



**OTHER BUSINESS (Continued):**

**Resolution Awarding Bid for Truck & Chassis-Mounted Combination High-Velocity Sewer Jet and Catch Basin Cleaner**

RESOLVED, motion made by Supervisor Dolan, seconded by Councilperson Spivak, that Town Board hereby awards the Town bid, according to bid specifications, for a dump truck with chassis-mounted combination high-velocity sewer jet and catch basin cleaner to the following company, the lowest responsible and sole bidder, at the amount indicated below, and authorizes the Town Supervisor to execute all necessary and appropriate documentation for the acquisition of same.

W. E. Timmerman Co., Inc.	Truck & Chassis: \$	73,851.00
3554 Route 22 West	Jet & Cleaner:	<u>179,655.00</u>
Whitehouse, NJ 08888	Total:	\$253,506.00

Adopted: AYES: [ 4 ] NAYS: [ 0 ] ABSENTEES: [ 1 ]

**Resolution Authorizing \$255,000 Bond for Truck and Chassis-Mounted Combination Sewer Jet and Catch Basin Cleaner**

Supervisor Dolan offered the following resolutions and moved their adoption.

BOND RESOLUTION OF THE TOWN OF TUXEDO AUTHORIZING THE PURCHASE OF A TRUCK AND CHASSIS-MOUNTED COMBINATION SEWER JET AND CATCH BASIN CLEANER, STATING THAT THE ESTIMATED MAXIMUM COST THEREOF IS \$255,000.00, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$255,000.00 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 TUXEDO IN THE COUNTY OF ORANGE, NEW YORK, AS FOLLOWS:**

Section 1. The Town is hereby authorized to purchase a truck and chassis-mounted combination sewer jet and catch basin cleaner. 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 \$255,000.00 and the said amount is hereby appropriated therefor. The plan of financing is the issuance of \$255,000.00 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 \$255,000.00 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 (1) 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.

**Resolution  
Awarding Bid for  
Truck & Chassis-  
Mounted  
Combination High-  
Velocity Sewer Jet  
and Catch Basin  
Cleaner**

**Resolution  
Authorizing  
\$255,000 Bond for  
Truck and Chassis-  
Mounted  
Combination Sewer  
Jet and Catch Basin  
Cleaner**

By my signature below, I affirm my approval of the adoption of these resolutions authorizing a \$255,000 bond for truck and chassis-mounted combination sewer jet and catch basin cleaner:

\_\_\_\_\_  
Thomas Darling

By my signature below, I affirm my approval of the adoption of these resolutions authorizing a \$255,000 bond for truck and chassis-mounted combination sewer jet and catch basin cleaner:

\_\_\_\_\_  
Lisa Spivak

**OTHER BUSINESS (Continued):**

**Resolution Authorizing \$255,000 Bond for Truck and Chassis-Mounted Combination Sewer Jet and Catch Basin Cleaner (Continued)**

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 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 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.

Councilperson Phelps seconded the adoption of the foregoing resolutions which were duly put to a vote on roll call which resulted as follows:

<b>Adopted:</b>	Councilperson Daniel Castricone	Absent
	Councilperson Thomas Darling	Aye
	Councilperson Gary Phelps	Absent
	Councilperson Lisa Spivak	Aye
	Supervisor Peter M. Dolan	Aye

With the authorizing signatures appearing in the margin of these Minutes, and the subsequent ratifying resolution adopted on August 24, 2009, the resolution, having received at least two-thirds vote of the members of the Town Board, was considered to be duly adopted.

**OTHER BUSINESS  
(Continued)**

**Resolution  
Authorizing  
\$255,000 Bond for  
Truck and Chassis-  
Mounted  
Combination Sewer  
Jet and Catch Basin  
Cleaner (Continued)**

**OTHER BUSINESS (Continued):**

**Resolution Authorizing Town Clerk to Publish Bond Resolution**

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Phelps, that the Town Board hereby authorizes and directs the Town Clerk to publish the foregoing bond resolution, in summary, in the *Times Herald Record*, a newspaper published in Tuxedo, New York, the official newspaper of said Town and having a general circulation therein, together with the Notice of Estoppel in substantially the form as prescribed by Sec. 81.00 of the Local Finance Law of the State of New York.

**Adopted:** AYES: [ 3 ]      NAYS: [ 0 ]      ABSENTEES: [ 2 ]

**Resolution  
Authorizing Town  
Clerk to Publish  
Bond Resolution**

**ADJOURNMENT**

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Phelps, to adjourn the meeting at 10:10 a.m.

**Adopted:** AYES: [ 3 ]      NAYS: [ 0 ]      ABSENTEES: [ 2 ]

**ADJOURNMENT**

Meeting adjourned.

Respectfully submitted,

Elaine M. Laurent  
Town Clerk