MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE HELD MAY 9, 2022 AT 7:00PM AT VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

PRESENT:	Mary C. Marvin	Mayor
	William Fredericks	Trustee
	Helen Knapp	Trustee
	Mary Taylor Behrens	Trustee
ALSO PRESENT:	James Palmer	Village Administrator
	Stephen Shallo	Assistant Village Administrator
	Lori Voss	Village Treasurer
EXCUSED:	Robert S. Underhill	Deputy Mayor

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WORK SESSION

At 5:30pm, on a motion by Trustee Knapp, seconded by Trustee Fredericks, the Village Board convened the Work Session. On a motion by Trustee Knapp, seconded by Trustee Fredericks, the Village Board convened an Executive Session to discuss a matter involving attorney – client privilege.

At 6:25pm, on a motion by Trustee Fredericks, seconded by Trustee Behrens the Village Board re-opened the Work Session.

The Village Board agreed to meet at 4:00pm on Wednesday, May 18th to discuss Administrative staff salaries.

Mayor Marvin re-opened the Regular Meeting at 7:03pm.

SWEARING IN CEREMONY

Justice Natasha Nordahl administered Oaths to Justice William Primps, Trustee Helen Knapp and Trustee Mary T. Behrens who were re-elected at the March 15, 2022 Village Election.

Max Goldberg former Deputy Chief and VP of Operations of Eastchester Volunteer Ambulance Corp, gave an update on their services, emergency calls and fundraising efforts. EVAC is operated by volunteers and rely heavily on donations. Anyone interested in donating please visit their website at www.Eastchsterems.com. Mr. Goldberg explained that they have over 150 volunteers and that they respond to approximately 700 calls per year in Bronxville.

Trustee Knapp gave an update on the NYS Climate Smart Communities program and the task force that was formed earlier this year. Carol Upshur gave a presentation on her community-wide greenhouse gas emissions report.

MAYOR'S REPORT

Mayor Marvin gave a brief update on what she has been working on. Mayor Marvin and the Trustees send their condolences to the family of the pedestrian that was struck outside Village Hall this past Friday night and later died as a result of her injuries. Mayor Marvin also mentioned that the Police Department assisted the Yonkers Police Department with prom dress donations. Congressman Jamaal Bowman kicked off a Food Drive in front of Village Hall last week and was happy to report that Bronxville residents donated a generous amount of goods that will benefit Feeding Westchester food bank.

There are several Memorial Day events the weekend of May 29th. Bronxville will be marking its 100th parade and ceremonies on May 30th. Our Grand Marshals are Vicki and Si Ford, 50+ year residents of Bronxville.

Trustee Behrens mentioned that the Bronxville Beautification Council (BBC) will be holding their annual garden party on Sunday, June 5th. It is their fundraiser and Trustee Behrens urged residents to sign up, the BBC does tremendous work in the Village with weeding, mulching and planting flowers. She also mentioned that she was a participant on cleanup day on April 23rd and thanked all the volunteers who joined and assisted with the cleanup, she also urged residents to be mindful of the litter on the main roadways, Midland, Pondfield and White Plains Rd. Coffee with a Cop on April 27th hosted by our Police Department in front of Park Place Bagels was successful.

ADMINISTRATOR'S REPORT

Village Administrator, James Palmer, gave a brief update on what he has been working on.

APPROVAL OF MINUTES

On motion of Trustee Knapp, seconded by Trustee Behrens, the Board unanimously approved the minutes of the following meetings:

1. April 11, 2022 – Work Session
2. April 11, 2022 – Regular Meeting
3. April 25, 2022 – Special Meeting

NEW BUSINESS

A. RESOLUTION – Appointing Mark Heinbockel as Assessor

On motion of Trustee Fredericks, seconded by Trustee Behrens, the following resolution was unanimously approved:

WHEREAS, the Mayor and Village Board are desirous of appointing a Village Assessor and defining the terms of his service and compensation.

NOW THEREFORE, BE IT RESOLVED:

1. The Mayor hereby appoints, and the Village Board of Trustees hereby approves the appointment of Mark Heinbockel as Bronxville Assessor for a term of one year.
2. The terms of Mr. Heinbockel's engagement and compensation shall be as follows:
   a. He shall be compensated on an hourly basis at the rate of $150 per hour. His number of hours shall be approximately 500 hours annually and adjusted as necessary with the approval of the Village Administrator.
   b. Notwithstanding any provision of any document (including the employee manual) or agreement to the contrary, Mr. Heinbockel shall receive no benefits above his hourly rate of compensation with the exception of benefits required by law.
   c. His duties and responsibilities shall be consistent with the requirements, rules, regulations and guidance set forth by the NYS Department of Taxation and Finance – Office of Real Property Tax Services for Village assessing units and include the quarterly reporting of his activities and updating the Village Board and Village Administrator as necessary.

B. RESOLUTION – Authorizing Administrator's Appointment of Parking Office Manager

On a motion by Trustee Behrens, seconded by Trustee Fredericks, the following resolution was unanimously approved:

BE IT RESOLVED that the Village Board of Trustees authorize the appoint of Janine Marsigliano the position of Parking office Manager at a salary of $75,000 effective May 16, 2022 and in accordance with State Civil Service Rules and Regulations and subject to a probationary period of fifty-two weeks and subject to a successful background investigation.

C. RESOLUTION – Awarding Contract #VA-2022-01 – Signal and Pedestrian Improvements to the Intersections of Pondfield and Midland and Pondfield and Gramatan

On motion of Trustee Fredericks, seconded by Trustee Behrens, the following resolution was unanimously approved:

WHEREAS, following the engineering review of the Pondfield Road – Midland Avenue Intersection the Village retained WSP USA Inc., of 500 Summit Lake Drive, Valhalla, NY to prepare designs and bid documents for the intersection improvements; and

WHEREAS, the Village also instructed WSP USA Inc. to also incorporate the previous signal design work for the Pondfield Road – Gramatan Avenue intersection into the bid documents so both projects could be bid together as one;

WHEREAS, the total scope of work was bid and on March 25, 2022 one bid was received by Verde Electric Maintenance Corp. of Mt. Vernon NY for $1,189,974.40; and

WHEREAS, the Village's Consulting Engineer WSP USA Inc has reviewed the bid and determined it to be complete; and

WHEREAS, the Village has determined that this project is Type II action under the State Environmental Quality Review Act (SEQR) and therefore no further review is required under SEQR;

NOW THEREFORE, BE IT RESOLVED:

That the Village Board of Trustees award the gross bid for Contract No. VA-2022-01, signal and pedestrian Improvements to the intersections of Pondfield Road and Midland Avenue and Pondfield Road and Gramatan Avenue to Verde Electric Maintenance Corp at a price of $1,189,974.40 and authorize the Village Administrator to execute a contract with Verde Electric Maintenance Corp.

D. **RESOLUTION –** Approving Environmental Compliance for Vehicle Charging Station

On a motion by Trustee Knapp, seconded by Trustee Behrens, the following resolution was unanimously approved:

WHEREAS, on November 8, 2021, the Board of Trustees authorized the purchase and installation of an electric vehicle charging station, and

WHEREAS, on April 25, 2022, the Board of Trustees authorized funding for this project, and

WHEREAS, in order to consider financing these projects through debt issuance, the Village is first required by law to adopt an environmental compliance resolution,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby approve the following environmental compliance resolution.

**ENVIRONMENTAL COMPLIANCE RESOLUTION
TO MAKE FINDINGS AND DETERMINATIONS**

WHEREAS various Village department heads and where applicable, competent architectural and engineering firms, duly licensed by the State of New York have, at the instance of the Board of Trustees (the "Board"), prepared plans, estimates, and where applicable, engineering and architectural studies and an estimate of the costs of the acquisition of equipment (Garden Lot charging stations), authorized by the Board pursuant to a bond resolution, dated May 9, 2022, including rights-in-land, original furnishings, equipment, machinery, apparatus required for such purpose, and preliminary and incidental costs related thereto (collectively the "Project") and said plans, estimates and engineering and architectural studies have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Board of Trustees has determined, each component of the Project is a "Type II action", as that term is defined in 6 NYCRR §617.2(ak), and therefore there is no requirement that the Village prepare or file an Environmental Assessment Form ("EAF"); and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is $105,000 and that the costs of the Project are to be financed in part by the issuance of serial bonds of the Village in the aggregate principal amount of $36,000 pursuant to the Local Finance Law of New York (the "LFL") and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees in amounts sufficient to pay the principal of and interest on said bonds to be authorized in a bond resolution to be adopted by the Board; and

WHEREAS, the evidence contained in such plans, estimates and engineering and architectural studies with respect to the Project permits the Board to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act ("SEQRA") regulations, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE, NEW YORK, as follows:

Section 1. The Village, by and through the Board, hereby declares and designates itself to be the "lead agency" as that term is defined in 6 NYCRR §617.2(v), with respect to the environmental review of the Project.

Section 2. It is hereby determined that the Project is a Type II action, as that term is defined in §617.2(ak).

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review, segmentation or scoping of such review is necessary or required with respect to the Project.

Section 4. The Village hereby determines that no environmental impact statement or any other determination or procedure is required under the Regulations and no hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it will determine that the Projects (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 6. The Village shall maintain a file, readily accessible to the public, in the office of the Village Clerk, containing this resolution.

Section 7. This resolution shall take effect immediately upon its adoption.

E. RESOLUTION – Approving Environmental Compliance for Parking Pay Station

On a motion by Trustee Fredericks, seconded by Trustee Behrens, the following resolution was unanimously approved:

WHEREAS, on April 25, 2022, the Board of Trustees authorized the purchase and installation of an electric vehicle charging station, and

WHEREAS, on April 25, 2022, the Board of Trustees authorized funding for this project, and

WHEREAS, in order to consider financing these projects through debt issuance, the Village is first required by law to adopt an environmental compliance resolution,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby approve the following environmental compliance resolution.

ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS AND DETERMINATIONS

WHEREAS various Village department heads and where applicable, competent architectural and engineering firms, duly licensed by the State of New York have, at the instance of the Board of Trustees (the "Board"), prepared plans, estimates, and where applicable, engineering and architectural studies and an estimate of the costs of the acquisition of parking pay stations, authorized by the Board pursuant to a bond resolution, dated May 9, 2022, including rights-in-land, original furnishings, equipment, machinery, apparatus required for such purpose, and preliminary and incidental costs related thereto (collectively the "Project") and said plans, estimates and engineering and architectural studies have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Board of Trustees has determined, each component of the Project is a "Type II action", as that term is defined in 6 NYCRR §617.2(ak), and therefore there is no requirement that the Village prepare or file an Environmental Assessment Form ("EAF"); and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is $15,000 and that the costs of the Project are to be financed by the issuance of serial bonds of the Village in the aggregate principal amount of $15,000 pursuant to the Local Finance Law of New York (the "LFL") and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees in amounts sufficient to pay the principal of and interest on said bonds to be authorized in a bond resolution to be adopted by the Board; and

WHEREAS, the evidence contained in such plans, estimates and engineering and architectural studies with respect to the Project permits the Board to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act ("SEQRA") regulations, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE, NEW YORK, as follows:

Section 1. The Village, by and through the Board, hereby declares and designates itself to be the "lead agency" as that term is defined in 6 NYCRR §617.2(v), with respect to the environmental review of the Project.

Section 2. It is hereby determined that the Project is a Type II action, as that term is defined in §617.2(ak).

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review, segmentation or scoping of such review is necessary or required with respect to the Project.

Section 4. The Village hereby determines that no environmental impact statement or any other determination or procedure is required under the Regulations and no hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it will determine that the Projects (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 6. The Village shall maintain a file, readily accessible to the public, in the office of the Village Clerk, containing this resolution.

Section 7. This resolution shall take effect immediately upon its adoption.

F. RESOLUTION – Authorizing Bond Sale to Fund Various Studies and also Parking Pay Station, Charging Station

On a motion by Trustee Knapp, seconded by Trustee Behrens, the following resolution was unanimously approved:

BOND RESOLUTION, DATED MAY 9, 2022, AUTHORIZING THE ISSUANCE OF UP TO $326,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BRONXVILLE, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION OF VARIOUS EQUIPMENT, (II) THE ACQUISITION OF SURVEYS, PRELIMINARY PLANS, DETAILED PLANS AND SPECIFICATIONS NECESSARY FOR FUTURE CAPITAL IMPROVEMENTS AND (III) THE ACQUISITION OF PARKING PAY STATIONS.

WHEREAS, the Board of Trustees of the Village of Bronxville (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (i) the acquisition of various equipment ($36,000), (ii) the acquisition of surveys, preliminary plans, detailed plans and specifications necessary for future capital improvements ($275,000) and (iii) the acquisition of parking pay stations ($15,000), all in and for the Village, including any preliminary and incidental costs related thereto, at a total estimated cost not to exceed $326,000, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed $326,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

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

(a) The acquisition of various equipment, including any preliminary and incidental costs related thereto, at an estimated maximum cost of $105,000 for which $36,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 32 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 of surveys, preliminary plans, detailed plans and specifications necessary for future capital improvements, including any preliminary and incidental costs related thereto, at an estimated maximum cost of $400,000 for which $275,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of five (5) years pursuant to subdivision 62 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

(c) The acquisition of parking pay stations, including any preliminary and incidental costs related thereto, at an estimated maximum cost of $15,000 for which $15,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance 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 costs of the Project are not to exceed $520,000; (b) the Board of Trustees of the Village plans to finance the costs of the Project from (i) grants-in-aid and/or ARPA funds anticipated to be received by the Village; and (ii) the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (c) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (d) the maximum maturity of such serial bonds authorized herein shall not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein 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 the capital financing of such expenditure.

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 serial bonds as authorized herein, and bond anticipation notes issued 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 issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such 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. The faith and credit of the Village are 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 herein, 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 at 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 of New York.

Section 7. Prior to the issuance of any 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 any 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 serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with 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 Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, 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 such 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 will take effect immediately upon its adoption by the Board of Trustees of the Village.

G. RESOULTION - Approving Environmental Compliance for Sidewalk Improvements along Route 22

On a motion by Trustee Fredericks, seconded by Trustee Knapp, the following resolution was unanimously approved:

WHEREAS, on March 14, 2022 the Board of Trustees authorized various crosswalk and sidewalk improvements along Route 22, and

WHEREAS, the Board of Trustees authorized funding for these projects, and

WHEREAS, in order to consider financing these projects through debt issuance, the Village is first required by law to adopt an environmental compliance resolution,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby approve the following environmental compliance resolution.

**ENVIRONMENTAL COMPLIANCE RESOLUTION
TO MAKE FINDINGS AND DETERMINATIONS**

WHEREAS various Village department heads and where applicable, competent architectural and engineering firms, duly licensed by the State of New York have, at the instance of the Board of Trustees (the "Board"), prepared plans, estimates, and where applicable, engineering and architectural studies and an estimate of the costs of the construction or reconstruction of roads and streets in and for the Village, authorized by the Board pursuant to a bond resolution, dated May

9, 2022 including rights-in-land, original furnishings, equipment, machinery, apparatus required for such purpose, and preliminary and incidental costs related thereto (collectively the "Project") and said plans, estimates and engineering and architectural studies have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Board of Trustees has determined, each component of the Project is a "Type II action", as that term is defined in 6 NYCRR §617.2(ak), and therefore there is no requirement that the Village prepare or file an Environmental Assessment Form ("EAF"); and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is $175,000 and that the costs of the Project are to be financed by the issuance of serial bonds of the Village in the aggregate principal amount of $175,000 pursuant to the Local Finance Law of New York (the "LFL") and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees in amounts sufficient to pay the principal of and interest on said bonds to be authorized in a bond resolution to be adopted by the Board; and

WHEREAS, the evidence contained in such plans, estimates and engineering and architectural studies with respect to the Project permits the Board to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act ("SEQRA") regulations, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE, NEW YORK, as follows:

Section 1. The Village, by and through the Board, hereby declares and designates itself to be the "lead agency" as that term is defined in 6 NYCRR §617.2(v), with respect to the environmental review of the Project.

Section 2. It is hereby determined that the Project is a Type II action, as that term is defined in §617.2(ak).

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review, segmentation or scoping of such review is necessary or required with respect to the Project.

Section 4. The Village hereby determines that no environmental impact statement or any other determination or procedure is required under the Regulations and no hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it will determine that the Projects (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 6. The Village shall maintain a file, readily accessible to the public, in the office of the Village Clerk, containing this resolution.

Section 7. This resolution shall take effect immediately upon its adoption.

H. **RESOLUTION** – Authorizing Bond Sale to Fund Sidewalk Improvements Along Route 22

On a motion by Trustee Fredericks, seconded by Mayor Marvin, the following resolution was unanimously approved:

BOND RESOLUTION, DATED MAY 9, 2022, AUTHORIZING THE ISSUANCE OF UP TO $175,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BRONXVILLE, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE CONSTRUCTION OR RECONSTRUCTION OF ROADS AND STREETS.

WHEREAS, the Board of Trustees of the Village of Bronxville (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the construction or reconstruction of roads and streets in and for the village, including any preliminary and incidental costs related thereto, at a total estimated cost not to exceed $175,000, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed $175,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

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

(a) The construction or reconstruction of roads and streets, including any preliminary and incidental costs related thereto, at an estimated maximum cost of $175,000 for which $175,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance 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

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed $175,000; (b) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (c) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (d) the maximum maturity of such serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein 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 the capital financing of such expenditure.

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 serial bonds as authorized herein, and bond anticipation notes issued 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 issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such 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. The faith and credit of the Village are 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 herein, 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 at 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 of New York.

Section 7. Prior to the issuance of any 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 any 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 serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with 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 Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, 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 such 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.

I. **RESOLUTION** – Approving Environmental Compliance for Village Recreation Improvements

On a motion by Trustee Knapp, seconded by Trustee Fredericks, the following resolution was unanimously approved:

WHEREAS, on April 25, 2022 the Board of Trustees authorized various Village owned parks and recreational areas, and

WHEREAS, the Board of Trustees authorized funding for these projects, and

WHEREAS, in order to consider financing these projects through debt issuance, the Village is first required by law to adopt an environmental compliance resolution,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby approve the following environmental compliance resolution.

ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS AND DETERMINATIONS

WHEREAS various Village department heads and where applicable, competent architectural and engineering firms, duly licensed by the State of New York have, at the instance of the Board of Trustees (the "Board"), prepared plans, estimates, and where applicable, engineering and architectural studies and an estimate of the costs of the improvements to Village parks and recreational areas, authorized by the Board pursuant to a bond resolution, dated May 9, 2022, including rights-in-land, original furnishings, equipment, machinery, apparatus required for such purpose, and preliminary and incidental costs related thereto (collectively the "Project") and said plans, estimates and engineering and architectural studies have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Board of Trustees has determined, each component of the Project is a "Type II action", as that term is defined in 6 NYCRR §617.2(ak), and therefore there is no requirement that the Village prepare or file an Environmental Assessment Form ("EAF"); and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is $440,000 and that the costs of the Project are to be financed in part by the issuance of serial bonds of the Village in the aggregate principal amount of $312,000 pursuant to the Local Finance Law of New York (the "LFL") and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees in amounts sufficient to pay the principal of and interest on said bonds to be authorized in a bond resolution to be adopted by the Board; and

WHEREAS, the evidence contained in such plans, estimates and engineering and architectural studies with respect to the Project permits the Board to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act ("SEQRA") regulations, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE, NEW YORK, as follows:

Section 1. The Village, by and through the Board, hereby declares and designates itself to be the "lead agency" as that term is defined in 6 NYCRR §617.2(v), with respect to the environmental review of the Project.

Section 2. It is hereby determined that the Project is a Type II action, as that term is defined in §617.2(ak).

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review, segmentation or scoping of such review is necessary or required with respect to the Project.

Section 4. The Village hereby determines that no environmental impact statement or any other determination or procedure is required under the Regulations and no hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it will determine that the Projects (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 6. The Village shall maintain a file, readily accessible to the public, in the office of the Village Clerk, containing this resolution.

Section 7. This resolution shall take effect immediately upon its adoption.

J. RESOLUTION – Authorizing Bond Sale to Fund Various Recreation Improvements

On a motion by Trustee Knapp, seconded by Trustee Behrens, the following resolution was unanimously approved:

BOND RESOLUTION, DATED MAY 9, 2022, AUTHORIZING THE ISSUANCE OF UP TO $312,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BRONXVILLE, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE IMPROVEMENTS TO VILLAGE PARKS AND RECREATIONAL AREAS.

WHEREAS, the Board of Trustees of the Village of Bronxville (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the improvements to Village parks and recreational areas in and for the village, including any preliminary and incidental costs related thereto, at a total estimated cost not to exceed $312,000, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed $312,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

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

(a) The improvements to Village parks and recreational areas including any preliminary and incidental costs related thereto, at an estimated maximum cost of $440,000 for which $312,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance 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.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed $440,000; (b) the Board of Trustees of the Village plans to finance the costs of the Project from (i) grant-in-aid and/or ARPA funds anticipated to be received by the Village and (ii) the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (c) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (d) the maximum maturity of such serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein 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 the capital financing of such expenditure.

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 serial bonds as authorized herein, and bond anticipation notes issued 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 issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such 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. The faith and credit of the Village are 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 herein, 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 at 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 of New York.

Section 7. Prior to the issuance of any 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 any 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 serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with 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 Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, 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 such 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.

K. **RESOLUTION** – Approving Environmental Compliance for Traffic Signal Improvements

On a motion by Trustee Fredericks, seconded by Trustee Knapp, the following resolution was unanimously approved:

WHEREAS, on April 25, 2022 the Board of Trustees authorized various traffic signals and traffic signal systems, and

WHEREAS, the Board of Trustees authorized funding for these projects, and

WHEREAS, in order to consider financing these projects through debt issuance, the Village is first required by law to adopt an environmental compliance resolution,

NOW, THEREFORE, BE IT

RESOLVED that the Board of Trustees hereby approve the following environmental compliance resolution.

ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS AND DETERMINATIONS

WHEREAS various Village department heads and where applicable, competent architectural and engineering firms, duly licensed by the State of New York have, at the instance of the Board of Trustees (the "Board"), prepared plans, estimates, and where applicable, engineering and architectural studies and an estimate of the costs of the acquisition of traffic signals and traffic signal systems, in and for the Village, authorized by the Board pursuant to a bond resolution, dated May 9, 2022, including rights-in- land, original furnishings, equipment, machinery, apparatus required for such purpose, and preliminary and incidental costs related thereto (collectively the "Project") and said plans, estimates and engineering and architectural studies have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Board of Trustees has determined, each component of the Project is a "Type II action", as that term is defined in 6 NYCRR §617.2(ak), and therefore there is no requirement that the Village prepare or file an Environmental Assessment Form ("EAF"); and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is $1,190,000 and that the costs of the Project are to be financed in part by the issuance of serial bonds of the Village in the aggregate principal amount of $655,000 pursuant to the Local Finance Law of New York (the "LFL") and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

WHEREAS, it is proposed that the costs of the Project are to be paid from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees in amounts sufficient to pay the principal of and interest on said bonds to be authorized in a bond resolution to be adopted by the Board; and

WHEREAS, the evidence contained in such plans, estimates and engineering and architectural studies with respect to the Project permits the Board to make the determinations hereinafter in connection with actions to be made for the purpose of authorizing the financing of the Project;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act ("SEQRA") regulations, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BRONXVILLE, NEW YORK, as follows:

Section 1. The Village, by and through the Board, hereby declares and designates itself to be the "lead agency" as that term is defined in 6 NYCRR §617.2(v), with respect to the environmental review of the Project.

Section 2. It is hereby determined that the Project is a Type II action, as that term is defined in §617.2(ak).

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review, segmentation or scoping of such review is necessary or required with respect to the Project.

Section 4. The Village hereby determines that no environmental impact statement or any other determination or procedure is required under the Regulations and no hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it will determine that the Projects (i) will not have a significant effect on the climate or climate change, and (ii) will not have a significant effect on the environment, and no unidentified adverse effects are anticipated with respect thereto and are precluded from further review under the Environmental Conservation Law.

Section 6. The Village shall maintain a file, readily accessible to the public, in the office of the Village Clerk, containing this resolution.

Section 7. This resolution shall take effect immediately upon its adoption.

L. **RESOLUTION** – Authorizing Bond Sale to Fund Traffic Signal and Related Improvements

On a motion by Mayor Marvin, seconded by Trustee Knapp, the following resolution was unanimously approved:

BOND RESOLUTION, DATED MAY 9, 2022, AUTHORIZING THE ISSUANCE OF UP TO $655,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF BRONXVILLE, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION OF TRAFFIC SIGNALS AND TRAFFIC SIGNAL SYSTEMS IN AND FOR THE VILLAGE

WHEREAS, the Board of Trustees of the Village of Bronxville (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition of traffic signals and traffic signal systems, including any preliminary and incidental costs related thereto, at a total estimated cost not to exceed $655,000, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed $655,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, hereinafter described.

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

(a) The acquisition of traffic signals and traffic signal systems, including any preliminary and incidental costs related thereto, at an estimated maximum cost of $1,190,000 for which $655,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of twenty (20) years pursuant to subdivision 72(a) 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

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed $1,190,000; (b) the Board of Trustees of the Village plans to finance the costs of the Project from (i) grant-in-aid and/or ARPA funds anticipated to be received by the Village and (ii) the proceeds of the serial bonds authorized herein, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (c) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (d) the maximum maturity of such serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein 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 the capital financing of such expenditure.

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 serial bonds as authorized herein, and bond anticipation notes issued 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 issued pursuant to this bond resolution, and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to impress the seal of the Village (or to have imprinted a facsimile thereof) on all such serial bonds and all such 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. The faith and credit of the Village are 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 herein, 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 at 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 of New York.

Section 7. Prior to the issuance of any 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 any 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 serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with 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 Board of Trustees of the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the serial bonds authorized herein, and of bond anticipation notes issued in anticipation of the issuance of such serial bonds, the Village agrees, in accordance with and as an obligated person with respect to such obligations under, Rule 15c2-12 (the "Rule") promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934, 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 such 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.

TRUSTEE COMMENTS – None
PUBLIC COMMENTS – None

The next Village Board of Trustees meeting is scheduled for Monday, June 13, 2022, at 7:00pm.

There being no further comments, Mayor Marvin closed the Regular Meeting of the Board of Trustees at 8:20pm on a motion by Trustee Fredericks, seconded by Trustee Knapp.

James M, Palmer, Village Administrator/Clerk