

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING
Town Hall Auditorium
September 27, 2016, 8:00 PM
AGENDA

SALUTE TO THE FLAG

TOWN CLERK CALLS THE ROLL

PUBLIC COMMENTS REGARDING AGENDA ITEMS:

(Limited to 3 minutes per person)

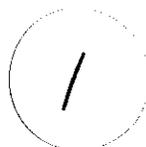
RESOLUTIONS:

1. Accepting Minutes of Town Board Meeting of September 6, 2016, as submitted by the Town Clerk.
2. Scheduling a Public Hearing concerning Tentative Budget for 2017.
(Nov. 9, 2016 – 7pm)
3. Scheduling a Public Hearing concerning the Petition of 9W Valley Cottage LLC for Use of Town Law 280-a(2), to Obtain Access to Property known as Tax Map No. 53.13-2-26.
(Oct. 25, 2016, 8pm)
4. Scheduling a Public Hearing on a Proposed Local Law entitled: “A Local Law Amending Chapter 18 (Code of Ethics) of the Code of the Town of Clarkstown”
(Oct. 25, 2016, 8pm)
5. Authorizing the following Personnel Changes:
 - a) Authorizing payment to Cathy Conklin as Consultant to Assessor’s Office (*\$92.54/hr*)
 - b) Appointment (Permanent): Sean Jordan, Information Services Specialist I, Data Processing (*\$77,217*)
 - c) Appointment (Permanent): James Molinaro, Jr., Supervising Real Property Appraiser, Assessor’s Office (*\$97,890*)
6. Authorizing Amending the Budget
7. Authorizing the Intention to enter into Agreement for a Payment in Lieu of Tax (“PILOT”) Agreement by and among the Town of Clarkstown, Clarkstown Seniors *Phase I* Housing Development Fund Corp. and Clarkstown Seniors *Phase I* LLC.

8. Authorizing the Intention to enter into Agreement for a Payment in Lieu of Tax ("PILOT") Agreement by and among the Town of Clarkstown, Clarkstown Seniors *Phase II* Housing Development Corp. and Clarkstown Seniors *Phase II* LLC.
9. Authorizing the Use of Money in Lieu of Land Funds for Repairs to the Walkway at Congers Lake Memorial Park.
10. Authorizing the Supervisor to enter into a 2-year Agreement with BPAS in a form acceptable to the Town Attorney at a cost not to exceed \$13,500 for 2016 and \$2,500 for 2017.
11. Authorizing funds for the acquisition of a parcel of land located at 23 Sickletown Road in West Nyack for the West Nyack Downtown Revitalization Project.
12. Termination of Employment.

GENERAL PUBLIC COMMENTS

(Limited to 3 minutes per person)



RESOLVED, that the Town Board Minutes of September 6, 2016 are hereby accepted as submitted by the Town Clerk.

DATED: September 27, 2016

RESOLUTION CONCERNING TENTATIVE BUDGET FOR 2017
AND SCHEDULING A PUBLIC HEARING

WHEREAS, the Town Clerk has received the Tentative Budget from the Town Comptroller and presented same to the Town Board in accordance with the provisions of Town Law §106, and

WHEREAS, pursuant to Resolution No. 319-2016, adopted by the Town Board on July 19, 2016, the Town Board scheduled a Special Town Board meeting for September 27, 2016, at 7:30 p.m., in Room 301 of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that the Tentative Budget, as received by the Town Clerk, is hereby designated the Preliminary Budget and the Town Clerk is directed to prepare 25 copies of the Budget for public distribution pursuant to Town Law §106, and be it

FURTHER RESOLVED, that the Town Board hereby schedules a public hearing for November 9, 2016, at 7:00 p.m., at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, pursuant to Town Law §108 concerning the Clarkstown Preliminary Budget for 2017, and be it

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

Dated: September 27, 2016

RESOLUTION SCHEDULING A PUBLIC HEARING CONCERNING THE PETITION OF 9W VALLEY COTTAGE LLC FOR USE OF TOWN LAW 280-a(2), TO OBTAIN ACCESS TO PROPERTY KNOWN AS TAX MAP NO. 53.13-2-26

WHEREAS, 9W Valley Cottage LLC, as owner, has petitioned the Town Board for permission to apply Town Law 280-a(2) to obtain access to proposed subdivision lots, for premises known as Tax Map No. 53.13-2-26 and located at 741 Route 9W, Valley Cottage, New York, by utilizing a mapped undeveloped street shown on the Official Map of the Town of Clarkstown as "PROPOSED ROAD" without having any obligation to improve said access as a public street, and

WHEREAS, the Town Board desires to obtain public participation and comment prior to making a determination, and

WHEREAS, the Town Board has determined to schedule a public hearing on notice to adjacent property owners;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby schedules a public hearing for October 25, 2016, at 8:00 p.m., or as soon thereafter as possible, at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the applicant shall adhere to the notice requirements pursuant to Section 290-33 (C) of the Zoning Local Law of the Town Code, and provide proof of mailing said notice to property owners within five hundred feet of affected property on or before the date of the public hearing and file proof thereof in the Office of the Town Clerk, and be it

FURTHER RESOLVED, that the applicant submit a certificate from a qualified engineer certifying that the proposed right of way, as

constituted or to be improved, shall provide a means for safe and reasonable access for all anticipated users, including emergency vehicles.

Dated: September 27, 2016

TB 09-27 TA RES TL 280-a(2)-9W Valley Cottage-pm

RESOLUTION SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING CHAPTER 18 (CODE OF ETHICS) OF THE CODE OF THE TOWN OF CLARKSTOWN"

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 18 (CODE OF ETHICS) OF THE CODE OF THE TOWN OF CLARKSTOWN"

and

WHEREAS, this proposed local law is intended to update the Ethics Code in the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing, pursuant to §20 of the Municipal Home Rule Law, be held in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York on October 25, 2016 at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law, and be it

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

Dated: September 27, 2016

5A

RESOLVED, that The Town Board authorizes Cathy Conklin, be paid \$92.54 per hour as a consultant to the Assessor's Office, effective and retroactive to August 22, 2016.

September 27, 2016

P

5B

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #16028 Information Services Specialist I (Networked Systems) - which contains the name of Sean Jordan,

NOW, therefore, be it

RESOLVED, that Sean Jordan - is hereby appointed (Permanent) to the position of Information Services Specialist I (Networked Systems) - Data Processing at the current 2016 annual salary of \$77,217, effective September 15, 2016.

DATED: September 27, 2016
P

5c

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #16128 (NCP T&E) Supervising Real Property Appraiser - which contains the name of James Molinaro, Jr.,

NOW, therefore, be it

RESOLVED, that James Molinaro, Jr. - is hereby appointed (Permanent) to the position of Supervising Real Property Appraiser - Assessor's Office at the current 2016 annual salary of \$97,890, effective and retroactive to September 19, 2016.

DATED: September 27, 2016
P

RESOLUTION AUTHORIZING AMENDING BUDGET

WHEREAS, the Town has received \$33,224.61 from Seized Property,

NOW THEREFORE BE IT,

RESOLVED, to increase Revenue A-01-7-2625-0 (General-Local Crime Proceeds) and increase Expense Account A-3120-225-1 (Police-Computer Hardware) and

WHEREAS, various accounts require additional funding,

NOW THEREFORE BE IT,

RESOLVED, to decrease Expense Account A-1010-201-0 (Town Council-Furniture & Fixtures) by \$900 and increase Expense Accounts A-1010-313-0 (Town Council-Office Supplies) by \$500 and A-1010-328-0 (Town Council-Books & Publications) by \$400 and be it,

FURTHER RESOLVED, to decrease Expense Account A-1410-313-0 (Town Clerk-Office Supplies) and increase Expense Account A-1410-409-0 (Town Clerk-Fees for Services) by \$1,470.39 and be it,

FURTHER RESOLVED, to decrease Expense Account A-1640-110-0 (Town Garage-Salaries) and increase Expense Account A-1640-416-0 (Town Garage-Laundry Supplies) by \$2,500 and be it,

FURTHER RESOLVED, to decrease Expense Account A-1910-111 (Insurance & Claims-Overtime) and increase Expense Account A-1910-460-4 (Insurance & Claims – Cellular Phones) by \$500 and be it,

FURTHER RESOLVED, to decrease Expense Account A-7310-114-0 (Recreation Youth Programs-Part Time) and increase Expense Account A-7310-409-0 (Recreation Youth Programs-Fees for Services) by \$20,000 and be it,

FURTHER RESOLVED, to decrease Expense Account SR-8160-209-0 (Sanitation-Other Equipment) and increase Expense SR-8160-111-0 (Sanitation-Overtime) by \$10,000.

RESOLUTION NUMBER _____

RESOLUTION OF THE COUNCIL MEMBERS OF THE TOWN OF CLARKSTOWN AUTHORIZING THE INTENTION TO ENTER INTO AGREEMENT FOR A PAYMENT IN LIEU OF TAX ("PILOT") AGREEMENT BY AND AMONG THE TOWN OF CLARKSTOWN, CLARKSTOWN SENIORS PHASE I HOUSING DEVELOPMENT FUND CORP. AND CLARKSTOWN SENIORS PHASE I LLC

WHEREAS, the Town of Clarkstown (the "Town") desires to encourage a sufficient supply of adequate, safe and sanitary dwelling accommodations properly planned for persons with low incomes; and

WHEREAS, Hyenga Lake Housing Development Fund Company, Inc. (the "Beneficial Owner") is the bare legal or record owner, and Hyenga Lake Limited Partnership is the beneficial and equitable owner (the "Fee Owner" and collectively with the Beneficial Owner, the "Lessor") of certain property located at 115 East Route 59, Village of Spring Valley, Town of Clarkstown, County of Rockland, State of New York, designated on the Town of Clarkstown Tax Map as parcel 57.14-3-2 (the "Overall Premises"); and

WHEREAS, Clarkstown Seniors Phase I Housing Development Fund Corp., a to-be-formed Article XI New York private housing finance law corporation and a New York not-for-profit corporation (the "HDFC"), and Clarkstown Seniors Phase I LLC, a New York limited liability company (the "Company"), have identified a portion of the Overall Premises designated on the Town of Clarkstown Tax Map as parcel 57.14-3-3-2/A (the "Property"), for the purpose of the construction on the Property of a housing project for persons of low income, said project to consist of: (i) the acquisition of a ground leasehold interest in the Property; (ii) the construction of twenty (20) units of housing for persons of low income thereon (the "Improvements"); and (iii) the acquisition and installation therein and thereon of certain machinery, equipment, furniture, fixtures and other tangible personal property (the "Equipment", and collectively with the Property and the Improvements, the "Project"); and

WHEREAS, the HDFC has been formed for the purpose of providing residential rental accommodations for persons of low-income; and

WHEREAS, the HDFC will acquire a leasehold interest in the Property, as nominee for the Company, pursuant to a ground lease by and among the Lessor, the HDFC and the Company, and will convey its equitable and beneficial interests in the Property to the Company in furtherance of the development of the Project; and

WHEREAS, the HDFC's and the Company's plan for the use of the Property constitutes a "housing project" as that term is defined in the Private Housing Finance Law of the State of New York ("PHFL"); and

WHEREAS, the HDFC is a "housing development fund company" as the term is defined in Section 572 of the PHFL and Section 577 of the PHFL authorizes the Council Members to exempt the Project from real property taxes; and

WHEREAS, the Company and the HDFC intend enter into a PILOT Agreement whereby they will make annual payments in lieu of taxes to the Town as set forth in the PILOT Agreement presented to this Board for approval;

NOW THEREFORE, BE IT RESOLVED that the Council Members intends to exempts the Project from real property taxes to the extent authorized by Section 577 of the PHFL and approves the proposed PILOT Agreement between the Town of Clarkstown, the Company and the HDFC, and it is;

FURTHER RESOLVED, that the exemptions and agreements referred to above shall not be effective until the PILOT Agreement has been approved as to form and substance by the Town Attorney executed by the Company, the HDFC and the Town of Clarkstown.

September 27, 2016

RESOLUTION NUMBER _____

RESOLUTION OF THE COUNCIL MEMBERS OF THE TOWN OF CLARKSTOWN AUTHORIZING THE INTENTION TO ENTER INTO AGREEMENT FOR A PAYMENT IN LIEU OF TAX ("PILOT") AGREEMENT BY AND AMONG THE TOWN OF CLARKSTOWN, CLARKSTOWN SENIORS PHASE II HOUSING DEVELOPMENT FUND CORP. AND CLARKSTOWN SENIORS PHASE II LLC

WHEREAS, the Town of Clarkstown (the "Town") desires to encourage a sufficient supply of adequate, safe and sanitary dwelling accommodations properly planned for persons with low incomes; and

WHEREAS, Hyenga Lake Housing Development Fund Company, Inc. (the "Beneficial Owner") is the bare legal or record owner, and Hyenga Lake Limited Partnership is the beneficial and equitable owner (the "Fee Owner" and collectively with the Beneficial Owner, the "Lessor") of certain property located at 115 East Route 59, Village of Spring Valley, Town of Clarkstown, County of Rockland, State of New York, designated on the Town of Clarkstown Tax Map as parcel 57.14-3-2/B (the "Overall Premises"); and

WHEREAS, Clarkstown Seniors Phase II Housing Development Fund Corp., a to-be-formed Article XI New York private housing finance law corporation and a New York not-for-profit corporation (the "HDFC"), and Clarkstown Seniors Phase II LLC, a New York limited liability company (the "Company"), have identified a portion of the Overall Premises designated on the Town of Clarkstown Tax Map as parcel 57.14-3-3-2/B (the "Property"), for the purpose of the construction on the Property of a housing project for persons of low income, said project to consist of: (i) the acquisition of a ground leasehold interest in the Property; (ii) the construction of twenty (20) units of housing for persons of low income thereon (the "Improvements"); and (iii) the acquisition and installation therein and thereon of certain machinery, equipment, furniture, fixtures and other tangible personal property (the "Equipment", and collectively with the Property and the Improvements, the "Project"); and

WHEREAS, the HDFC has been formed for the purpose of providing residential rental accommodations for persons of low-income; and

WHEREAS, the HDFC will acquire a leasehold interest in the Property, as nominee for the Company, pursuant to a ground lease by and among the Lessor, the HDFC and the Company, and will convey its equitable and beneficial interests in the Property to the Company in furtherance of the development of the Project; and

WHEREAS, the HDFC's and the Company's plan for the use of the Property constitutes a "housing project" as that term is defined in the Private Housing Finance Law of the State of New York ("PHFL"); and

WHEREAS, the HDFC is a "housing development fund company" as the term is defined in Section 572 of the PHFL and Section 577 of the PHFL authorizes the Council Members to exempt the Project from real property taxes; and

WHEREAS, the Company and the HDFC intend enter into a PILOT Agreement whereby they will make annual payments in lieu of taxes to the Town as set forth in the PILOT Agreement presented to this Board for approval;

NOW THEREFORE, BE IT RESOLVED that the Council Members intends to exempts the Project from real property taxes to the extent authorized by Section 577 of the PHFL and approves the proposed PILOT Agreement between the Town of Clarkstown, the Company and the HDFC, and it is;

FURTHER RESOLVED, that the exemptions and agreements referred to above shall not be effective until the PILOT Agreement has been approved as to form and substance by the Town Attorney executed by the Company, the HDFC and the Town of Clarkstown.

September 27, 2016

Resolution Authorizing the Use of Money In Lieu of Land Funds for
Repairs to the Walkway at Congers Lake Memorial Park.

WHEREAS, the Department of Recreation and Parks has requested the use of funds from money-in-lieu-of-land funds to cover the cost of repairs and improvements to the walkway at Congers Lake Memorial Park in the Town of Clarkstown, and

WHEREAS, the Town Board desires to utilize these funds to make these repairs and improvements;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the use of money-in-lieu-of-land funds in the amount of \$15,000.

Dated: September 27, 2016

WHEREAS, it is necessary for the Town of Clarkstown (the "Town") to obtain actuarial services for compliance with GASB Statement No. 45 (Accounting and Financial Reporting by Employers for Postemployment Benefits other than Pension) for fiscal year(s) ending December 31, 2016 and December 31, 2017; and

WHEREAS, BPAS, One Lincoln Center, Syracuse, NY, is an actuarial consulting firm providing services to public entities related to benefit plans, GASB 45; and

WHEREAS, Thomas A. Morr, Comptroller, has reviewed the proposal referred to herein and recommended acceptance of same;

NOW THEREFORE, be it resolved that Supervisor George Hoehmann is hereby authorized to enter into an agreement for two years with BPAS in a form acceptable to the Town Attorney, at a cost not to exceed \$13,500 for 2016, and \$2,500 for 2017, which cost shall be a proper charge to Account No. A 9000-400-409 0.

Dated: September 27, 2016

TB 09-27-16 COMP RES BPAS-dt

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED SEPTEMBER 27, 2016, AUTHORIZING ADDITIONAL FINANCING FOR THE ACQUISITION OF A PARCEL OF LAND LOCATED AT 23 SICKLETOWN ROAD, IN WEST NYACK, FOR THE WEST NYACK DOWNTOWN REVITALIZATION PROJECT PURSUANT TO THE STIPULATION IN THE CASE OF OWENS V. TOWN OF CLARKSTOWN; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$315,000, APPROPRIATING \$210,000 FOR SUCH PURPOSE, IN ADDITION TO THE \$105,000 PREVIOUSLY APPROPRIATED THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$210,000 BONDS TO FINANCE SAID ADDITIONAL 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 finance the cost of acquisition of a parcel of land, consisting of approximately 114,544.45 square feet or approximately 2.63 acres, located at 23 Sickletown Road in West Nyack and designated on the Clarkstown Tax Map as 64.08-3-30 for the purpose of drainage and storm water management improvements in connection with the West Nyack Downtown Revitalization Project, pursuant to the Stipulation in the case of *Owens*

v. *Town of Clarkstown* (Docket No.: 5004-2014). The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$315,000 and \$210,000 is hereby appropriated therefor, in addition to the \$105,000 previously appropriated pursuant to the bond resolution adopted by the Town Board on November 5, 2014 (the "Previously Appropriated Funds"). The plan of financing includes the expenditure of the Previously Appropriated Funds and the issuance of bonds in the principal amount of \$210,000 and any bond anticipation notes issued in anticipation of the sale of said bonds to finance said additional appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the Town in the principal amount of \$210,000 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 specific object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

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

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (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 of the Law 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 September 27, 2016, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Clarkstown, New York, adopted September 27, 2016, authorizing additional financing for the acquisition of a parcel of land located at 23 Sickletown Road, in West Nyack, for the West Nyack Downtown Revitalization Project pursuant to the stipulation in the case of *Owens v. Town of Clarkstown*; stating the estimated maximum cost thereof is \$315,000, appropriating \$210,000 for such purpose, in addition to the \$105,000 previously appropriated therefor; and authorizing the issuance of \$210,000 bonds to finance said additional appropriation.”

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

FIRST: AUTHORIZING said Town of acquisition of a parcel of land, consisting of approximately 114,544.45 square feet or approximately 2.63 acres, located at 23 Sickletown Road in West Nyack and designated on the Clarkstown Tax Map as 64.08-3-30 for the purpose of drainage and storm water management improvements in connection with the West Nyack Downtown Revitalization Project, pursuant to the Stipulation in the case of *Owens v. Town of Clarkstown* (Docket No.: 5004-2014); STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$315,000 and \$210,000 is hereby appropriated therefor, in addition to the \$105,000 previously appropriated pursuant to the bond resolution adopted by the Town Board on November 5, 2014 (the “Previously Appropriated Funds”); STATING the plan of financing includes the expenditure of the Previously Appropriated Funds and the issuance of bonds in the principal amount of \$210,000 and any bond anticipation notes issued in anticipation of the sale of said bonds to finance said additional appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of and interest on said bonds and notes;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$210,000 pursuant to the Local Finance Law of the State of New York to finance said additional appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is thirty (30) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond

resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

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

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

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

DATED: September 27, 2016

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 Law.

* * *

WHEREAS, _____ is employed by the Town of Clarkstown and represented by the CSEA; and

WHEREAS, on June 28, 2014 _____ was served with disciplinary charges seeking his termination under the applicable provisions of the labor contract with the CSEA; and

WHEREAS, _____ was advised that a failure to respond to the charges would constitute acceptance of his separation from the Town's employ; and

WHEREAS, _____ failed to respond to the charges; and

WHEREAS, _____ was given an additional opportunity to respond to the charges by September 27, 2016 but failed to so;

NOW, THEREFORE, be it resolved that _____ employment with the Town of Clarkstown is terminated effective September 27, 2016; and be it further

RESOLVED, that a copy of this resolution shall be sent to Christopher Wagner, Fran Hunt and Elaine Apfelbaum.

Dated: September 27, 2016

TB 09-27-16 TA RES Seiler-dt

