

TOWN OF MARLBOROUGH TOWN BOARD
SPECIAL MEETING
AUGUST 5, 2019 7:00 PM
BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,200,000 SERIAL BONDS TO
PAY COSTS OF THE RECONSTRUCTION OF THE MILTON LANDING SOUTH PIER
MINUTES OF MEETING

Present: Supervisor Lanzetta
Councilman Molinelli
Councilman Corcoran
Councilman Koenig
Councilman Baker

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

Councilman Molinelli made a motion to approve the agenda. Motion seconded by Councilman Koenig.

Yeas: 5 Nays: 0 Carried

ITEM #4 Resolutions

A). Resolution #56 Bond resolution authorizing the issuance of \$1,200,000 Serial Bonds to pay costs of the reconstruction of the Milton Landing South Pier

Tabled from May 28, 2019

ITEM #5 Adjournment

Councilman Koenig made a motion to adjourn the special meeting at 7:07 p.m. Motion seconded by Councilman Molinelli.

Yeas: 5 Nays: 0 Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*

August 5, 2019

A). Resolution #56 Bond resolution authorizing the issuance of \$1,200,000 Serial Bonds to pay costs of the reconstruction of the Milton Landing South Pier
Tabled from May 28, 2019

BOND RESOLUTION

At a special meeting of the Town Board of the Town of Marlborough, Ulster County, New York, held at the Town Hall, 21 Milton Turnpike, Suite 200, Milton, New York, on the 5th day of August, 2019, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Lanzetta, and upon roll being called, the following were

PRESENT: Supervisor Lanzetta
Councilman Molinelli
Councilman Corcoran
Councilman Koenig
Councilman Baker

ABSENT:

The following resolution was offered by Councilman Molinelli, who moved its adoption, seconded by Councilman Koenig, to-wit:

BOND RESOLUTION DATED AUGUST 5, 2019

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,200,000 SERIAL BONDS OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, TO PAY COSTS OF THE RECONSTRUCTION OF THE MILTON LANDING SOUTH PIER IN THE TOWN OF MARLBOROUGH

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Marlborough, Ulster County, New York, as follows:

Section 1. The reconstruction of the Milton Landing South Pier at a maximum estimated cost of \$1,568,730 is hereby authorized in and for the Town of Marlborough, Ulster County, New York. The foregoing object or purpose has a period of probable usefulness of twenty years pursuant to Section 11.00(a)(7) of the Local Finance Law. It is hereby further determined that the foregoing object or purpose is a Type II Action as defined in the SEQRA regulations of the State of New York and that such object or purpose will have no significant impact upon the environment.

Section 2. The total maximum estimated cost of the aforesaid object or purpose is \$1,568,730 and the plan for the financing thereof is by (a) the issuance of up to \$1,200,000 bonds of the Town of Marlborough hereby authorized to be issued therefor pursuant to the Local Finance Law, (b) the expenditure of a grant in the amount of \$313,000 from the New York State Empire Development Fund, and (c) the expenditure of funds from the general fund of the Town of Marlborough. It is hereby determined that no down payment is required pursuant to Section 107.00(d)(3)(e) and Section 107.00(d)(9) of the Local Finance Law.

Section 3. The faith and credit of said Town of Marlborough, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year in amount sufficient to pay the principal of and interest on such bonds becoming due and payable in such

year. There shall annually be levied a tax on all the taxable real property of said Town in amount sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein, and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this 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

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. This resolution shall be published in summary form in the Southern Ulster Times, which is hereby designated as the official newspaper for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 9. This resolution is adopted subject to a permissive referendum. The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

WHEREUPON, the following vote was taken:

Supervisor Lanzetta	Yes
Councilman Molinelli	Yes
Councilman Corcoran	Yes
Councilman Baker	Yes
Councilman Koenig	Yes

Dated: Milton, New York
August 5, 2019

COLLEEN CORCORAN,
TOWN CLERK

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF ULSTER)

I, the undersigned Clerk of the Town of Marlborough, County of Ulster, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 5th day of August 2019.
2. That such meeting was a special meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting was caused to be given PRIOR THERETO in the following manner:

PUBLICATION

Southern Ulster Times, Weekly Newspaper – Wednesday, July 31, 2019 through Tuesday, August 6, 2019

POSTING

Official Signboard of the Town Clerk, Marlboro Post Office, Milton Post Office – July 23, 2019 through and including August 5, 2019

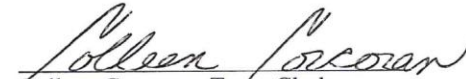
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 5th day of August, 2019.

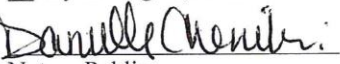
Colleen Corcoran, Town Clerk

(CORPORATE SEAL)

STATE OF NEW YORK)
 ss.:
COUNTY OF ULSTER)

I, the undersigned Clerk of the Town of Marlborough, Ulster County, New York, DO HEREBY CERTIFY that on the 16th day of August, 2019, I duly caused a copy of the attached Notice of Adoption to be conspicuously posted on the sign-board maintained pursuant to Town Law section 30(6) located at the entrance of Town Hall, 21 Milton Turnpike, Suite 200, Milton, New York.


Colleen Corcoran, Town Clerk

Sworn to before me this
16th day of August, 2019

Notary Public

DANIELLE CHERUBINI
Notary Public, State of New York
Qualified in Ulster County
No. 01CH6284534
Commission Expires June 17, 2021

Affidavit of Publication

To: Town of Marlborough, Town Clerk
 and Tax Collector
 PO Box 305
 Milton, NY 12547

Re: Legal notice #97340

State of New York }
) SS:
 County of Orange }

I, Carl Aiello, being duly sworn, depose and say: that I am the Publisher of Southern Ulster Times, a weekly newspaper of general circulation published in Newburgh, County of Orange, State of New York; that a notice, of which the annexed is a printed copy, has been duly and regularly published in Southern Ulster Times once each week for 2 consecutive weeks; and that the dates of publication were as follows: 08/07/19 and 08/14/19.

Carl Aiello

 Carl Aiello

Sworn to before me this 14th day of August, 2019

Diane M. Holbert

Diane M. Holbert
 Notary Public, State of New York
 No. 4961755
 Qualified in Orange County
 My commission expires on February 5, 2022

TOWN OF MARLBOROUGH
 NOTICE OF ADOPTION OF RESOLUTION
 PLEASE TAKE NOTICE that the Town Board of the Town of Marlborough, Ulster County, New York, has, on the 5th day of August, 2019, duly adopted a Bond Resolution, an abstract of which is published herewith, subject to a permissive referendum.
 A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk of the Town for a period of thirty days from the date of publication of this Notice.
 Dated: Milton, New York
 August 5, 2019
 Colleen Corcoran
 Town Clerk
 Town of Marlborough
 BOND RESOLUTION DATED AUGUST 5, 2019
 A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,200,000 SERIAL BONDS OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, TO PAY COSTS OF THE RECONSTRUCTION OF THE Milton Landing SOUTH Pier IN THE TOWN OF MARLBOROUGH
 Class of objects or purposes:
 Reconstruction of the Milton Landing South Pier
 Maximum estimated cost: \$1,568,730
 Period of probable usefulness: Twenty years
 Maturity of obligations: Not to exceed twenty years
 Amount of obligations to be issued:
 \$1,200,000 bonds #97340

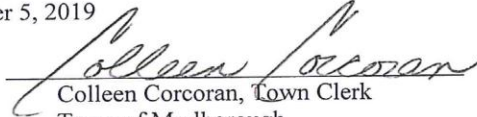
LEGAL NOTICE OF ESTOPPEL

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town Board of the Town of Marlborough, Ulster County, New York, on the 5th day of August, 2019, 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 said Town 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 (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

PLEASE TAKE FURTHER NOTICE that the resolution published herewith was adopted subject to a permissive referendum and that the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk of the Town for a period of thirty days from the date of publication of this Notice.

Dated: Milton, New York
September 5, 2019


Colleen Corcoran, Town Clerk
Town of Marlborough

BOND RESOLUTION DATED AUGUST 5, 2019

A A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,200,000 SERIAL BONDS OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, TO PAY COSTS OF THE RECONSTRUCTION OF THE MILTON LANDING SOUTH PIER IN THE TOWN OF MARLBOROUGH

Class of objects or purposes:	Reconstruction of the Milton Landing South Pier
Maximum estimated cost:	\$1,568,730
Period of probable usefulness:	Twenty years
Maturity of obligations:	Not to exceed twenty years
Amount of obligations to be issued:	\$1,200,000 bonds

Affidavit of Publication

To: Town of Marlborough, Town Clerk
 and Tax Collector
 PO Box 305
 Milton, NY 12547

Re: Legal notice #97660

State of New York }
 } SS:
 County of Orange }

I, Carl Aiello, being duly sworn, depose and say: that I am the Publisher of Southern Ulster Times, a weekly newspaper of general circulation published in Newburgh, County of Orange, State of New York; that a notice, of which the annexed is a printed copy, has been duly and regularly published in Southern Ulster Times once each week for 2 consecutive weeks; and that the dates of publication were as follows: 09/11/19 and 09/18/19.

Carl Aiello

 Carl Aiello

Sworn to before me this 18th day of September, 2019

Diane M. Holbert

Diane M. Holbert
 Notary Public, State of New York
 No. 4961755
 Qualified in Orange County
 My commission expires on February 5, 2022

Town of Marlborough
 TOWN OF MARLBOROUGH
 LEGAL NOTICE OF ESTOPPEL
 NOTICE IS HEREBY GIVEN that
 the resolution published herewith has
 been adopted by the Town Board of the
 Town of Marlborough, Ulster County,
 New York, on the 5th day of August,
 2019, and the validity of the obligations
 authorized by such resolution may be
 hereafter contested only if such obliga-
 tions were authorized for an object or
 purpose for which said Town 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 sub-
 stantially complied with, and an action,
 suit or proceeding contesting such
 validity is commenced within twenty
 (20) days after the date of publication
 of this notice, or such obligations were
 authorized in violation of the provisions
 of the Constitution.
 PLEASE TAKE FURTHER NOTICE
 that the resolution published herewith
 was adopted subject to a permissive
 referendum and that the period of time
 has elapsed for the submission and
 filing of a petition for a permissive re-
 ferendum and a valid petition has not
 been submitted and filed.
 A complete copy of the resolution
 summarized herewith is available for
 public inspection during regular busi-
 ness hours at the Office of the Town
 Clerk of the Town for a period of thirty
 days from the date of publication of
 this Notice.
 Dated: Milton, New York
 September 5, 2019
 Colleen Corcoran
 Town Clerk
 Town of Marlborough
 BOND RESOLUTION DATED
 AUGUST 5, 2019
 A RESOLUTION AUTHORIZING
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