

Pre-Board Meeting March 24, 2004

The Pre-Board meeting of the Town Board was held March 24, 2004 at 6:00 pm at the Frank D. Greco Multi-Purpose Building on the corner of Market and Robinson Streets in the Village of Saugerties with the following members present:

Supervisor Greg Helsmoortel
Councilman Tom Macarille
Councilwoman Leeanne Thornton
Councilman Fred Costello, Jr.
Councilman Phil Tucker

The following topics were discussed:

Councilman Macarille - brought up subject of time clocks. They are being utilized at Highway, Police, Water & Sewer and Parks & Recreation; not being used at Town Hall. Councilman Tucker added that it will make it uniform. Some board members have received concern/complaints about going back to time clocks. Councilman Macarille will get attorney advice and list of employees who will use time clocks by the next board meeting.

Councilman Macarille also spoke about getting scales for the landfill from Charlie Merritt. They are large enough for tractor-trailer use. Selling price would be \$12,000.00 without installation.

Councilwoman Thornton - the committee needs more specifics with boundaries of Gateway and Waterfront Overlay Districts; they have a meeting tomorrow night. Supervisor noted the Village should be included to get their in-put.

Town Clerk Stanley - still concerned that the safe is not secure and there is no permanent solution for record keeping.

Greg Chorvas - Councilwoman Thornton questioned about Cable Access room that the height of the ceiling is too low. The bids for the surplus sale have been compiled. Two items are in question and should be re-bid. There will be another surplus sale with vehicles and these two items will be included. Also, architects from Frazier will be here Friday to discuss plans. Finally, would like to add Todd Sloane to the part-time call out list at \$8.00 per hour for the month of April.

Town Clerk

Town Board Meeting - March 24, 2004

The regular Town Board Meeting was held on March 24, 2004 at the Frank D. Greco Multi-Purpose Building at the corner of Robinson and Market Streets in the Village of Saugerties with the following members present:

Supervisor Greg Helsmoortel
Councilman Tom Macarille
Councilwoman Leeanne Thornton
Councilman Fred Costello, Jr.
Councilman Phil Tucker

The meeting was opened with the pledge of allegiance at 7:15 p.m.

SUPERVISOR'S COMMENTS: During this morning's radio show, it was stated that the BAN/BOND resolution was being done without the public's prior knowledge. This is not true. These discussions began back during the 2004 budget preparation process.

In 2003, the capital bond for equipment purchases was discussed during Pre-board on October 22 and again during a Budget Workshop session on November 3. All of these were open to the public.

In 2004, discussion also came during the January 21 Pre-board Meeting, the public Finance Workshop on February 3 and a Bonding Workshop on February 17. In addition, there was a Special Meeting for discussion on this on February 26 and featured in an article in the March 4th edition of the Saugerties Times. It was a lengthy article and I have copies if anyone would like to see one.

The town board would like to wish a speedy get well to HUD Inspector Sonny Solitto who is laid up in Kingston Hospital.

On March 12 in USA Today, the Saugerties Lighthouse was featured in an article entitled "10 great places to make a lighthouse a home" - thanks to Gil Hales for bringing this to our attention.

The town board again has decided to extend until May 1 the time at which the transfer station will begin requiring the purchase and use of its new bags as well as the same time when no cash will any longer be accepted at the transfer station site - cash may always be used at the town clerk's office for bag or permit purchases.

PUBLIC COMMENT PERIOD:

Ralph Childers - wants board to really re-think BAN.

David Radonanvic - finds it irresponsible for board to BAN \$500,000.00; should spend money where it is needed.

Patti Kelly - Building Inspector's office should be more respected. Salaries were tabled at previous board meetings, what is being done about it? Also, what are ramifications from BAN to the taxpayers?

Brian Donoghue - speak in opposition of BAN/BOND.

Mike Harkavy - landfill is self-sustaining but should not make money. If we pay by weight, people will recycle more.

Karlyn Elia - Saugerties lost a treasure today - Cliff Steen passed away. Ironic that he wanted to start Preservation Ordinance, it will be passed tonight on the day he died. We will all miss Cliff. He helped re-build lighthouse and he was the first President of Historical Society.

Gary Bischoff - objects to new policy at landfill - it is anti-environmental. Forced to buy plastic to put in environment. Moving away from cash is good.

Councilman Macarille - liaison to landfill - 27% of people in Saugerties recycle. Cost has to go up, has not raised the fees in 14 years.

APPROVAL OF MINUTES:

Motion made by Supervisor Helmsmoortel, seconded by Councilman Macarille to approve Pre-Board and Town Board minutes of March 10, 2004.

Vote: Adopted - 5 Yes

APPROVAL OF BILLS:

General Fund	\$132,905.11
General Outside Village	21,067.65
Highway Townwide	49,718.60
Highway Outside Village	11,459.39
Barclay Heights Sewer	1,924.05
Glasco Sewer	8,350.65
Malden Sewer	4,202.64
Glasco Water	5,305.23
Malden Water	450.50

Motion made by Supervisor Helmsmoortel, seconded by Councilwoman Thornton to approval the bills as presented.

Vote: Adopted - 5 Yes

BOARD COMMITTEE REPORTS:

Councilman Macarille - working with Zoning, Planning Board and Building Inspector's office in changing their forms. Claudette Zinkow has been a great help in this endeavor. All money will be collected by Town Clerk's Office. Software package has been purchased for building department. Also, we are looking into scales for the landfill.

Councilwoman Thornton - Historic Preservation Committee had an all day workshop on March 13, 2004. They are looking for volunteers to be on the survey team. Project needs to be concluded by September. Cable access room near completion.

Councilman Costello - successful surplus sale held.

Councilman Tucker - new police cars are needed; three we have are over 100,000 miles. Possibility of losing \$125,000.00 grant but we are working on it; School Resource Officer (SRO) should not be affected.

MOTIONS & RESOLUTIONS:

Motion made by Councilman Tucker, seconded by Councilman Macarille to authorize the Town Clerk to re-schedule a public hearing pertaining to the changeover from units to usage in the Glasco Sewer District on Monday, April 19, 2004 at 6:00 pm at the Frank D. Greco Senior Center.

RESOLUTION DATED MARCH 24, 2004 INTRODUCING LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE AND HEARING

BE IT RESOLVED, that the Local Law No. 4 of the Year 2004 entitled "A Local Law amending Local Law No. 1 of the Year 1981, as amended by Local Law No. 3 of the Year 1987 and Local Law No. 4 of the Year 1996, Entitled "Chapter 46, Sewer Use", be and it hereby is introduced before the Town Board of the Town of Saugerties in the County of Ulster and State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Town Board, and

BE IT FURTHER RESOLVED that the Town Board hold a Public Hearing on said proposed Local Law at the Frank D. Greco Senior Citizens Center, Robinson Street, in the Village of Saugerties, New York at 6:00 o'clock P.M. on April 19, 2004 and

BE IT FURTHER RESOLVED that the Town Clerk publish or cause to be published a public notice in the official newspaper of the town of said Public Hearing at least five (5) days prior thereto.

UPON a roll call vote, the vote is as follows:

Supervisor Helsmoortel	voting	Yes
Councilman Macarille	voting	Yes
Councilwoman Thornton	voting	Yes
Councilman Costello	voting	Yes
Councilman Tucker	voting	Yes

Motion made by Councilwoman Thornton, seconded by Supervisor Helsmoortel to approve the amendments as written to the Saugerties Lighthouse Program Agreement, as per the recommendation of the Public Access Committee.

Vote: Adopted - 5 Yes

Motion made by Councilman Tucker, seconded by Councilman Macarille to authorize the town's Tax Collector to waive all penalties imposed on the Malden and Glasco Sewer District bills for 2004 as billed out for the omission on February 19, 2004 and to extend this waiver period until October 25, 2004.

Vote: Adopted - 5 Yes

**RESOLUTION DATED MARCH 24, 2004
ADOPTING HISTORIC PRESERVATION ORDINANCE**

WHEREAS, a proposed ordinance entitled "HISTORIC PRESERVATION ORDINANCE" was introduced before the Town Board of the Town of Saugerties in the County of Ulster and State of New York on the 3rd day of September, 2003; and

WHEREAS, the Town Clerk caused to be published public notices in the official newspaper of the Town of Public Hearings on said proposed Ordinance at least ten (10) days prior to the said public hearings; and

WHEREAS, Public Hearings on said proposed Ordinance at the Frank D. Greco Senior Citizens Center, Robinson Street, in the Village of Saugerties, New

York were held on the 23rd day of September, 2003 and the 25th day of November 2003; and

WHEREAS, the Saugerties Town Board found that the Town of Saugerties has many significant and interrelated historic resources that constitute its heritage; and

WHEREAS, these historic resources include architectural and cultural properties, archaeological sites, cemeteries as well as important land and maritime transportation routes and the remains of early industrial, commercial, agricultural, recreational, residential and artistic sites; and

WHEREAS, the Town of Saugerties intends to protect, enhance and promote the landmarks and historic districts which present distinctive, informative and educational elements of the historic, architectural, archeological and cultural heritage of the town; and

WHEREAS, the Town Board wishes to focus and stimulate attention on and foster civic pride in the historic accomplishments and resources in the town; and

WHEREAS, the Town Board is committed to protecting and enhancing the attractiveness of the Town to residents and visitors, thus supporting and providing stimulus to the local economy and ensuring the harmonious, orderly and sensitive development of the town; and

WHEREAS, pursuant to SEQRA and the regulations adopted pursuant thereto (Part 617) the Town Board caused a Full Environmental Assessment Form (EAF) to be prepared and filed with the Town Board which analyzed the different environmental effects associated with the adoption of the Ordinance; and

WHEREAS, the Town Board considered the Long Form EAF Parts 1, 2, and 3 evaluating and assessing the importance of impacts associated with the Ordinance; and

WHEREAS, the Town Board also sought the opinion and advice of its consulting planner with respect to the magnitude of impacts associated with the Ordinance; and

WHEREAS, a Negative Declaration and reasons supporting this determination have been prepared; and

WHEREAS, the Town Board of the Town of Saugerties proposes to undertake and approve the adoption of the Historic Preservation Ordinance;

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Saugerties that the proposed action of adopting the proposed Ordinance is an Unlisted Action under SEQRA; and it is further

RESOLVED, that the proposed action will have no adverse impacts upon the environment as shown in the full EAF and for the reasons set forth in the Negative Declaration; and it is further

RESOLVED, that the Negative Declaration is hereby approved and it is determined that an Environmental Impact Statement (EIS) is not required for the proposed action; and it is further

RESOLVED, by the Town Board of the Town of Saugerties that the Historic Preservation Ordinance be and it hereby is passed and adopted; and it is further

RESOLVED, that the Town Clerk of the Town of Saugerties (i) enter this Resolution and the Historic Preservation Ordinance in the minutes of the Town Board, (ii) cause a copy of this Resolution and Historic Preservation Ordinance to be published in the Saugerties Post Star, (iii) cause a copy of this Resolution and the Historic Preservation Ordinance to be posted conspicuously at or near the Office of the Town Clerk in accordance with Town Law, (iv) cause affidavits of publication and posting to be filed with the Town Clerk's Office, and (v) maintain files of all SEQRA documents and notices which are readily accessible to the public and made available upon request.

UPON a roll call vote, the vote is as follows:

Supervisor Helsmoortel	voting	Yes
Councilman Macarille	voting	Yes
Councilwoman Thornton	voting	Yes
Councilman Costello	voting	Yes
Councilman Tucker	voting	Yes

Resolution read by Councilwoman Thornton, seconded by Councilman Macarille to adopt Local Law No. 3 of the year 2004 establishing the Historic Preservation Ordinance for the Town of Saugerties including that which relates to the matter of the Negative Declaration in the SEQRA determination for the Ordinance related to the establishment of Landmarks or Historic Districts in the Town of Saugerties.

Vote: Adopted - 5 Yes

Motion made by Councilwoman Thornton, seconded by Supervisor Helsmoortel to appoint the following members to the Historic Preservation Committee: Barry Benepe, William Trumpbour, Michael Sullivan Smith, Elizabeth Shafer and Clay Trumpbour.

Vote: Adopted - 5 Yes

Motion made by Supervisor Helsmoortel, seconded by Councilman Costello to amend the town's agreement with the Ulster County SPCA to include the clause "this agreement may be terminated by either party at any time on thirty (30) days written notice" as per the recommendation of New York State Department of Agriculture and Markets.

Vote: Adopted - 5 Yes

Motion made by Councilman Costello, seconded by Councilman Macarille to authorize the sale and disbursement of surplus items resulting from advertised sales of those items and as per the price submittals received and outlined in the document titled "Surplus Sales Results" of which said submittals were opened in the presence of the Town Clerk on March 15, 2004, compiled by the Superintendent of Buildings and Parks and furthermore such sales and disbursements are at the recommendation of the Superintendent of Buildings and Parks.

Vote: Adopted - 5 Yes

Motion made by Councilman Costello, seconded by Councilman Tucker to hire Todd Sloane to the part time call out list for Parks and Recreation at a rate of \$8.00 per hour.

Vote: Adopted - 5 Yes

Motion made by Councilman Tucker, seconded by Councilman Costello to approve a Certificate of Registration for Easy Street Buildings of Catskill, to install sewer hook-ups in the Town of Saugerties Sewer District.

Vote: Adopted - 5 Yes

Motion made by Supervisor Helsmoortel, seconded by Councilman Costello to authorize the Mt. Marion Fire District to purchase motor vehicle fuel at the Town of Saugerties Highway Department at state bid prices.

Vote: Adopted - 5 Yes

Resolution made by Supervisor Helsmoortel, seconded by Councilman Costello to authorize the bonding of various town improvements and equipment purchases, whose estimated aggregate cost is \$474,803.00, further appropriating this amount and authorizing the issuance of \$474,803.00 in serial bonds for the town to finance this cost, as outlined in the resolution document.

RESOLUTION, March 24, 2004

BOND RESOLUTION OF THE TOWN OF SAUGERTIES, NEW YORK (THE "TOWN"), ADOPTED MARCH 24, 2004, AUTHORIZING VARIOUS TOWN IMPROVEMENTS AND EQUIPMENT PURCHASES; ESTIMATING THE MAXIMUM AGGREGATE COST THEREOF TO BE \$474,803; APPROPRIATING SAID AMOUNT THEREFORE AND AUTHORIZING THE ISSUANCE

OF \$474,803 SERIAL BONDS OF THE TOWN TO
FINANCE SAID COST.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Town Board of the Town of Saugerties (by a favorable vote of not less than two-thirds of all the members), as follows:

SECTION 1.

Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the "Law"), the Town Board of the Town of Saugerties hereby authorizes the capital improvements and equipment purchases (collectively, the "Projects"), as more particularly described below:

- (a) The purchase of three (3) new 2004 Ford Crown Victoria Police Interceptor Motor Vehicles fully equipped for the Town of Saugerties Police Department (collectively, the "Police Cars"), the maximum aggregate cost thereof being hereby estimated to be \$77,355, appropriating said amount therefore and authorizing the issuance of \$77,355 serial bonds to finance such costs; and
- (b) The purchase of a Mirra Digital Recorder Mainframe for the Town of Saugerties Police Department, the maximum cost thereof being hereby estimated to be \$10,900, appropriating said amount therefore and authorizing the issuance of \$10,900 serial bonds to finance such costs; and
- (c) The purchase of one (1) new 2004 Ford F-350 4X4 DRW Cab & Chassis for the Town of Saugerties Highway Department, the maximum cost thereof being hereby estimated to be \$34,984, appropriating said amount therefore and authorizing the issuance of \$34,984 serial bonds to finance such costs; and
- (d) The purchase and installation of new boiler piping, loop circulators, check valves and controls on each zone at the building for the Town of Saugerties Highway Department, the maximum cost thereof being hereby estimated to be \$12,454, appropriating said amount therefore and authorizing the issuance of \$12,454 serial bonds to finance such costs; and
- (e) The purchase and installation of one (1) 2 ½ ton (30,000 btu) rooftop air conditioning unit and Greenheck energy recovery ventilator and two (2) Greenheck 4,000 cfm roof mounted exhaust fans at the building for the Town of Saugerties Highway Department, the maximum cost thereof being hereby estimated to be \$39,360, appropriating said amount therefore and authorizing the issuance of \$39,360 serial bonds to finance such costs; and
- (f) The purchase of one (1) new 2003 Ford F-550 Super Duty Chassis Cab for the Town of Saugerties Parks, Recreation and Buildings Department, the maximum

cost thereof being hereby estimated to be \$42,000, appropriating said amount therefore and authorizing the issuance of \$42,000 serial bonds to finance such costs; and

- (g) The purchase of one (1) NEC DS 1000/2000 32-bit architecture telecommunications system for the Cantine Veteran Stadium Complex, the maximum cost thereof being hereby estimated to be \$11,850, appropriating said amount therefore and authorizing the issuance of \$11,850 serial bonds to finance such costs; and
- (h) The repair and replacement of concrete and blacktop at the Town's Large Pavilion and Conference Center, the maximum cost thereof being hereby estimated to be \$15,000, appropriating said amount therefore and authorizing the issuance of \$15,000 serial bonds to finance such costs; and
- (i) The purchase of one (1) new John Deere Gator 6x4 Diesel Four-Wheel Drive Utility Vehicle for the Town of Saugerties Parks, Recreation and Buildings Department, the maximum cost thereof being hereby estimated to be \$8,800, appropriating said amount therefore and authorizing the issuance of \$8,800 serial bonds to finance such costs; and
- (j) The construction and installation of a new 16' x 58' female changing area at the Town's Kiwanis Ice Rink Facility, the maximum cost thereof being hereby estimated to be \$30,000, appropriating said amount therefore and authorizing the issuance of \$30,000 serial bonds to finance such costs; and
- (k) The purchase and installation of a second phase of spectator seating at the Town's Kiwanis Ice Rink Facility, the maximum cost thereof being hereby estimated to be \$20,000, appropriating said amount therefore and authorizing the issuance of \$20,000 serial bonds to finance such costs; and
- (l) The purchase and planting of twenty-four (24) trees (Redspire Pear and October Glory Red Maple) at the Town's Soccer Complex, the maximum cost thereof being hereby estimated to be \$3,600, appropriating said amount therefore and authorizing the issuance of \$3,600 serial bonds to finance such costs; and
- (m) The purchase of one (1) new AgriMetal Turf Vac 4000 for the Town of Saugerties Parks, Recreation and Buildings Department, the maximum cost thereof being hereby estimated to be \$15,000, appropriating said amount therefore and authorizing the issuance of \$15,000 serial bonds to finance such costs; and
- (n) The purchase of one (1) new Jacobsen HR-4600 Turbo Triplex Rotary Mower for the Town of Saugerties Parks, Recreation and Buildings Department, the maximum cost thereof being hereby estimated to be \$26,000, appropriating said amount therefore and authorizing the issuance of \$26,000 serial bonds to finance such costs; and

- (o) The purchase of one (1) new Super Star 3 Wheel Drive Utility Vehicle with Plow and Rake for the Town of Saugerties Parks, Recreation and Buildings Department, the maximum cost thereof being hereby estimated to be \$11,500, appropriating said amount therefore and authorizing the issuance of \$11,500 serial bonds to finance such costs; and
- (p) The purchase of one (1) new Zamboni 540 for the Town of Saugerties Parks, Recreation and Buildings Department, the maximum cost thereof being hereby estimated to be \$65,000, appropriating said amount therefore and authorizing the issuance of \$65,000 serial bonds to finance such costs; and
- (q) The purchase of one (1) new John Deere Gator 6x4 (Gas) Utility Vehicle for the Town of Saugerties Parks, Recreation and Buildings Department, the maximum cost thereof being hereby estimated to be \$7,000, appropriating said amount therefore and authorizing the issuance of \$7,000 serial bonds to finance such costs; and
- (r) The purchase of one (1) new 2003 Super Duty F-550 Chassis Cab for the Town of Saugerties Parks, Recreation and Buildings Department, the maximum cost thereof being hereby estimated to be \$44,000, appropriating said amount therefore and authorizing the issuance of \$44,000 serial bonds to finance such costs; and

SECTION 2

It is determined that the period of probable usefulness of the aforesaid specific objects or purposes are as follows:

- (a) Five (5) years pursuant to Section 11.00(a)(29) of the Law.
- (b) Ten (10) years pursuant to Section 11.00(a)(25) of the Law.
- (c) Five (5) years pursuant to Section 11.00(a)(29) of the Law.
- (d) Ten (10) years pursuant to Section 11.00(a)(13) of the Law.
- (e) Ten (10) years pursuant to Section 11.00(a)(13) of the Law.
- (f) Fifteen (15) years pursuant to Section 11.00(a)(28) of the Law.
- (g) Five (5) years pursuant to Section 11.00(a)(32) of the Law.
- (h) Ten (10) years pursuant to Section 11.00(a)(20) of the Law.
- (i) Five (5) years pursuant to Section 11.00(a)(32) of the Law.

- (j) Five (5) years pursuant to Section 11.00(a)(35) of the Law.
- (k) Five (5) years pursuant to Section 11.00(a)(32) of the Law.
- (l) Five (5) years pursuant to Section 11.00(a)(35) of the Law.
- (m) Five (5) years pursuant to Section 11.00(a)(32) of the Law.
- (n) Five (5) years pursuant to Section 11.00(a)(32) of the Law.
- (o) Five (5) years pursuant to Section 11.00(a)(29) of the Law.
- (p) Five (5) years pursuant to Section 11.00(a)(32) of the Law.
- (q) Five (5) years pursuant to Section 11.00(a)(32) of the Law.
- (r) Fifteen (15) years pursuant to Section 11.00(a)(28) of the Law.

SECTION 3.

The plan of financing includes the issuance of \$474,803 serial bonds and the levy of a tax upon all of the real property in the Town to pay the principal of and interest on said bonds as the same shall become due and owing to the extent that repayment is not otherwise provided through contract revenue, donations, grants and user fees in connection with the Town's Kiwanis Ice Rink, Cantine Veteran Stadium Complex and Soccer Complex.

SECTION 4.

The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Law for the specific objects or purposes described in Section 1 of this resolution. If such temporary funds are used for any expenditure authorized in this resolution, the Town intends to reimburse such funds with the proceeds of the tax-exempt borrowing authorized and identified pursuant to Section 1 above.

SECTION 5.

The serial bonds issued to finance the cost of the objects or purposes described in Section 1 above shall mature no later than five (5) years to be measured from the date of the bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier.

SECTION 6.

The Town hereby covenants and agrees with the holders from time to time of said serial bonds of the Town issued pursuant to this resolution, and any bond anticipation notes of the Town issued in anticipation of the sale of said bonds, that the Town will duly and faithfully observe and comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of Bond Counsel to the Town, such compliance is not required by the Code and the Regulations to maintain the exemption of interest on said obligations from Federal income taxation.

SECTION 7.

Pursuant to Section 617.5(a) of the regulations of the New York State Department of Environmental Conservation, in the event that certain components of the Projects set forth in Section 1 of this resolution are subject to the procedures required by the State Environmental Quality Review Act ("SEQRA"), no "action", as the same is referred to in Article 9 of SEQRA and SEQRA regulations, shall be taken and no serial bonds shall be issued until all of the procedures and requirements set forth therein have been completed with respect to such Projects.

SECTION 8.

Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial 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 a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said serial bonds and any bond anticipation notes issued in anticipation 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 notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

SECTION 9.

It is intended that this resolution shall constitute an official intent within the meaning of Section 1.150-2 of the Regulations to reimburse the Town with the proceeds of the aforesaid bonds or bond anticipation notes to the extent of applicable expenses paid by the Town prior to the issuance of such bonds or bond anticipation notes.

SECTION 10.

Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of Section 30.00 of the Law relative to the authorization of the issuance of

serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Town Board of the Town relative to authorizing serial bonds and bond anticipation notes and prescribing the terms, form and content as to 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 notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town. Pursuant to the provisions of paragraph a of Section 56.00 of the Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Law, is hereby delegated to the Supervisor of the Town, the chief fiscal officer of said Town. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor of the Town, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 11.

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters feasibility consultants, counsel for the Town and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 12.

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation 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 are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 13.

This resolution shall be published in full in the designated official newspaper(s) of the Town for such purpose, together with a notice of the Clerk of the Town in substantially the form provided in Section 81.00 of the Law.

SECTION 14.

The bond resolution is not subject to a permissive referendum pursuant to Section 35.00(b)(1) of the Law.

SECTION 15.

This resolution shall take effect immediately.

Discussion: Councilman Macarille – purchasers should meet with Finance Committee before purchasing anything.
Councilman Tucker – does not mean all money will be used; still looking very hard at all aspects.
Supervisor Helsmoortel – if something is not purchased, that money will be taken off principal and paid back right away.
Councilman Costello – previous board and current board feels this is best approach to take.
Vote: Adopted – 5 Yes

NEXT SCHEDULED MEETINGS:

Wednesday – April 7, 2004
Pre-Board 6:00 pm
Regular Meeting 7:00 pm

Motion to adjourn made by Supervisor Helsmoortel, seconded by Councilman Macarille at 8:20 pm.
Vote: Adopted – 5 Yes

Town Clerk