

A special meeting of the Town Board of the Town of Goshen was held on the 30<sup>th</sup> day of June, 2005 at 2:00 p.m. in the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:

Honey Bernstein	Supervisor	Douglas Bloomfield	Councilman
Louis Cappella	Councilman	Richard Roberts	Councilman
Kenneth Newbold	Councilman		

Supervisor Bernstein called the meeting to order at 2:00 p.m.

Old Business:

Bond Resolutions:

1. Various Highway Improvements

Councilperson Louis Cappella offered the following resolution and moved its adoption:

**RESOLVED BY THE TOWN BOARD OF THE TOWN OF GOSHEN IN THE COUNTY OF ORANGE, NEW YORK, AS FOLLOWS:**

Section 1. The Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary in THE INDEPENDENT REPUBLICAN, a newspaper published in Goshen, New York, the official newspaper of said Town and having a general circulation therein, together with Notice attached in substantially the form as prescribed by Sec. 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

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the adoption of the foregoing resolution was seconded by Councilperson Richard Roberts and duly put to a vote on roll call, which resulted as follows:

AYES 5 NOES 0

This resolution was declared unanimously adopted.

**BOND RESOLUTION OF THE TOWN OF GOSHEN, ADOPTED JUNE 30, 2005, AUTHORIZING VARIOUS HIGHWAY IMPROVEMENTS, STATING THAT THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000.00, APPROPRIATEING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$150,000.00 SERIAL BONDS TO FINANCE SAID APPROPRIATION**

**WHEREAS**, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

**WHEREAS**, it is now desired to authorize the financing of such capital project;

**NOW THEREFORE**,

**BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF GOSHEN IN THE COUNTY OF ORANGE, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:**

Section 1. The Town is hereby authorized to make various highway improvements to existing roadways within the Town as set forth in the Town's 2005 Highway Improvement Program. The estimated maximum cost of said class of objects or purposes, including preliminary costs, costs of maps, plans, surveys, estimates, advertisements, legal documents and costs incidental hereto and the financing thereof, is \$150,000.00 and the said amount is hereby appropriated therefore. The plan of financing is the issuance of \$150,000.00 serial bonds to finance said appropriation and the levy of a tax on all the taxable real property within the Town to pay the principal of said bonds and interest thereon as the same shall become due and payable.

Section 2. Serial bonds in the principal amount of \$150,000.00 are hereby authorized to be issued pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated laws of the State of New York (herein called "Law") to finance said appropriation.

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

- a) The Period of probable usefulness applicable to the purpose for which said serial bonds herein authorized are to be issued, within the limitations of Section 11.00a.20b of the Law, is ten (10) years.
- b) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.
- c) The proceeds of the bond 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.

Section 4. The bonds authorized by this resolution and any bond anticipation notes in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Sec. 52.00 of the Law and said bonds and any notes issued in anticipation of such bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the

taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest of said bonds and any notes issued in anticipation of said bonds, and provisions 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 each year and (b) the payment of interest to be due and payable in each year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Sec. 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and of Sec. 30.00 relative to the authorization of the issuance of bond anticipation notes and of Sec. 50.00 and Sec. 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation said bonds, and the renewals of said bond anticipation notes, and relative to providing for substantially level or declining annual debt service, are hereby delegated to the Town 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 said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose of which the Town is not authorized to expend money, or
- (b) the Provisions of the 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 days after the date of such publication or

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

Section 7. This resolution shall take effect immediately.

Section 8. The object or purpose described in Section 1 hereof has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act.

## 2. Purchase of Various Highway Equipment

Councilman Douglas Bloomfield offered the following resolution and moved its adoption:

**RESOLVED BY THE TOWN BOARD OF THE TOWN OF GOSHEN IN THE  
COUNTY OF ORANGE, NEW YORK, AS FOLLOWS:**

Section 1. The Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in THE INDEPENDENT REPUBLICAN, a newspaper published in Goshen, New York, the official newspaper of said Town and having a general circulation therein, together with Notice attached in substantially the form as prescribed by Sec. 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by Councilperson Louis Cappella and duly put to a vote on roll call, which resulted as follows:

AYES: (5) NOE: (0)

This resolution was declared unanimously adopted.

**BOND RESOLUTION OF THE TOWN OF GOSHEN, ADOPTED JUNE 30, 2005,  
AUTHORIZING THE PURCHASE OF VARIOUS HIGHWAY DEPARTMENT  
EQUIPMENT, STATING THAT THE ESTIMATED MAXIMUM COST THEREOF IS  
\$265,000.00, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING  
THE ISSUANCE OF \$265,000.00 SERIAL BONDS TO FINANCE SAID  
APPROPRIATION.**

**WHEREAS**, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed: and

**WHEREAS**, it is now desired to authorize the financing of such capital project;

**NOW THEREFORE,**

**BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF GOSHEN IN THE  
COUNTY OF ORANGE, NEW YORK,** (by the favorable vote of not less than two-thirds of all the members of said Board) **AS FOLLOWS:**

Section 1. The Town is hereby authorized to purchase various equipment for the Town Highway Department, including a backhoe, a dump truck, a grader, and a sweeper. The estimated maximum cost of said class of objects or purposes, including preliminary costs, legal documents and costs

incidental hereto and the financing thereof, is \$265,000.00 and the said amount is hereby appropriated therefore. The plan of financing is the issuance of \$265,000.00 serial bonds to finance said appropriation and the levy of a tax on all the taxable real property within the Town to pay the principal of said bonds and interest thereon as the same shall become due and payable.

Section 2. Serial bonds in the principal amount of \$265,000.00 are hereby authorized to be issued pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated laws of the State of New York (herein called "Law"), to finance said appropriation.

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

- (a) The period of probable usefulness applicable to the purpose for which said serial bonds herein authorized are to be issued, within the limitations of Section 11.00a.28 of the Law, is fifteen (15) years.
- (b) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.
- (c) 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.

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Sec. 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service and of Sec. 30.00 relative to the authorization of the issuance of bond anticipation notes and off Sec. 50.00 and Sec. 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, forms and contents as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to providing for substantially level or declining annual debt service, are hereby delegated to the Town 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 said bonds, may be contested only if:

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

(b) the provisions of the 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 days after the date of such publication or

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

Section 7. This resolution shall take effect immediately.

Section 8. The object or purpose described in Section 1 hereof has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act.

The Board discussed a possible water restriction for Water/Sewer District 2 as well as down and there was an Orange & Rockland problem. No decision was made.

A topographical map of Salesian and its cost was discussed.

Councilman Bloomfield made a Motion to go into Executive Session to discuss personnel and possible pending litigation. The Motion was seconded by Councilman Roberts. Motion carried unanimously.

Time: 2:55 P.M.

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Valma Eisma, Town Clerk