

NOTICE TO BIDDERS: CONSTRUCTION, REPLACEMENT AND REPAIR OF SIDEWALKS
ROUTE 340 & ROUTE 303.

EXHIBIT

12-A-04, 12/13/04

STATE OF NEW YORK)
COUNTY OF ROCKLAND)
TOWN OF ORANGETOWN)

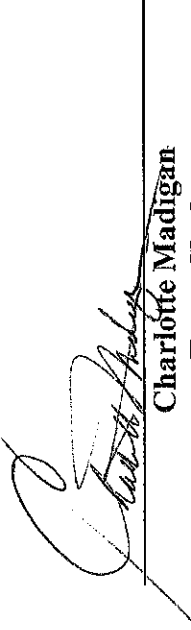
SS.

Charlotte Madigan being duly sworn upon her oath, deposes and says;

That, she is, at all times hereinafter mentioned was, duly elected, Qualified and acting Town Clerk of the **TOWN of ORANGETOWN**, in the County of Rockland, State of New York.

That, on the 20th day of October 2004, she caused to be conspicuously posted and fastened up a notice, a true copy of which is annexed hereto and made a part of hereof, in the following places, at least one of which is a public place within the **TOWN of ORANGETOWN**, New York.

1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.


Charlotte Madigan
Town Clerk

Subscribed and sworn to before me

This 20th day of October, 2004

ROBERT R. SIMON
Notary Public, State of New York
No. 016592557
Residing in Rockland County
Commission Expires December 21, 2 006



NOTICE TO BIDDERS

SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orangetown at the Town Clerk's Office, No. 26 Orangeburg Road, Orangeburg, New York until 10:30 a.m. on November 4, 2004, and will be publicly opened and read aloud at 11:00 A.M. for ROUTE 340 PROJECT, TOWN OF ORANGETOWN, ROUTE 303, ORANGEBURG, NEW YORK, the location of the construction, replacement and repair is in and around the Town of Orangetown, in accordance with the Contract Documents on file with and which may be obtained at the Town Clerk's Office.

The Town Clerk and the Superintendent Of Highways will submit a report to the Town Board of all bids received and their recommendations concerning the awarding of a contract at a meeting of the Town Board.

The Town Board of the Town of Orangetown reserves the right to waive any informalities in the bidding and to reject any and all bids.

The Town Board requires each bid to be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, or a bond with sufficient sureties to be approved by the Town Attorney, in a sum equal to five percent (5%) of the amount bid, conditioned that if his/her proposal is accepted, he/she will execute such further security as may be required for the faithful performance of the Contract as set forth in these contract documents.

The successful bidder will be required to post a Performance Bond in the amount of one hundred percent (100%) of the contract price.

No bid will be accepted without a Non-collusion Statement as required pursuant to Section 103d of the General Municipal Law.

Contractor warrants and represents that all employees and independent contractors affiliated with or employed by such contractors or any subcontractors shall be compensated at the prevailing wage, including, where applicable wage rates mandated by the New York State Department of Labor for the work performed in connection with any project.

It is understood that there must be a written contract executed by the Supervisor of the Town of Orangetown, pursuant to Town Board Resolution. This is subject to appropriations approved by the Town Board.

By order of the Town Board of the Town of Orangetown.

DATED: October 20, 2004

CHARLOTTE MADIGAN, TOWN CLERK

JAMES J. DEAN, SUPERINTENDENT OF HIGHWAYS

AFFIDAVIT OF PUBLICATION

from

The Journal News

STATE OF NEW YORK
COUNTY OF WESTCHESTER

<p>Northern Area</p> <p>Aranzack Aronack Baldwin Place Bedford Bedford Hills Canaan Chappaqua Crompond Cross River Croton Falls Croton on Hudson Golden Bridge Granite Springs Jefferson Valley Katonah Lincolndale Millwood Mohagan Lake Montrose Mount Kisco</p>	<p>North Salem Ossining Peekskill Pound Ridge Purdys Shenook Strub Oak Somers South Salem Verplank Waccabuc Yorktown Heights Brewster Carmel Cold Spring Ganton Lake Peekskill Mahopac Falls Putnam Valley Putnamson</p>	<p style="text-align: center; font-size: 2em;">X</p>
<p>Central Area</p> <p>Ardsley Ardsley on Hudson Debbs Ferry Elmsford Greenburgh Hampton Hartstone Hawthorne Irrington Katonah Manorack</p>	<p>Pleasantville Port Chester Purchase Rye Scarsdale Tarrytown Thornwood Valhalla White Plains Hastings on Hudson</p>	<p>Eastchester New Rochelle Pelham</p>
<p>Southern Area</p> <p>Mount Vernon Yonkers Tuckahoe Bronxville</p>	<p>Pomona Stonysburg Sparks Spring Valley Stony Point Tarrytown Tappan Tarrytown Tonawanda Valley Cottage West Haverstraw West Nyack</p>	<p>Rockland Area</p> <p>Suffern Blauvelt Congers Garnerville Haverstraw Hilborn Nanuet New City Nyack Orangeburg Paukades Pearl River Piermont</p>

Cherene Brandon
 I, *Cherene Brandon*, says that *heste* is the principal clerk of *News*, a newspaper published in the County of *West State of New York*, and the notice of which the *ann* printed copy, was published in the newspaper indicated left and on the dates checked below.

Ad # 1576026

	1	2	3	4	5	6	7	8	9	10	11	12	13
Oct													
	19	20	21	22	23	24	25	26	27	28	29	30	31
		X											

Signed

Sworn to before me

this 26th day of October 2004
Lola M. De

Notary Public, Westchester County

LOLA M. HALL
 NOTARY PUBLIC, STATE OF NEW YORK
 NO. 01HAG12693
 QUALIFIED IN WESTCHESTER COUNTY
 TERM EXPIRES JULY 6, 2008

NOTICE TO BIDDERS
 SEALED BIDS WILL BE RECEIVED by the Town Board of the Town of Orange town at the Town Clerk's Office, No. 26 Orangeburg Road, Orangeburg, New York on till 10:30 A.M. on November 4, 2004. Bids will be publicly opened and read aloud at 1:00 A.M. for ROUTE 340 PROJECT, TOWN OF ORANGETOWN, ROUTE 303, ORANGEBURG, NEW YORK. The successful bidder shall be responsible for all expenses incurred in connection with the awarding of a contract at a meeting of the Town Board. Documents on file with the Town Clerk's Office.

The Town Clerk and the Superintendent of Highways will submit a report to the Town Board of all bids received and their recommendations concerning the awarding of a contract at a meeting of the Town Board.

The Town Board of the Town of Orange town reserves the right to waive any irregularities in the bidding and to reject any and all bids.

The Town Board requires each bid to be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, or a bond with sufficient sureties to be approved by the Town Attorney, in a sum equal to five percent (5%) of the amount bid, conditioned that if his/her proposal is accepted, he/she will execute such further security as may be required for the faithful performance of the Contract as set forth in these contract documents.

The successful bidder will be required to post a Performance Bond in the amount of one hundred percent (100%) of the contract price.

No bid will be accepted without a Non-collusion Statement as required pursuant to Section 103d of the General Municipal Law.

Contractor warrants and represents that all employees and independent contractors, affiliated with or employed by such contractor or any subcontractors shall be compensated at the prevailing wage including, where applicable wages mandated by the New York State Department of Labor for the work performed in connection with any project.

It is understood that there must be a written contract executed by the Supervisor of the Town of Orange town, pursuant to Town Resolution. This is subject to appropriations approved by the Town Board.

By Order of the Town Board of the Town of Orange town,
 DATED October 20, 2004.
 CHARLOTTE MADIGAN,
 TOWN CLERK

JAMES J. DEAN
 SUPERINTENDENT OF HIGHWAYS

"Installation of Sidewalks, Curbing, and Drainage Facilities"

BID OPENING TIME:

11:00 AM

DATE 11/04/04

CONTRACTOR
NAME
&
ADDRESS

201 West 42nd St
 New York, NY
 F. J. McKeon Construction
 100 West 10th St
 Albany, NY
 F. J. McKeon Construction
 Bldg. 100 West 10th St
 Albany, NY
 Bldg. 100 West 10th St
 Albany, NY
 F. J. McKeon Construction
 100 West 10th St
 Albany, NY

DATE RECEIVED	11/04/04	11/04/04	11/04/04	11/04/04
TIME RECEIVED	10:38 am	10:30 am	9:59 am	9:58 am
NON COLLISION STATEMENT	✓	✓	✓	✓
BID BOND or CERTIFIED CHECK	✓	✓	✓	✓
1960 LF - New Concrete Curbs				
Unit Price/LF	\$ 40.00 LF	\$ 35.00 LF	\$ 45.00 LF	\$ 42.62 LF
Computed Total	\$ 78,000.00	\$ 68,250.00	\$ 87,750.00	\$ 83,187.00
10,175 SF - New Concrete Sidewalk				
Unit Price/SF	\$ 16.0 SF	\$ 8.00 SF	\$ 18.00 SF	\$ 10.46 SF
Computed Total	\$ 162,800.00	\$ 81,400.00	\$ 183,150.00	\$ 106,430.50
1 EA - Handicap Curb Ramps				
Unit Price/EA	\$ 193.00 ea.	\$ 2,000.00 ea.	\$ 250.00	\$ 1495.17 ea.
Computed Total	\$ 193.00	\$ 2,000.00	\$ 250.00	\$ 1495.17
1071 LF - 15" RCP				
Unit Price/LF	\$ 114.00 LF	\$ 60.00 LF	\$ 95.00 LF	\$ 76.73 LF
Computed Total	\$ 122,094.00	\$ 61,200.00	\$ 101,745.00	\$ 82,177.83
6 EA. Catch Basin Installation Complete				
Unit Price/EA	\$ 4,000.00	\$ 4,200.00 ea.	\$ 4,000.00	\$ 2,615.57
Computed Total	\$ 24,000.00	\$ 25,200.00	\$ 24,000.00	\$ 15,693.42
1 CY - Rock Excavation				
Unit Price/CY	\$ 300.00	\$ 500.00	\$ 500.00	\$ 508.65
Computed Total	\$ 300.00	\$ 500.00	\$ 500.00	\$ 508.65

* 387, 387.00 / 24, 610.00

Resolution 710.8/1
12/13/04

JAMES J. DEAN

Superintendent of Highways
Roadmaster II

Orangetown Representative
R.C. Soil & Water Conservation Dist. - Chairman
R.C. Water Quality Commission

Member:
American Public Works Association
Assoc. of Town Superintendents of Hwys.
Hwy Superintendents' Assoc. of R.C. - Chairman



HIGHWAY DEPARTMENT
TOWN OF ORANGETOWN
119 Route 303 • Orangetown, NY 10962
(845) 359-6300 • Fax (845) 359-6762
E-Mail - www.hi@townoforangetown.org

Memorandum

Date: 12/13/04
To: Town Board, Town Clerk
From: James J. Dean, Superintendent Highway, *James J. Dean*
RE: Bid Recommendation - Route 340 Curb, Sidewalk and Drainage Project

It is recommended that the above noted bid be awarded to CMC Construction Corp. of Middletown, New York, in the amount of \$241,110.00, the lowest qualified bidder.

I have attached a copy of the bid sheet for your information.

kj

Attachment

EXHIBIT

12-B-04, 12/13/04

EXTRACT OF MINUTES

Meeting of the Town Board of the Town of Orangetown,
in the County of Rockland, New York

December 13, 2004

* * *

A regular meeting of the Town Board of the Town of Orangetown, in the County of Rockland, New York, was held at the Town Hall, in said Town, on December 13, 2004 at 7:30 o'clock P.M. (Prevailing Time).

There were present: Honorable Thom Kleiner, Supervisor; and
Councilman Denis O'Donnell
Councilman Denis Troy
Councilwoman Marie Manning
Councilman Thomas Morr

There were absent: None

Also present: Charlotte Madigan, Town Clerk

Councilman Troy offered the following resolution and moved its

adoption:

RESOLUTION OF THE TOWN OF ORANGETOWN, NEW YORK,
ADOPTED DECEMBER 13, 2004, AUTHORIZING THE INCREASE IN
THE MAXIMUM AMOUNT FOR THE CONSTRUCTION OF
IMPROVEMENTS TO THE SEWAGE COLLECTION AND
TREATMENT SYSTEM, IN THE TOWN.

Recitals

WHEREAS, the Town Board of the Town of Orangetown (herein called "Town"), in the County of Rockland, New York, has caused Lawler, Matusky & Skelly, Engineers, LLP, duly licensed engineers by the State of New York, to prepare a general map, plan and report for constructing proposed improvements to the Town of Orangetown's Sewer Collection and Treatment System (the "System"), which map, plan and report, dated April 2003 (the "Report") have been duly filed in the office of the Town Clerk of the Town for public inspection;

WHEREAS, the Villages of Nyack, South Nyack, Grand View on Hudson and Piermont (collectively referred to hereinafter as the "Villages"), by resolutions duly adopted by their respective boards of trustees, have each accepted and approved the recommendations of the Joint Municipal Survey Committee on Sewer Service (the "Committee") set forth in the resolution of the Committee duly adopted October 22, 1968, including the recommendations that the Town provide and extend its sewer services and facilities, including the construction of such sewer facilities in the Town and in the Villages, as may be necessary to provide such services and to spread the cost thereof against the affected areas of the Town outside the Villages and against the affected areas of such Villages, in the Town (such affected areas shall be all that portion of the unincorporated area of the Town of Orangetown and the incorporated area of the

Town, except that portion of the Town constituting a portion of the Town known as the hamlet of Pallisades, and said affected areas shall be herein collectively called the "Proposed Benefitted Area");

WHEREAS, the proposed improvements are to be constructed in the Proposed Benefitted Area, and will include the replacement and/or reconstruction of the Shadyside Avenue Sewer Line (the "Proposed Improvements"), as further described in the Report;

WHEREAS, the maximum amount proposed to be expended for the Proposed Improvements, including contingencies, administrative and legal expenses and costs of financing, as described in the Report, was originally proposed to be \$162,500, which is planned to be financed by the issuance of serial bonds of the Town, and the assessment, levy and collection of assessments upon the several lots and parcels of land in the Proposed Benefitted Area in the same manner and at the same time as other Town charges;

WHEREAS, due to the inclusion of associated engineering and design fees and to the passage of time, the costs of materials to be used in the construction of the Proposed Improvements have substantially increased and

WHEREAS, by a letter dated November 2, 2004, Lawler, Matusky & Skelly, Engineers, LLP, duly licensed engineers by the State of New York, has determined that the maximum amount proposed to be expended for the Proposed Improvements, including contingencies, administrative and legal expenses and costs of financing, be increased by \$112,500, so that the maximum amount proposed to be expended for the Proposed Improvements is now \$275,000, which is planned to be financed by the issuance of serial bonds of the Town, and the assessment, levy and collection of assessments upon the several lots and

parcels of land in the Proposed Benefitted Area in the same manner and at the same time as other Town charges; and

WHEREAS, pursuant to an Order duly adopted on October 25, 2004, the Town Board adopted an Order specifying November 22, 2004 at 8 o'clock P.M. (Prevailing Time) as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the increase in maximum amount to be expended for the construction of such improvements, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law;

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of Article 3-A of the Town Law; and

WHEREAS, a public hearing in the matter was duly held by the Town Board on this 22nd day of November, 2004, commencing at 8 o'clock P.M. (Prevailing Time), at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the increase in the maximum amount to be expended for the construction of such improvements to the System;

NOW, THEREFORE, upon the evidence adduced at such public hearing, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN,
IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that:

(a) the notice of public hearing was published and posted as required by Law, and is otherwise sufficient; and

(b) it is in the public interest to increase the maximum amount to be expended for the construct the Proposed Improvements to the System.

Section 2. The maximum amount proposed to be expended for the construction of said improvements is \$275,000, which is planned to be financed by the issuance of serial bonds of the Town and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the Proposed Benefitted Area in the same manner and at the same time as other Town charges to pay the principal of and interest on said bonds

Section 3. The Town Clerk of the Town is hereby authorized and directed within ten (10) days after the adoption of this resolution, to cause a certified copy of said resolution to be duly recorded in the office of the Rockland County Clerk.

Section 4. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by

Councilman Morr and duly put to a vote on role call, which resulted as follows:

AYES: Councilpersons Troy, Morr, O'Donnell
Supervisor Kleiner

NOES: None

The resolution was declared adopted.

* * *

Councilman Troy offered the following resolution and moved its

adoption:

RESOLUTION OF THE TOWN OF ORANGETOWN, NEW
YORK, ADOPTED DECEMBER 13, 2004, AMENDING THE
BOND RESOLUTION ADOPTED JUNE 23, 2003.

Recitals

WHEREAS, the Town Board of the Town of Orangetown, in the County of Rockland, New York (the "Town"), has heretofore duly authorized construction of improvements to the Town's Sewage Collection and Treatment System, at the estimated maximum cost of \$162,500, which amount was appropriated therefor pursuant to the bond resolution adopted by said Town Board on June 23, 2003; and

WHEREAS, due to increased costs of the project, the estimated cost of said project has now been determined to be \$275,000, and it is necessary and in the public interest to increase the appropriation therefor by \$112,500 and to amend said bond resolution to reflect such increase and to authorize the issuance of additional serial bonds to finance such additional cost;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN
IN THE COUNTY OF ROCKLAND, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Town Board) AS FOLLOWS:

Section (A) The bond resolution of said Town adopted by the Town Board on June 23, 2003, entitled:

"Bond Resolution of the Town of Orangetown, New York, adopted June 23, 2003, appropriating \$162,500 for the construction of improvements to the Sewage Collection and Treatment System, in said Town and authorizing the issuance of \$162,500 serial bonds of said Town to finance said appropriation,"

is hereby amended to read as follows:

BOND RESOLUTION OF THE TOWN OF ORANGETOWN, NEW YORK, ADOPTED JUNE 23, 2003 AND AMENDED DECEMBER 13, 2004, APPROPRIATING \$275,000 FOR THE CONSTRUCTION OF IMPROVEMENTS TO THE SEWAGE COLLECTION AND TREATMENT SYSTEM, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF \$275,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

Recitals

WHEREAS, the Town Board of the Town of Orangetown (herein called "Town"), in the County of Rockland, New York, has caused Lawler, Matusky & Skelly, Engineers, LLP, duly licensed engineers by the State of New York, to prepare a general map, plan and report for constructing proposed improvements to the Town of Orangetown's Sewer Collection and Treatment System (the "System"), which map, plan and report, dated April 2003 (the "Report") have been duly filed in the office of the Town Clerk of the Town for public inspection;

WHEREAS, the Villages of Nyack, South Nyack, Grand View on Hudson and Piermont (collectively referred to hereinafter as the "Villages"), by resolutions duly adopted by their respective boards of trustees, have each accepted and approved the recommendations of the Joint Municipal Survey Committee on Sewer Service (the "Committee") set forth in the resolution of the Committee duly adopted October 22, 1968, including the recommendations that the Town provide and extend its sewer services and facilities, including the construction of such

sewer facilities in the Town and in the Villages, as may be necessary to provide such services and to spread the cost thereof against the affected areas of the Town outside the Villages and against the affected areas of such Villages, in the Town (such affected areas shall be all that portion of the unincorporated area of the Town of Orangetown and the incorporated area of the Town, except that portion of the Town constituting a portion of the Town known as the hamlet of Pallisades, and said affected areas shall be herein collectively called the "Proposed Benefitted Area");

WHEREAS, the proposed improvements are to be constructed in the Proposed Benefitted Area, and will include the replacement and/or reconstruction of the Shadyside Avenue Sewer Line (the "Proposed Improvements"), as further described in the Report;

WHEREAS, the maximum amount proposed to be expended for the Proposed Improvements, including contingencies, administrative and legal expenses and costs of financing, as described in the Report, was originally proposed to be \$162,500, which is planned to be financed by the issuance of serial bonds of the Town, and the assessment, levy and collection of assessments upon the several lots and parcels of land in the Proposed Benefitted Area in the same manner and at the same time as other Town charges;

WHEREAS, due to the inclusion of associated engineering and design fees and to the passage of time, the costs of materials to be used in the construction of the Proposed Improvements have substantially increased and

WHEREAS, by a letter dated November 2, 2004, Lawler, Matusky & Skelly, Engineers, LLP, duly licensed engineers by the State of New York, has determined that the maximum amount proposed to be expended for the Proposed Improvements, including contingencies, administrative and legal expenses and costs of financing, be increased by

\$112,500, so that the maximum amount proposed to be expended for the Proposed Improvements is now \$275,000, which is planned to be financed by the issuance of serial bonds of the Town, and the assessment, levy and collection of assessments upon the several lots and parcels of land in the Proposed Benefitted Area in the same manner and at the same time as other Town charges; and

WHEREAS, pursuant to an Order duly adopted on October 25, 2004, the Town Board adopted an Order specifying November 22, 2004 at 8 o'clock P.M. (Prevailing Time) as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the increase in the maximum amount of the construction of such improvements, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law;

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of Article 3-A of the Town Law; and

WHEREAS, a public hearing in the matter was duly held by the Town Board on this 22nd day of November, 2004, commencing at 8 o'clock P.M. (Prevailing Time), at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the increase in the maximum amount to be expended for the construction of such improvements to the System;

Now, therefore, be it

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

Section 1. The Town hereby appropriates the amount of \$275,000 for the construction of certain sewer system improvements to the System, including the acquisition of land or rights in land, original furnishings, equipments, machinery and apparatus, in the Town, all as hereinabove referred to in the Recitals of this resolution, and in accordance with the map, plan and report prepared by Lawler, Matusky & Skelly, Engineers, LLP, on file in the office of the Town Clerk and heretofore approved by the Town Board of the Town. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$275,000 and the plan of financing includes the issuance of serial bonds of the Town in the principal amount of \$275,000 and the levy and collection of special assessments upon the several lots and parcels of land in the Proposed Benefitted Area in the same manner and at the same time as other Town charges to pay the principal of and interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of \$275,000 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 "Law"), to finance said appropriation.

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

(a) The period of probable usefulness of said specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 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 or purposes for which said bonds are authorized.

(c) The proposed maturity of the bonds authorized by this resolution shall exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any notes issued in anticipation of the sale of said bonds or the renewals of said notes shall contain the recital of validity 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 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 on said bonds and any notes issued in anticipation of said bonds or the renewals of said notes, and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds 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 the issuance of bonds having substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Sections 50.00 and 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing the issuance of any notes in anticipation of the sale of serial bonds herein authorized or the renewals of said notes and relative to prescribing the terms, form and contents and as to the sale and issuance of the serial bonds herein authorized and of any notes in

anticipation of the sale of said bonds or the renewals of said notes, 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 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 resolution shall take effect immediately.

Section (B) The amendment of the bond resolution set forth in Section A of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Councilman Troy offered the following resolution and moved its adoption:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF ORANGETOWN,
IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of the Town of Orangetown, in the County of Rockland, New York, is hereby directed to publish the foregoing bond resolution, in summary, in "*The Journal News*," a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

* * *

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

AYES: Councilpersons Troy, Morr, O'Donnell, Manning
Supervisor Kleiner

NOES: None

The resolution was declared adopted.

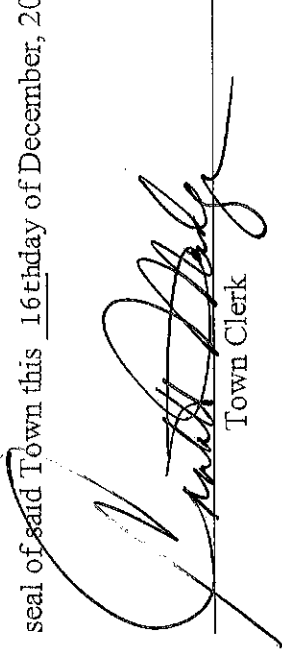
* * *

CERTIFICATE

I, CHARLOTTE MADIGAN, Town Clerk of the Town of Orangetown, in the County of Rockland, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on December 13, 2004, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete, correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 16th day of December, 2004.

(SEAL)



Town Clerk

(NOTICE TO BE ATTACHED TO AND TO BE PUBLISHED
WITH SUMMARY FORM OF RESOLUTION AFTER ADOPTION)

NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 23rd day of June, 2003 and amended on the 13th day of December, 2004, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF ORANGETOWN, in the County of Rockland, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

CHARLOTTE MADIGAN
Town Clerk

BOND RESOLUTION OF THE TOWN OF ORANGETOWN,
NEW YORK, ADOPTED JUNE 23, 2003 AND AMENDED
DECEMBER 13, 2004, APPROPRIATING \$275,000 FOR THE
CONSTRUCTION OF IMPROVEMENTS TO THE SEWAGE
COLLECTION AND TREATMENT SYSTEM, IN SAID TOWN,
AND AUTHORIZING THE ISSUANCE OF \$275,000 SERIAL
BONDS OF SAID TOWN TO FINANCE SAID
APPROPRIATION.

Object or purpose:	the construction of certain sewer improvements to the Sewage Collection and Treatment System, in the Town
Period of probable usefulness:	forty (40) years
Amount of obligations to be issued:	\$275,000

A complete copy of the bond resolution summarized above shall be available for public
inspection during normal business hours at the office of the Town Clerk, 26 Orangeburg Road,
Orangeburg, New York.

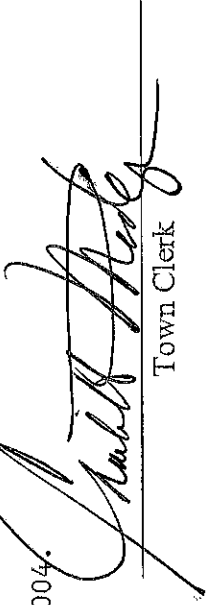
Dated: December 13, 2004
Orangeburg, New York

STATE OF NEW YORK)
 :SS:
COUNTY OF ROCKLAND)

I, Charlotte Madigan, Town Clerk of the Town of Orangetown, in the County of Rockland, State of New York, DO HEREBY CERTIFY that I have compared the preceding Resolution Authorizing the Construction of Improvements to the Sewage Collection and Treatment System with the original thereof filed in my office on the 13th day of December, 2004 and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 16th day of December 2004.

(SEAL)


Town Clerk

STATE OF NEW YORK)
:ss:
COUNTY OF ROCKLAND)

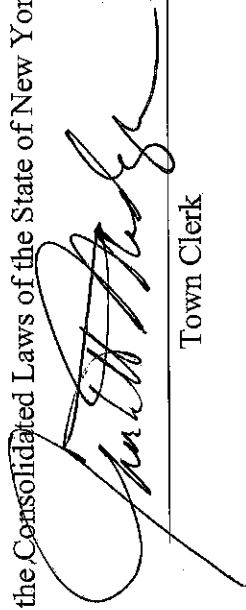
Charlotte Madigan, being duly sworn, deposes and says:

That she is now and at all times hereinafter mentioned has been the duly elected, qualified and acting Town Clerk of the Town of Orangetown, in the County of Rockland, New York;

That on the 16 day of December, 2004, on behalf of the Town Board of said Town, she caused a certified copy of the Resolution, dated December 13, 2004, a certified copy of which is annexed hereto and made a part hereof, for the construction of improvements to the Sewage Collection and Treatment System, in the Town of Orangetown, in a proceeding entitled:


“Bond Resolution of the Town of Orangetown, New York, adopted June 23, 2003 and amended December 13, 2004, appropriating \$275,000 for the construction of improvements to the Sewage Collection and Treatment System, in said Town, and authorizing the issuance of \$275,000 serial bonds of said Town to finance said appropriation.”

to be recorded in the office of the County Clerk of the County of Rockland, New York, which has been adopted by said Town Board at a meeting held December 13, 2004, and that said filing was done either personally or by mail in accordance with the provisions of Article 3-A of the Town Law, constituting Chapter 64 of the Consolidated Laws of the State of New York.


Town Clerk

Subscribed and sworn to before me

this 16 day of December, 2004.


Notary Public, State of New York

ROBERT R. STON
Notary Public, State of New York
No. 615680007

Residing in Rockland County
Commission Expires December 21, 2 06