

Board of Trustees
Village of Tarrytown
Regular Meeting No. 22
September 17, 2018
8:00 p.m.

PRESENT: Mayor Fixell presiding; Trustees: Brown, Butler, Hoyt, McGee and Zollo; Village Administrator Slingerland; Village Treasurer Hart; Village Attorney Kathy Zalantis and Village Clerk Booth

ABSENT: Trustee McGovern

The meeting began with the Pledge to the Flag.

REPORTS

Mayor Fixell noted that the County Mobile Shredder will be coming to Tarrytown on Saturday, September 22nd from 10 a.m. to 1p.m. at the Green Street Parking Lot. If you have lots of papers to shred, bring them down.

Trustee Zollo reported on the following:

- The Village Fitness Center has a new payment plan where a member can now pay \$25/month instead of paying the \$300/year at one time. It works the same way for a senior citizen, \$12.50/month instead of paying \$150/year at one time. To apply for the monthly plan, the member has to sign up for a year. It's the best price in town for a state of the art fitness center. The members love it and he encouraged everyone to come down and take a look and come for a free trial visit.
- The Village-Wide Tag Sale will take place on Saturday, September 22nd from 10 a.m. to 5 p.m. Call the Recreation Department to register. The deadline to register is tomorrow, September 18th.

Trustee Brown noted that the Sleepy Hollow/Tarrytown Chamber of Commerce meets every third Thursday morning monthly. This Thursday, September 20th is the first meeting of the fall season. It is going to be held at the Sheraton Hotel in Tarrytown at 8 a.m. for networking and the meeting starts at 8:30 a.m. If you do business in Tarrytown or own a business in Tarrytown, this is a great way to boost your contacts.

ADMINISTRATOR'S REPORT

Administrator Slingerland noted the following:

- We are beginning to work on the Patriots Park project. The trees next to the playground from the basketball court to Broadway will be removed and replaced with better, shade-oriented trees that will look nicer than what is there now.
- The Loh Park Project is continuing with the tank installation, which is expected to be complete in the next two weeks. The next phase will take place on S. Broadway and then behind the medical center for a couple more weeks. When the installation is complete, they will be doing a clean out of the pond behind Tappan Court apartments.
- We have received complaints about the water quality in the Loh Park Brook, mainly because it no longer gets water from our water system that contained chlorine. The water is not running as fast as it used to and it is not sanitized to keep the algae growth down. We may have to narrow the brook for dry spells. Trustee Hoyt asked if we can have Lucille Munz take a look at it; it may need repositioning of some rocks.
- On October 2nd, New York City is planning their first 8-hour shutdown of our water supply system. We will only be acquiring our water from our water tanks. We will have a Village-wide warning and caution to have extreme limitations to their water usage until New York City advises us that they are restoring our water service.
- We have received complaints in the past few days about the cell tower that was put up over the weekend, which the Village did not have advance notice about. Metro North has notified the Village a couple of years ago that they were working on a cell tower project. The Village looked into it and from the Village's standpoint,

found it to be unsightly to quite a few neighborhoods. It apparently did get all the required approvals by the FCC and other agencies and was installed over the weekend. The tower is very tall, large and very intrusive to many neighborhoods. The Village did not get advance notice that it was being installed and unfortunately, the Village does not have any authority over it.

CONTINUATION OF A PUBLIC HEARING – ARCHITECTURAL REVIEW BOARD REQUIREMENTS (Continued)

Trustee Zollo moved, seconded by Trustee Butler and unanimously carried, that the hearing be opened.

Peter Bartolacci, 67 Miller Avenue noted the following:

- After reviewing the proposed amendment regarding Architectural Review Board requirements, he asked for clarification on iii. applications requiring Planning Board approval (except applications involving only fences installed parallel to a public street and outside the front yard setback limits. Mayor Fixell noted that he agrees this section needs to be re-written for clarification. Mr. Bartolacci asked under what circumstances would fences, steps and or sidewalks require Planning Board approval.
- Why does an application have to go to both the Planning Board and the Architectural Review Board? In his experience, anything that the Architectural Review Board had done was done in spades by the Planning Board. Could that mean that the Planning Board goes beyond what it should be doing if the applications also have to go to the Architectural Review Board. He suggested that the Village Board consider that an application go to one or the other, but not both. Mayor Fixell noted that the Architectural Review Board focuses on the visual aesthetics where the Planning Board reviews planning related issues and site plans. Mr. Bartolacci asked if the Planning Board can request feedback from the Architectural Review Board on a particular project without forcing the applicant to go before it. Going to a review board includes filling out an application, paying an application fee, waiting another month to attend a meeting. He would also like the Board to consider that if someone had plans for a single family home that was fully code compliant, they shouldn't be required to go to the Planning Board. It would still have to go to the Architectural Review Board for the visual aesthetics.

Trustee Zollo moved, seconded by Trustee Hoyt, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby continue the public hearing to Monday, October 1, 2018, the next regular meeting of the Board of Trustees.

PRESENTATION BY ANDREA CACCURO ON THE NEW HUDSON LINK BUS

Andrea Caccuro, Marketing and Customer Service Manager for Hudson Link, which is the new bus line replacing the Tappan Zee Express buses. The New York State Department of Transportation is launching a new bus transit system by the end of October, 2018. The system, called the Hudson Link, will provide travelers service between Rockland and Westchester Counties. These buses will have their own dedicated bus lane on the Governor Mario Cuomo Bridge. Bike racks will be on the front of each bus. The buses will have state of the art technology and have ADA access. The Hudson Link GoMobile App will be an amazing tool for the passengers. They will be able to purchase any type of ticket, track and view bus location in real time, plan trips from start to finish, and view service alerts. Bus fares will stay the same at \$2.75. Special pricing for seniors, children under 40" and college student passes. By the end of October, new signs and shelters will be installed. Stations will be staffed during the launch to assist passengers with questions they may have.

Trustee Hoyt asked if there will be consideration for a bus fare discount for military staff and/or veterans. Ms. Caccuro noted that she will find out and get back to us.

Trustee Zollo asked the following:

- Do you know how many people ride the Tappan Zee Express bus from Rockland to Tarrytown? Do you know what the anticipated ridership is going to be? Currently, how many Rockland County buses come to Tarrytown? How many of the new buses are anticipated to come to Tarrytown? Ms. Caccuro noted that they are not adding buses, they are mirroring the current bus schedule and making it user friendly. Trustee Zollo noted that, therefore, we should not anticipate any additional buses than the current buses. Ms. Caccuro responded that is correct. Ms. Caccuro noted that she will get back with answers to questions that she wasn't able to answer.

Mayor Fixell noted that there will be 4 buses per hour during the peak hours and 2 buses per hour in the off peak hours, which is basically the same as they do now.

Trustee Butler noted that with the new development taking place at the Village of Sleepy Hollow, will they consider to add a bus stop at the Village of Sleepy Hollow. Ms. Caccuro noted that she believes they will consider that, but for the launch, they are keeping the bus schedule close to the existing schedule. She will bring that suggestion back to them.

Administrator Slingerland asked if they have any plans for the buses to use alternative fuel. Ms. Caccuro noted that the buses have advanced energy management system which reduces fuel consumption by using engine down time to charge batteries and compress air.

PUBLIC HEARING – CHAPTER 52, RESIDENCY REQUIREMENTS (Adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 17th day of September, 2018, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon a proposed a local law to amend Chapter 52 entitled Residency Requirements. The complete text of this legislation follows:

Section 1: Purpose.

Amendment to the Code of the Village of Tarrytown, Chapter 52, “Residency Requirements” to allow appointed office holders to positions such as Administrator, Assistant Village Administrator, Village Clerk, Deputy Clerk, Village Treasurer, Deputy Treasurer, Engineer, Building Inspector and Superintendent of Public Works to allow them to live in Westchester County or in a County in New York State, such as the 5 Burroughs in New York City, Rockland County, Putnam County and Dutchess County.

Be it enacted by the Board of Trustees of the Village of Tarrytown as follows:

§ 52-2, Village, county or bordering county residency

Notwithstanding any other general or special law, no person shall be eligible to be appointed to or hold the office of **Administrator, Assistant Village Administrator, Village Clerk, Deputy Clerk, Village Treasurer, Deputy Treasurer, Engineer, Building Inspector, and Superintendent of Public Works** in the Village of Tarrytown unless such person is a resident of the Village or a resident of Westchester County or a resident of a county which directly borders Westchester County (at the time of) **during** such appointment. A person shall be eligible to be appointed to or hold the nonjudicial position of Village Court Clerk, Assistant Court Clerk or Court Attendant provided such person is a resident of Westchester County or in a County in New York State, such as the 5 Burroughs in New York City, Rockland County, Putnam County and Dutchess County (at the time of) **during** such appointment.

§ 52-3. When effective; applicability.

This chapter shall take effect immediately upon filing with the Secretary of the State of New York and shall apply to all persons holding the positions (of Village Clerk, Deputy Clerk, Village Treasurer and Deputy Treasurer as well as any persons hereafter appointed to fill such offices) **listed in Chapter 52-2.**

Trustee Zollo moved, seconded by Trustee McGee and unanimously carried, that the hearing be opened.

Mayor Fixell asked whether anyone wished to address the Board on this matter. No one appeared.

Trustee Hoyt moved, seconded by Trustee McGee, and unanimously carried, that the hearing be closed.

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Code of the Village of Tarrytown, Chapter 52, "Residency Requirements" to allow appointed office holders to positions such as Administrator, Assistant Village Administrator, Village Clerk, Deputy Clerk, Village Treasurer, Deputy Treasurer, Village Engineer, Building Inspector and Superintendent of Public Works to allow them to live in Westchester County or in a County in New York State, such as the 5 Burroughs of New York City, Rockland County, Putnam County and Dutchess County.

WHEREAS, a public hearing was held for the proposed action on September 17, 2018; and

WHEREAS, a notice of public hearing was published in the Journal News on September 8, 2018; and

WHEREAS, the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action and is therefore the Lead Agency for the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

In accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) and based upon review of the Proposed Action, the Village Board of Trustees hereby determines that the Proposed Action will not have a significant adverse impact on the environment, and hereby adopts a Negative Declaration.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law No. 12 of 2018.

PUBLIC HEARING – VILLAGE CODE CHAPTER 229, PLUMBERS TO BE
RETITLED AND RESTRUCTURED AS PLUMBING CODE (Adopted)

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will hold a public hearing on the 17th day of September, 2018, at 8 PM, in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, to hear, discuss and to act upon a proposed a local law to amend the Tarrytown Village Code Chapter 229, retitle it from "Plumbers" to Plumbing, to update the law, abolish the Village's Board of Examiners, and to reference to the County of Westchester as the licensing authority.

Section 1. Be it enacted by the **Board of Trustees** of the **Village of Tarrytown** as follows (Language in **Bold and Underlined** to be added, language in ~~**Strikethrough and bold and underlined**~~ to be deleted):

Section 2. With the enactment of Westchester County Local Law #15 of 1995, the County Board of Legislators enacted the Westchester County Board of Plumbing Examiners and County-Wide Plumbing License Law, Article XV, Sections 277.501 through 277.515, which established a county-wide law to license plumbers, and therefore, the Village Code is obsolete and Chapter 229, entitled "Plumbers" is deleted in its entirety.

Chapter 229. Plumbers

§ 229-1. License required.

§ 229-2. Board of Examiners.

§ 229-3. Meetings of Board; certification of applicants; names.

§ 229-4. Fees.

§ 229-5. Bond.

§ 229-6. Issuance of license.

§ 229-7. Term of license; renewal.

§ 229-8. Revocation of license; license nontransferable.

§ 229-9. Penalties for offenses.

Section 3. A new Chapter 229 entitled Plumbing is enacted as follows:

(New) Chapter 229. Plumbing

§ 229-1. Title.

This chapter shall be known as the Village Code related to Plumbing for the Village of Tarrytown, regulating the Administration and Enforcement of the New York State Building and Fire Code related to plumbing, as it may be updated from time to time by the New York State Codes Division.

§ 229-2. Purpose.

The purpose of this chapter is to protect the health, safety and welfare of the residents of the Village of Tarrytown by providing for the licensing and regulation of the plumbing trade.

§ 229-3. Licensed required.

No person shall do any plumbing work on any premises in the Village of Tarrytown unless such person shall provide proof of holding a valid plumbing license issued by the County of Westchester.

§ 229-4. Displaying license.

Any person, firm or corporation doing plumbing work in the Village of Tarrytown shall show proof of such license upon request to any officer of the Village and shall, while opening any highway for purposes incidental to such work and while such highway is opened obtain a valid street opening permit from the Village of Tarrytown. No street or highway may be opened without first complying with all regulations pertaining to street openings.

§ 229-5. Prior approval of plans.

A. The Building Inspector or other qualified inspector of the Village of Tarrytown must issue a permit before any plumbing work, including the installation of gas appliances or the installation, removal or abandonment of oil or gas storage tanks, is started or before there are any additions or alterations made to existing installations. The application for the permit shall be made on forms approved by the Building Inspector or other qualified inspector of the Village and shall be signed by a licensed master plumber. The application shall be filed in the Building Department, together with plans and a description, in duplicate, showing and describing the proposed plumbing work.

B. The plans filed with the application shall consist of such floor plans and sections as may be necessary to show clearly all the work to be done, including all sewers, drains, soil,

waste and vent pipes. The plans also shall show the location of fixtures, their traps and connections. The plans may be drawn to scale in ink or be prints produced to scale.

C. If the plumbing work involves the installation, removal or abandonment of an oil or gas storage tank, the Building Inspector cannot issue a permit until a performance bond or a cash bond is posted with the Village by the permittee or the owner of the property on which the plumbing work is to be performed. The amount of the bond shall be sufficient to cover the cost of repairing any property, public or private, that may be damaged during the course of the plumbing work for which the permit is issued and shall be fixed by the Building Inspector in consultation with the Village Engineer. Under no circumstances shall the amount of the bond be less than \$1,500. In cases where a street opening permit also is issued, the Building Inspector or other qualified inspector of the Village may allow a single bond for both permits if he or she determines that a single bond will be sufficient for the purposes of this chapter. Any bond posted under this chapter shall be released to the person who posted it no later than six months after a certificate of completion is issued for the plumbing work covered by the permit, provided that such work is done in accordance with the provisions of the permit and the provisions of any street opening permit and that all areas disturbed during the work (including any rights-of-way) are restored to a condition that is satisfactory to the Village Engineer.

D. Modification of approved plans or of the work described therein shall not be permitted until such changes are approved, in writing, by the Building Inspector or other qualified inspector of the Village on written application, signed by a master plumber.

E. A permit for plumbing work shall expire six months from the date it is issued unless the plumbing work for which the permit has been issued is in progress. If the permit expires, the applicant shall be required to reapply for a permit for plumbing work pursuant to this section.

§ 229-6. Fees.

The fees for plumbing permits shall be as for services performed and a permit issued pursuant to this chapter as set forth in the Village of Tarrytown Fee Schedule, as regularly updated from time to time by action of the Board of Trustees.

§ 229-7. House sewer inspections.

All house sewers between the building and the street line shall be laid by a licensed plumber under the specifications set forth. This work shall be inspected once by the inspector upon notification by the plumber that the entire line is complete and ready for inspection, and related excavation work may not be back-filled until such inspection has taken place.

§ 229-8. Notice of violations.

A. Whenever a person violates any of the provisions of this chapter or whenever any person omits or refuses to comply with the provisions of this chapter or deviates from the approved plans and specifications for plumbing and draining filed with the Tarrytown Building Department, the Building Inspector or other qualified inspector, including the Village Engineer, shall serve notice of violation thereof upon the master plumber doing the work and upon the owner or occupant of the premises.

B. Such notice may be served personally or by mail and, if by mail, may be addressed to such master plumber at the address registered by him with the Building Department and upon the owner or occupant at the address given by him upon any application made by him for the plumbing work in connection with which the violation occurs; or, if no permit is obtained, notice shall be served upon the owner or occupant at the location of the work, but the failure of the master plumber to register shall relieve the Building Inspector or other qualified inspector from the requirement of giving such notice to the master plumber. Unless the violation is remedied within ten days, or sooner on the discretion of the Building Inspector depending on the severity of such violation and the potential impact(s) to health, safety and welfare, after the day of serving or mailing of such notice, exclusive of the day of serving or mailing, then each day thereafter that such violation continues shall be considered a separate offense.

§ 229-9. Penalties for offenses.

Any person who omits or refuses to comply with or resists, willfully violates any of the provisions of this chapter or who obstructs or hinders any inspector or officer in the due performance of his duty hereunder shall be punishable for each conviction by a fine of up to five hundred dollars (\$500) per day, or by imprisonment, in case of default in payment of the fine, for a period not exceeding 15 days. Each day the provisions of such chapter are violated after due notice has been served upon the offender, in writing, shall constitute a separate offense and subject the offender to a like penalty. Such violation shall also subject any person committing the same to a penalty in the sum of \$1,000, recoverable in a civil action brought by or on behalf of the Village of Tarrytown. In addition, the Village may take whatever additional actions in the nature of injunction or otherwise that is otherwise provided for by law.

Section 4. Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this local law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this local law.

Section 5: Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Trustee Butler moved, seconded by Trustee Zollo and unanimously carried, that the hearing be opened.

Mayor Fixell asked whether anyone wished to address the Board on this matter. No one appeared.

Trustee Hoyt moved, seconded by Trustee McGee, and unanimously carried, that the hearing be closed.

Trustee Zollo moved, seconded by Trustee McGee, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby amend the Code of the Village of Tarrytown, Chapter 229, "Plumbers", to retitle it to "Plumbing," to update the law and abolish the Village's Board of Examiners and to reference the County of Westchester as the licensing authority.

WHEREAS, a public hearing was held for the proposed action on September 17, 2018; and

WHEREAS, a notice of public hearing was published in the Journal News on September 8, 2018; and

WHEREAS, the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action and is therefore the Lead Agency for the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

In accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) and based upon review of the Proposed Action, the Village Board of Trustees hereby determines that the Proposed Action will not have a significant adverse impact on the environment, and hereby adopts a Negative Declaration.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby adopt Local Law No. 13 of 2018.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD ONLY ON AGENDA ITEMS. SPEAKERS SHALL HAVE THREE (3) MINUTES TO ADDRESS THE BOARD OF TRUSTEES

Mayor Fixell asked if anyone wanted to address the Board on agenda items. No one appeared.

APPOINTMENT OF PART TIME RECREATION ATTENDANT

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby appoint Susanna Poore to the position of Recreation Attendant, part-time, at a salary of \$12.00 per hour effective September 18, 2018, subject to all Civil Service rules and regulations.

BUDGET APPROPRIATION AND TRANSFER RESOLUTIONS:

Trustee Zollo moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved. Motion carried, all voting “aye” Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the following Budget Appropriation Resolution from Recreation Fund Trust Fund and General Fund Balance to the Capital Fund for Parks Acquisitions & Improvements:

Appropriation From:

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Parkland Recreation Fund	T.0037	\$ 223,874.64
Capital Fund – Debt Service Funds; various		\$ 71,671.42
General Fund Balance	A.0909	\$1,730,842.89
	Total	\$2,026,388.95

Appropriation To:

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
Capital Funds –		
Park Imprvmnts & Acquisitions, various	Total	\$2,026,388.95

Note: Outstanding balances within the Capital Fund for projects from 2009 to 2016 related to parks acquisitions and improvements will be zero (\$0.00).

BOND RESOLUTION, DATED SEPTEMBER 17, 2018, AUTHORIZING THE ISSUANCE OF UP TO \$158,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF TARRYTOWN, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE PREPARATION OF A COMPREHENSIVE MASTER PLAN AND (II) THE ACQUISITION AND INSTALLATION OF PARKING METERS, ALL IN AND FOR THE VILLAGE.

Trustee Brown moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved . Motion carried, all voting “aye”: Approved: 6-0

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action, and is therefore the Lead Agency for the Proposed Action.

BE IT FURTHER RESOLVED, that in accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) the Village Board of Trustees hereby determines that Proposed Action will not have a significant adverse impact and hereby adopts a Negative Declaration for the proposed action.

WHEREAS, the Board of Trustees of the Village of Tarrytown (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the preparation of a comprehensive master plan (\$125,000) and (ii) the acquisition and installation of parking meters (\$33,000), all in and for the Village, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$158,000, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Tarrytown, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$158,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The preparation of a comprehensive master plan for the Village, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$225,000, for which \$125,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 64 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition and installation of parking meters, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$33,000, for which \$33,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 50 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$258,000; (b) except as set forth in the financial records of the Village, no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from (i) the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds and (ii) certain Federal and State grants; (d) the maturity of the obligations authorized herein may not be in excess of five (5) years; (e) the amount authorized to be applied to such objects or purposes from the proceeds of the obligations authorized herein shall be reduced *pro tanto* by the amount of aid received by the Village for such objects or purposes; and (f) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such

bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should have been complied with as of the date of the publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village’s continuing disclosure agreement for purposes of the Rule, and its performance shall be

subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution shall take effect immediately upon its adoption by the Board of Trustees of the Village.

BOND RESOLUTION, DATED SEPTEMBER 17, 2018, AUTHORIZING THE ISSUANCE OF UP TO \$392,877 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF TARRYTOWN, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION OF POLICE AND FIRE COMMUNICATION SYSTEMS, (II) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO SIDEWALKS AND CURBS, AND (III) THE ACQUISITION OF A FIRE BOAT, ALL IN AND FOR THE VILLAGE.

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved. Motion carried, all voting "aye": Approved: 6-0

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action, and is therefore the Lead Agency for the Proposed Action.

BE IT FURTHER RESOLVED, that in accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) the Village Board of Trustees hereby determines that Proposed Action will not have a significant adverse impact and hereby adopts a Negative Declaration for the proposed action.

WHEREAS, the Board of Trustees of the Village of Tarrytown (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition of police and fire communication systems (\$261,441), (ii) the acquisition, construction and reconstruction of improvements to sidewalks and curbs (\$90,129), and (iii) the acquisition of a fire boat (\$41,307), all in and for the Village, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$392,877, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Tarrytown, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$392,877, pursuant to the Local Finance Law, in order to finance costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition of police and fire communication systems, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$271,441, for which \$261,441 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision

25 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition, construction and reconstruction of improvements to sidewalks and curbs, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$90,129, for which \$90,129 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(c) The acquisition of fire boat for the Village, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$366,307, for which \$41,307 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of ten (10) years pursuant to subdivision 26 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$727,877; (b) except as set forth in the financial records of the Village, no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from (i) the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds and (ii) certain Federal and State grants; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; (e) the amount authorized to be applied to such objects or purposes from the proceeds of the obligations authorized herein shall be reduced *pro tanto* by the amount of aid received by the Village for such objects or purposes; and (f) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of

the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should have been complied with as of the date of the publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

BOND RESOLUTION, DATED SEPTEMBER 17, 2018, AUTHORIZING THE
ISSUANCE OF UP TO \$4,029,795 AGGREGATE PRINCIPAL AMOUNT SERIAL
BONDS OF THE VILLAGE OF TARRYTOWN, COUNTY OF WESTCHESTER,
STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO

FINANCE THE COSTS OF (I) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF ROAD IMPROVEMENTS, (II) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO PARKS AND RECREATION AREAS, AND (III) THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE, ALL IN AND FOR THE VILLAGE.

Trustee Zollo moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved. Motion carried, all voting "aye": Approved: 6-0

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action, and is therefore the Lead Agency for the Proposed Action.

BE IT FURTHER RESOLVED, that in accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) the Village Board of Trustees hereby determines that Proposed Action will not have a significant adverse impact and hereby adopts a Negative Declaration for the proposed action.

WHEREAS, the Board of Trustees of the Village of Tarrytown (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition, construction and reconstruction of road improvements (\$445,929), (ii) the acquisition, construction and reconstruction of improvements to parks and recreations areas (\$2,676,230) and (iii) the acquisition of machinery and apparatus for construction and maintenance (\$907,636), all in and for the Village, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$4,029,795, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Tarrytown, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$4,029,795, pursuant to the Local Finance Law, in order to finance costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition, construction and reconstruction of road improvements, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$927,529, for which \$445,929 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition, construction and reconstruction of improvements to parks and recreation areas, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$7,425,000, for which \$2,676,230 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the

first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(c) The acquisition of machinery and apparatus for construction and maintenance, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$907,636, for which \$907,636 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of fifteen (15) years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$9,260,164; (b) except as set forth in the financial records of the Village, no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from (i) the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds and (ii) certain Federal and State grants; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; (e) the amount authorized to be applied to such objects or purposes from the proceeds of the obligations authorized herein shall be reduced *pro tanto* by the amount of aid received by the Village for such objects or purposes; and (f) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should have been complied with as of the date of the publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the

Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village’s continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

BOND RESOLUTION, DATED SEPTEMBER 17, 2018, AUTHORIZING THE ISSUANCE OF UP TO \$1,477,970 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF TARRYTOWN, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO A VILLAGE BRIDGE AND (II) THE ACQUISITION OF FIRE-FIGHTING VEHICLES, ALL IN AND FOR THE VILLAGE.

Trustee Brown moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved. Motion carried, all voting “aye”: Approved: 6-0

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown is the only agency which has approval authority over the Proposed Action, and is therefore the Lead Agency for the Proposed Action.

BE IT FURTHER RESOLVED, that in accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617, including without limitations the criteria set forth in 6 NYCRR Part 617.7(c) the Village Board of Trustees hereby determines that Proposed Action will not have a significant adverse impact and hereby adopts a Negative Declaration for the proposed action.

WHEREAS, the Board of Trustees of the Village of Tarrytown (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition, construction and reconstruction of improvements to a Village bridge (\$60,000) and (ii) the acquisition of fire-fighting vehicles (\$1,417,970), all in and for the Village, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$1,477,970, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Tarrytown, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$1,477,970, pursuant to the Local Finance Law, in order to finance costs of the specific objects or purposes hereinafter described.

Section 2. The specific objects or purposes, or class of objects or purposes, to be financed pursuant to this bond resolution (collectively, the "Project"), the respective estimated maximum cost of such specific object or purpose, or class of object or purpose, the principal amount of serial bonds authorized herein for such specific object or purpose, or class of object or purpose, and the period of probable usefulness of such specific object or purpose, or class of object or purpose, thereof pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(a) The acquisition, construction and reconstruction of improvements to a Village bridge, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$427,000, for which \$60,000 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of twenty (20) years pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of twenty (20) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds; and

(b) The acquisition of fire-fighting vehicles, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$1,582,970, for which \$1,417,970 principal amount of serial bonds, or bond anticipation notes issued in anticipation of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of twenty (20) years pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of twenty (20) years computed from the earlier of (a) the date of the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$2,009,970; (b) except as set forth in the financial records of the Village, no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from (i) the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds and (ii) certain Federal and State grants; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; (e) the amount authorized to be applied to such objects or purposes from the proceeds of the obligations authorized herein shall be reduced *pro tanto* by the amount of aid received by the Village for such objects or purposes; and (f) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to

60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

Section 6. When this bond resolution takes effect, the Village Clerk shall cause the same, or a summary thereof, to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in The Journal News, a newspaper having a general circulation in the Village. The validity of the serial bonds authorized by this bond resolution, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, may be contested only if such obligations are authorized for an object or purpose, or class of object or purpose, for which the Village is not authorized to expend money, or the provisions of law which should have been complied with as of the date of the publication of this bond resolution, or such summary thereof, were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 7. Prior to the issuance of the obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of the obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment authorized by subsection 6(c) of the Rule (the “Commitment”) to be placed on file with the Village Clerk, which shall constitute the continuing disclosure agreement made by the Village for the benefit of holders and beneficial owners of the obligations authorized herein in accordance with the Rule, with any changes or amendments that are not inconsistent with this bond resolution and not substantially adverse to the Village and that are approved

by the Village Treasurer on behalf of the Village, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed collectively by this paragraph and the Commitment, shall be the Village's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the Village would be required to incur to perform thereunder. The Village Treasurer is further authorized and directed to establish procedures in order to ensure compliance by the Village with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the Village Treasurer shall consult with, as appropriate, the Village Attorney and bond counsel or other qualified independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

Section 10. This bond resolution is subject to a permissive referendum and will take effect upon its adoption by the Board of Trustees of the Village and the expiration of the period prescribed in the Village Law during which petitions for a permissive referendum may be submitted and filed with the Village Clerk.

SURPLUS VEHICLES

Trustee Hoyt moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby declare the following Public Works vehicles/machines/supplies as surplus, as having exceeded their useful life and in being due for disposal as surplus Village equipment, as follows:

- 2003 Chevrolet Pickup, Sanitation chase truck; VIN: 4682
- 2003 Ford Crown Victoria; VIN: 1925
- 2001 Ford Crown Victoria; VIN: 0863
- 1991 Eager Beaver wood chipper
- 1997 Ford Pickup small sewer jet
- Numerous water meter brass housings that are no longer of any value for water meters and should be recycled.

AUTHORIZATION TO PURCHASE ONE HEAVY DUTY PUBLIC WORKS TRUCK, AND AUTHORIZATION TO PURCHASE A PACKER BODY AND CART-TIPPER TO BE INSTALLED ON A RE-PURPOSED DPW TRUCK:

Trustee Zollo moved, seconded by Trustee Brown, and unanimously carried, that the following resolution be approved: Approved: 6-0

Heavy-duty DPW multi-purpose truck and plow vehicle:

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize the purchase of a Freightliner 48,000 G.V.W. Model 114 SD multi-purpose body with 11-foot snow plow with wing-plow and 7-10 yard stainless steel all-season body, with the truck purchased off of Oneida County contract Number 1949, and the equipment purchased off of NYS OGS Contract Award 22792 and PC66985, in the total approximate amount of two hundred and twenty three thousand dollars (\$223,000); and

Packer Body with cart-tipper for re-purposed DPW truck:

BE IT RESOLVED, that the Board of Trustees of the Village of Tarrytown does hereby authorize the purchase of a Parkan 3-yard packer body and cart tipper from Vasso Equipment Sales of Brooklyn, NY, based on quotes obtained pursuant to the procurement policy, at a total approximate price of thirteen thousand twenty dollars (\$13,020); and

BE IT FURTHER RESOLVED, that the that the Board of Trustees of the Village of Tarrytown does hereby authorize the appropriation from the Capital Fund fund-balance related to the purchases of Village-wide Vehicles in the amount of one hundred thirty thousand three hundred seventy five dollars and twenty two cents (\$130,375.22) to partially

fund these purchases, with the balance of one hundred five thousand six hundred forty four dollars and seventy eight cents (\$105,644.78) to be provided either from operating funds, appropriation of surplus, or the future issuance of debt.

DISTRIBUTION PUMP CONTROLLER AT TREATMENT PLANT; PHASE VII
WATER MAIN REPLACEMENTS

Trustee Zollo moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby authorize and direct the Village Administrator to execute an agreement with Woodard & Curran Engineers P.A.P.C of White Plains, New York, in the approximate amount of \$49,000, including an additional amount of approximately \$20,500 for materials and equipment for repairs and improvements to the Variable Frequency Drives (VFD) as a design-build project to improve the Tarrytown Water System and effect system improvements to the Village's Neperan Road Pumping Station and to replace the existing motor starter controls; and

BE IT FURTHER RESOLVED, that the funding for this project shall be out of existing funds for related projects in the Capital Water Fund of the Tarrytown Capital Program.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON SEPTEMBER 4, 2018

Trustee McGee moved, seconded by Trustee Zollo, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the regular meeting of the Board of Trustees held on September 4, 2018 as submitted by the Village Clerk.

APPROVAL OF AUDITED VOUCHERS

Trustee Zollo moved, seconded by Trustee Butler, and unanimously carried, that the following resolution be approved: Approved: 6-0

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 5 of Audited Vouchers to be paid in the following amounts:

General	\$	961,563.40
Water		161,129.91
Sewer Fund		0.00
Capital		495,740.31
Library		5,524.13
Trust & Agency		<u>10,718.80</u>
Total	\$	1,634,676.55

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD. SPEAKERS HAVE FIVE (5) MINUTES BEFORE YIELDING TO THE NEXT SPEAKER; THEN THREE (3) MINUTES FOR ADDITIONAL COMMENTS.

Minister Judith Williams from the Shiloh Baptist Church in Tarrytown noted that she is currently taking over the congregation and one of their goals is to be more community minded. She plans to attend future Village Board meetings to stay current on what's going on in the Village and also to see if the Church can help the Community and/or maybe the Community can help the Church.

ADJOURNMENT

Trustee Hoyt moved, seconded by Trustee Zollo, and unanimously carried that the meeting be adjourned at 8:55 p.m.

Carol A. Booth
Village Clerk