

The Town of Forestburgh Town Board held their meeting for **Planning Matters** on **Tuesday, January 22, 2013** at the Town Hall.

Supervisor Sipos called the meeting to order at 7:00 p.m.

Roll Call: Present – William B. Sipos, Supervisor
John W. Galligan, Councilman
Eugene D. Raponi, Councilman
Susan Parks-Landis, Councilwoman
Michael Creegan, Councilman

Absent – None

Recording
Secretary – Joanne K. Nagoda, Town Clerk

Others
Present – David Bavoso, Attorney for the Town

PUBLIC COMMENT – None

UNFINISHED BUSINESS

LOST LAKE RESORT – Supervisor Sipos stated they are still at a standstill awaiting their final approvals from the Dept. of Health and DEC on the storm water/waste facility and water facility.

ZONING REVIEW – Supervisor Sipos stated that all comments and revisions have been sent to Chuck Voss any board member who has not yet submitted theirs, please send them to Chuck for his review and inclusion.

BIRCHWOOD ESTATES – This matter was originally on the agenda for tonight, however, due to time constraints, at the request of Glen Smith, this matter has been tabled until February.

NEW BUSINESS

LIBRARY RESOLUTION – Supervisor Sipos stated that normally we try to deal only with matters of the Planning Board, however, this matter must be handled by the end of January. Basically, since the library is purchasing a new building, they are bonding the purchase, this resolution authorizes the tax collector to turn the tax money collected over to the Dormitory Authority of the State of New York who will handle the disbursements for the library instead of turning the tax money over directly to the library.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FORESTBURGH APPROVING THE FORM OF TAX PLEDGE AND COLLECTION AGREEMENT, AUTHORIZING THE SUPERVISOR TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH EXECUTION AND DELIVERY OF THE AGREEMENT AND RELATED DOCUMENTS.

WHEREAS, on August 9, 2012, the qualified voters of the Ethelbert B. Crawford Public Library District (the “Library”) approved a referendum for a proposition authorizing the issuance of bonds to finance the Library’s facility improvement project (the “Library Project”); and

WHEREAS, the proposition also authorized the Library to assign to the Dormitory Authority of the State of New York (“the DASNY”) the annual tax levied on the real property located in the Library necessary to pay the debt service on bonds issued by DASNY on behalf of the Library; and

WHEREAS, Public Authorities Law Section 1680(33) (the “PAL s 1680”) authorized and permits the Town of Forestburgh to pay the amount of all taxes levied and collected for Library purposes, including the annual tax approved by the voters to pay debt service on the Library Project, to DASNY or its designee, the Bank of New York Mellon (the “trustee”); and

WHEREAS, DASNY has requested that the Town Board of the Town of Forestburgh (the “Town Board”) approve the form of Tax Pledge and Collection Agreement (the “agreement”), attached to this resolution, which effectuates the statutory grant of authority found in PAL s. 1680; and

WHEREAS, DASNY has further requested that the Town Board authorize the Town Supervisor to take certain other actions deemed necessary in connection with the execution and delivery of the Agreement and related documents;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Forestburgh hereby approved the form of Tax Pledge and Collection Agreement (the “agreement”) attached hereto and made part hereof, among the Town of Forestburgh, the Ethelbert B. Crawford Public Library, the Town of Bethel, the Town of Thompson, DASNY, and the Trustee. Said Agreement, in accordance with Public Authorities Law Section 1680(33), authorizes and permits the Town of Forestburgh, Thompson, Bethel to pay the amount of all taxes levied and collected for Library purposes, including the annual tax approved by the voters on August 9, 2012, to the Trustee to be used to pay debt service on the bonds issued to finance the Library’s facility improvement project; and be it

FURTHER RESOLVED, the Supervisor of the Town, acting on behalf of the Town, is hereby authorized to execute and deliver the final form of the Agreement, such document to be made available for public inspection at the Office of the Town Clerk. The Supervisor is hereby authorized to take any and all other reasonable actions necessary to achieve the purposes contained in the Agreement and to execute and deliver all other related documents necessary and incidental to the Agreement; and be it

FURTHER RESOLVED, this resolution shall take effect immediately.

Motion by the Town Board Member John W. Galligan, Councilman, seconded by Town Board Member Susan Parks-Landis, Councilwoman, and adopted upon a roll call vote as follows: 5 ayes – 0 nays.

Duly adopted by 5 ayes – 0 nays the 22nd day of January, 2013.

PUBLIC COMMENT – None

ADJURNMENT – MOTION by Councilwoman Landis to adjourn at 7:14 p.m.

Respectfully submitted,

Joanne K. Nagoda,
Town Clerk