMENDING A SPECIAL PERMIT USE"

and

WHEREAS, the proposed local law is to amend Section 290-11.A, Use Table 8, LO Zoning District, Col. 3.B of the Town of Clarkstown Zoning Code by amending a special permit use to restrict traffic on residential roads and allow for unrestricted shipping and receiving;

NOW, THEREFORE, be it

RESOLVED, that the attached petition of RM MAG West Nyack, LLC for a text amendment to the Zoning Local Law to allow shipping and receiving without a time restriction be referred to the Clarkstown Planning Board for report pursuant to Section 290-33 of the Zoning Local Law of the

Town of Clarkstown and to the Rockland County Commissioner of Planning pursuant to Sections 239-1 and 239-m of the General Municipal Law for report, and be it

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

FURTHER RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on December 20, 2012 at 12:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

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

Dated: November 20, 2012

TB 11-20 TA RES Refer-Public Hearing Local Law Amend Chap 290-Spec Permit Use-pm

awm

TOWN COUNCIL: TOWN OF CLARKSTOWN

-----X
In the Matter of the Application of

RM MAG WEST NYACK, LLC

for an Amendment to the Zoning
Local Law to add a special permit
use to Section 290-11.A, Use Table 8,
LO Zoning District, Col. 3.B
-----X

NOV 7 6 2012
PETITION

TO THE HONORABLE TOWN BOARD OF THE TOWN OF CLARKSTOWN:

The Petition of RM MAG West Nyack, LLC, respectfully shows to the Honorable Town Board as follows:

1. At all times hereinafter mentioned, your Petitioner is the contract vendee of a certain parcel of land known on the Tax Map of the Town of Clarkstown as Section 64.07, Block 1, Lot 10 (formerly tax lot 51-A-23), located at 100 Brook Hill Drive, West Nyack, New York (the "Parcel"). A map showing the location of the Parcel is attached hereto as Exhibit "A".
2. At all times hereinafter mentioned, the owner of the Parcel is the Syndicate of the Press of the University of Cambridge Being Authorized by the Chancellors, Masters and Scholars of the University of Cambridge, also known as Cambridge University Press ("Owner"). The owner of the Parcel consents to the bringing of this petition.
3. The present zoning designation of the parcel is LO.
4. For decades, the Parcel has been used as a book distribution center (Prentice-Hall, Pearson Education, Cambridge University Press). The Owner seeks to sell the Parcel to Petitioner, which intends to lease the Parcel to third parties who may continue the existing use as a book distribution center or as a warehouse and wholesale distribution center.
5. Book distribution centers are allowed as of right in the LO District; warehouse and wholesale distribution centers are allowed by special permit of the Zoning Board of Appeals. Zoning Code, Section 290-11.A, Table 8, Col. 2.7 and Col. 3.A.7. Such uses are further restricted

by note 10 in Column 8 of that same table, which restricts shipping or receiving of goods between the hours of 11:00pm and 7:00pm.

6. Your Petitioner seeks to allow shipping and receiving without a time restriction, by adding a special permit use to be allowed by the Town Board.

7. Modern shipping and receiving takes place around the clock. The time restriction currently in place severely limits the usability of the facility and its attractiveness to potential users.

8. Your Petitioner is mindful, however, that the Parcel abuts a residential area to its West. It is further aware that truck traffic overnight will disturb the peace and quiet of that neighborhood, or any other neighborhood similarly situated.

9. It is for that reason that Petitioner asks for the following amendments to the Zoning Code:

a. Add as Section 290-11.A, Table 8, Col. 2.7.a:

8.a. Notwithstanding column 8, No. 10, shipping and receiving shall be permitted at all times, provided, however, that all shipping and receiving shall be restricted to major, secondary, and collector roads. There shall be no vehicular access from local roads.

b. Add as Section 290-11.A, Table 8, Col. 3.B.8.a:

8.a. Notwithstanding column 8, No. 10, shipping and receiving shall be permitted at all times, provided, however, that all shipping and receiving shall be restricted to major, secondary, and collector roads. There shall be no vehicular access from local roads.

10. The Zoning Code identifies major, secondary, collector and local roads in Section 290-4. Each such road is further identified on the Official Map of the Town of Clarkstown.

11. The Parcel has access from Brook Hill Drive, a local road, but also from New York State Route 59 via Crosfield Avenue and Center Rock Road. The latter roads are not local roads. There are no residences on either road. The effect of the amendment would be to allow shipping and receiving of goods at all times, but only via Crosfield Avenue and Center Rock Road. Thus, shipping and receiving would be allowed, and the residents protected from after-hours truck traffic.

12. The Petitioner affirms and agrees that upon approval it will comply with all other requirements and execute any and all documents required by the Town of Clarkstown in connection with said zoning approval.

WHEREFORE, the Petitioner asks that the Zoning Code be amended as aforesaid.

Dated: New City, New York
November 16, 2012

RM MAG West Nyack, LLC

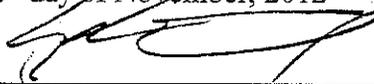
By: 
Michael Grossman, Authorized Officer

VERIFICATION

MICHAEL GROSSMAN duly affirms the following: I am an authorized officer of RM MAG West Nyack, LLC, the Petitioner in the proceeding herein. I have read the annexed Petition and know the contents thereof; and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief and as for those matters I believe them to be true.


Michael Grossman

Sworn to before me this
16 day of November, 2012


Notary Public

IRA M. EMANUEL
Notary Public State of New York
Qualified in Rockland County
My Commission Expires June 30, 2015

RESOLUTION AMENDING RESOLUTION NO. 679-2011 WITH RESPECT TO AGREEMENT WITH CAMBRIDGE SYSTEMATICS

WHEREAS, by Resolution No. 299-2008, dated May 13, 2008, and subsequently amended by Resolution Nos. 792-2008, 113-2009, 528-2009, 460-2010, 81-2011 and 679-2011, dated December 16, 2008, February 10, 2009, October 20, 2009, September 14, 2010, February 8, 2011 and December 29, 2011, respectively, the Town Board authorized the Supervisor to enter into an agreement with Cambridge Systematics, 33 West 33rd Street, Suite 804, New York, New York, 10016, to provide certain professional services in connection with the transportation component of the Town's Comprehensive Plan, and

WHEREAS, Cambridge Systematics has submitted a proposal, dated October 22, 2012, (the "Proposal"), summarizing modifications requested for FY2013, which the Town Planner has reviewed and found reasonable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an amendment to the contract with Cambridge Systematics to provide additional funding, as per the Proposal, which agreement shall provide authorization to perform Tasks 3, 4, 5 & 8 for the NYSDOT Route 59 West corridor and coordinating land use/zoning recommendations with Rockland County, NYSDOT and NYS Thruway Authority, and be it

FURTHER RESOLVED, that the fee for these additional services for FY-2013 shall not exceed the sum of \$133,536.00, and shall constitute a proper charge to Account No. A-8021-409, and be it

FURTHER RESOLVED that the Town Board hereby directs the Town Attorney's Office and the Planning Department to pursue grant funding to offset the cost of the project from organizations, including, but not limited to, the N.Y.S. Department of Transportation and New York State Metropolitan Transportation Council.

Dated: November 20, 2012

TB 11-20 TA RES Cambridge Systematics amend res-pm

awm

**RESOLUTION GRANTING CERTIFICATES OF REGISTRATION
PURSUANT TO SECTION 236-48 OF THE TOWN CODE**

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

A Sasso Plumbing Corp.
23 Vista Drive
Nanuet, New York 10954
Michael Sasso, Owner

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the issuance of a Certificate of Registration to:

12-35 A SASSO PLUMBING, CORP.

DATED: November 20, 2012

TB 11-20-12 TA RES Certificate of Registration Sewers-dt

awm

RESOLUTION AUTHORIZING A CHANGE ORDER TO BID NO. 26-2011

WHEREAS, by Resolution No. 396-2011, adopted by the Town Board on July 19, 2011, Bid No. 26-2011 was awarded to Scaffidi Paving and Drainage (the "Contractor") for Torne Brook Estates Belgium Block Curb Replacement Program for a total contract price of \$1,091,200.00, and

WHEREAS, it was necessary to install additional curbing and sidewalks and there was additional expenditures for handicap-accessible concrete sidewalks, and

WHEREAS, a change order for said work has been submitted by the Contractor in the total amount of \$5,204.00, and

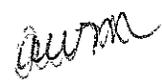
WHEREAS, the change order has been reviewed by the Superintendent of Highways, who has deemed it acceptable in terms of scope and price;

NOW, THEREFORE, be it

RESOLVED, that the allowance for this project be increased from \$1,091,200.00 to \$1,096,404.00 to reflect the additional cost of the change order, and be it

FURTHER RESOLVED, that this shall continue to be a proper charge to Account No. H-8762-400-409-0-86-11.

Dated: November 20, 2012



RESOLUTION AUTHORIZING THE SUPERVISOR TO ACCEPT A GRANT FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, DEPARTMENT OF MOTOR VEHICLES, REGARDING SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)

WHEREAS, Clarkstown Police Captain Anthony Ovchinnikoff has advised that the State of New York Governor's Traffic Safety Committee of the Department of Motor Vehicles, has approved a grant application from the Clarkstown Police Department (STEP-2013 Clarkstown PD-00280-(044)), for the purpose of participating in the "Selective Traffic Enforcement Program (STEP)" for the period from October 1, 2012 through September 30, 2013, and

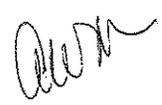
WHEREAS, the State shall provide \$8,910.00 to the Town of Clarkstown for said purposes;

NOW, THEREFORE, be it

RESOLVED, that on the recommendation of Clarkstown Police Captain Anthony Ovchinnikoff, the Town Board hereby authorizes the acceptance of a grant award in the amount of \$8,910.00 from the State of New York, Governor's Traffic Safety Committee, Department of Motor Vehicles, on behalf of the Clarkstown Police Department, for the purpose of participating in the "Selective Traffic Enforcement Program (STEP)" for the period from October 1, 2012 through September 30, 2013.

Dated: November 20, 2012

TB 11-20 TA RES Police Grant-STEP-pm



RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AN AGREEMENT WITH THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE OF THE DEPARTMENT OF MOTOR VEHICLES TO ACCEPT A GRANT WITH RESPECT TO THE CHILD PASSENGER SAFETY PROGRAM

WHEREAS, Clarkstown Police Captain Anthony Ovchinnikoff, has advised that the State of New York Governor's Traffic Safety Committee of the Department of Motor Vehicles, has awarded a grant to the Town of Clarkstown Police Department (CPS-2013 Clarkstown PD-00039-(044)) for the purpose of participating in the "Child Passenger Safety Program" for the period from October 1, 2012 through September 30, 2013, and

WHEREAS, the State shall provide \$2,525.00 to the Town of Clarkstown for said purposes;

NOW, THEREFORE, be it

RESOLVED, that on the recommendation of Clarkstown Police Captain Anthony Ovchinnikoff, the Town Board hereby authorizes the Supervisor to enter into an agreement with the State of New York, Governor's Traffic Safety Committee, Department of Motor Vehicles, in a form approved by the Town Attorney, to accept a grant award of \$2,525.00 for the purpose of participating in the "Child Passenger Safety Program" for the period October 1, 2012 through September 30, 2013, by the Town of Clarkstown Police Department.

Dated: November 20, 2012

RESOLUTION ACCEPTING AND ADOPTING THE FINDINGS OF FACT AND RECOMMENDATIONS OF THE HEARING OFFICER IN THE MATTER OF THE TERMINATION OF STATUTORY BENEFITS PURSUANT TO GENERAL MUNICIPAL LAW § 207-c

WHEREAS, pursuant to notice dated February 9, 2012, an administrative hearing was held at 10 & 20 Maple Avenue, New City, New York on March 23, 2012, May 18, 2012, May 24, 2012, June 27, 2012, June 28, 2012, July 12, 2012 and August 10, 2012, before Alfred C. Cava, as Hearing Officer, to make findings and recommendations concerning whether statutory benefits paid to a member of the Town's police department pursuant to General Municipal Law § 207-c should terminate or discontinue; and

WHEREAS, after completion of a full evidentiary hearing and the submission of post-hearing briefs by counsel for the Town and the member, the Hearing Officer has reported his Findings of Fact and Recommendations dated November 5, 2012, together with the hearing record and exhibits; and

WHEREAS, in accordance with Article XXII (7) of the collective bargaining agreement between the Town and the RCPBA, the Town Board has rendered its Final Determination in executive session;

NOW, THEREFORE,

UPON reading the Findings of Fact and Recommendations of Alfred C. Cava dated November 5, 2012, it is

RESOLVED, that the Town Board hereby accepts and adopts the Hearing Officer's Findings of Fact and Recommendations as received by the Board and provided to counsel for the parties; and it is hereby further

RESOLVED and DETERMINED, that the member's General Municipal Law § 207-c benefits are hereby terminated; and it is

RESOLVED, that the Town Attorney will provide copies of the Town Board's Determination to the member and the member's legal counsel and to the Chief of Police.

Dated: November 20, 2012

A handwritten signature in black ink, appearing to be 'JWM', is located in the bottom right corner of the page.