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June 30, 2020

Town of Woodbury, New York  
Resolution Calling for Special Town Election  
(Our File Designation: 5653/43680)

Frank Palermo  
Supervisor  
Town of Woodbury  
615 Route 32  
Highland Mills, New York 10930

Dear Frank:

Pursuant to your request, I have prepared the attached draft Extract of Minutes of the Town Board meeting to be held on July 2, 2020, showing adoption of the resolution calling for a Special Town Election to be held on September 9, 2020 and the submission of a Proposition to the qualified voters of the Town at said Special Town Election regarding the issuance of bonds to finance construction of a new Town pool.

The resolution contains the form of Notice of submission of the Proposition to be published in the official Town newspaper and posted on the sign board of the Town maintained pursuant to subdivision to Section 30 of the Town Law, at least 10 days prior to the Election. In addition, I have enclosed the Affidavit of Posting to be executed by the Town Clerk. A copy of the Notice, as posted, should be attached to this Affidavit.

Also attached is the form of Estoppel Notice, which is to be published only in the event the Proposition is approved by the voters.

Please obtain and forward to me a certified copy of the Extract of Minutes, an executed Affidavit of Posting and, if the Proposition is approved by the voters, an original affidavit of publication of the Estoppel Notice.

With best regards, I am

Very truly yours,

A handwritten signature in black ink that reads "Robert P. Smith". The signature is written in a cursive style with a large, stylized initial "R".

Robert P. Smith

RPS/ml  
Enclosures

cc: Desiree Potvin, Town Clerk  
Joseph McKay, Esq., Town Attorney

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Woodbury, in the

County of Orange, New York

July 2, 2020

\* \* \*

A regular meeting of the Town Board of the Town of Woodbury, in the County of Orange, New York, was held at the Town Hall, 615 Route 32, Highland Mills, New York, on July 2, 2020.

There were present: Hon. Frank Palermo, Supervisor; and  
Boardmembers:

There were absent:

Also present: Desiree Potvin, Town Clerk

\* \* \*

\_\_\_\_\_ offered the following resolution and moved its  
adoption:



EXTRACT OF MINUTES

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There were present: Hon. Frank Palermo, Supervisor; and

Boardmembers:

There were absent:

Also present: Desiree Potvin, Town Clerk

\* \* \*

\_\_\_\_\_ offered the following resolution and moved its  
adoption:

RESOLUTION OF THE TOWN OF WOODBURY, NEW YORK, ADOPTED JULY 2, 2020, CALLING FOR A SPECIAL TOWN ELECTION TO BE HELD ON SEPTEMBER 9, 2020, FOR THE PURPOSE OF SUBMITTING A PROPOSITION FOR THE APPROVAL OR DISAPPROVAL OF A BOND RESOLUTION TO THE QUALIFIED VOTERS OF THE TOWN, PRESCRIBING THE FORM OF NOTICE TO BE PUBLISHED FOR SAID SPECIAL TOWN ELECTION, AND MAKING OTHER DETERMINATIONS IN CONNECTION THEREWITH

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

Section 1. A Special Town Election of the Town of Woodbury, in the County of Orange, New York (the "Town"), shall be held in the Town, on September 9, 2020, at 9:00 o'clock A.M. (Prevailing Time). A Proposition for the approval or disapproval of the bond resolution adopted by the Town Board of the Town on July 2, 2020 shall be submitted to the qualified voters of the Town at said Special Town Election, and said bond resolution shall take effect only upon the approval of the Proposition by said voters of the Town at said Special Town Election. The vote upon the Proposition to be submitted to the qualified voters shall be by voting machines and the Town Clerk is hereby authorized and directed to have the necessary ballot labels prepared for use in voting. The Town Clerk is hereby authorized and directed to give notice of submission of said Proposition at said Special Town Election (a) by publishing, at least ten (10) days prior to such Special Town Election, a Notice thereof substantially in the form as hereinafter set forth, at least once in the "*Times Herald Record*" a newspaper having general circulation in the Town, and hereby designated the official newspaper of the Town for such publication, and (b) by posting such notice at least ten (10) days prior to such Special Town Election on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law. Said Notice shall be in substantially the following form:

TOWN OF WOODBURY, NEW YORK

NOTICE OF SPECIAL ELECTION  
TO BE HELD ON  
SEPTEMBER 9, 2020

PLEASE TAKE NOTICE that a Special Town Election shall be held on September 9, 2020, in the Town of Woodbury, in the County of Orange, New York, **at the Woodbury Senior Center, 16 County Route 105, Highland Mills, New York.** The polls shall remain open from 9:00 o'clock A.M. (Prevailing Time) until 9:00 o'clock P.M. (Prevailing Time) or as much longer as may be necessary to enable the voters then present to cast their votes. Such Special Town Election shall be conducted in accordance with procedures determined pursuant to applicable law and by the Orange County Board of Elections. The voting shall be by voting machines. The voting shall be on the following Proposition:

PROPOSITION

**SHALL THE RESOLUTION ENTITLED:** "Bond Resolution of the Town of Woodbury, New York, adopted July 2, 2020, authorizing the construction of a new Town pool, including demolition of the existing pool, stating the estimated maximum cost thereof is \$4,950,000, appropriating said amount for such purpose, authorizing the issuance of bonds of the Town in the principal amount of not to exceed \$4,950,000 to finance said appropriation, and stating that this bond resolution is subject to a mandatory referendum," **BE APPROVED?**

An abstract of said bond resolution, concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING the Town of Woodbury, in the County of Orange, New York, to construct a new Town pool, including demolition of the existing pool, and any ancillary or related work in connection therewith; STATING the estimated maximum cost of the project, including preliminary costs, and costs incidental thereto and the financing thereof, is \$4,950,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of not to exceed \$4,950,000 bonds of the Town to finance appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$4,950,000 bonds of the Town pursuant to the Local Finance Law of the State of New York ("Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of the bonds may be used to reimburse the Town for expenditures made after the effective date hereof for the purpose for which said bonds are authorized; and the proposed maturity of said serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof, and other related powers and duties;

SIXTH: STATING the conditions under which the validity of the bonds may be contested; and

SEVENTH: DETERMINING that the bond resolution is subject to a mandatory referendum and authorizing and directing the Town Clerk to cause a Notice of Special Town Election to be published and posted.

Dated: September 9, 2020

DESIREE POTVIN  
Town Clerk

Section 2. In addition to the foregoing, the Town Board hereby authorizes and directs the Town Clerk to do the following:

(a) To maintain and distribute copies hereof, ready for public review and inspection in the Office of the Town Clerk and any and all other locations deemed necessary by the Town Clerk and the Town Attorney to comply with New York State Law regarding referenda; and

(b) To take all necessary steps, with assistance of the Town Attorney, to ensure that such Proposition is properly placed before the duly qualified Electors of the Town at the Special Town Election to be held on September 9, 2020.

Section 3. In the event that the Proposition is approved by the qualified voters present and voting upon such Proposition, the Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, in the official newspaper of the Town, together with a Estoppel Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

\* \* \*

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

AYES:

NOES:

The resolution was declared adopted.

\*\*\*\*\*

CERTIFICATE

I, DESIREE POTVIN, Town Clerk of the Town of Woodbury, in the County of Orange, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Woodbury duly called and held on July 2, 2020, 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 and 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 of Woodbury this 2nd day of July, 2020.

(SEAL)

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Town Clerk

AFFIDAVIT OF POSTING

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

DESIREE POTVIN, being duly sworn, deposes and says:

That she is and at all times hereinafter mentioned she was the duly elected, qualified and acting Town Clerk of the Town of Woodbury, State of New York;

That on \_\_\_\_\_, 2020, she has caused to be conspicuously posted and fastened up a Notice setting forth an abstract of the bond resolution duly adopted by the Town Board on July 2, 2020, a copy of which is annexed hereto and made a part hereof, on the sign board of the Town maintained pursuant to the Town Law.

\_\_\_\_\_

Town Clerk

Subscribed and sworn to before me

this \_\_\_\_\_ day of July, 2020.

\_\_\_\_\_  
Notary Public, State of New York

## ESTOPPEL NOTICE

The resolution, a summary of which is published herewith, has been adopted on July 2, 2020, and a Proposition therefor has been approved by a majority of the qualified voters of the Town voting thereon at the Special Town Election held on September 9, 2020. 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 Woodbury, in the County of Orange, 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 date of publication of the notice, or such obligations were authorized in violation of the provisions of the constitution.

DESIREE POTVIN  
Town Clerk

BOND RESOLUTION OF THE TOWN OF WOODBURY, NEW YORK, ADOPTED JULY 2, 2020, AUTHORIZING THE CONSTRUCTION OF A NEW TOWN POOL, INCLUDING DEMOLITION OF THE EXISTING POOL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,950,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$4,950,000 TO FINANCE SAID APPROPRIATION, AND STATING THAT THIS BOND RESOLUTION IS SUBJECT TO A MANDATORY REFERNDUM

The object or purpose for which the bond are authorized is the construction of a new Town pool, including demolition of the existing pool, and any ancillary or related work in connection therewith, at the estimated maximum cost of \$4,950,000

The maximum amount of obligations authorized to be issued is \$4,950,000.

The period of probable usefulness is fifteen (15) years.

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, Town Hall, 615 Route 32, Highland Mills, New York.

