

VILLAGE OF TARRYTOWN  
BOARD OF TRUSTEES  
REGULAR MEETING 7:00 P.M.  
Tuesday, September 6, 2022  
Tarrytown Village Hall  
One Depot Plaza, Tarrytown, New York

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Members of the Public may attend in person or remotely. For those members of the public interested in viewing and/or participating in the meeting remotely, visit <https://www.tarrytowngov.com/home/events/37466> for instructions on how to join & participate via zoom.

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REGULAR MEETING: 7:00 P.M.

1. Board Miscellaneous and Liaison Reports
2. Changes and/or Additions to the Agenda
3. Administrator's Report
4. Presentation - Community Coalition/Kids Club Presentation, Jennifer Liddy Green and Char Weigel
5. Public Hearing – Local Law #7-2022 to amend Chapter 119 “Community Choice Aggregation” to enable the addition of solar credits to the program, with an opt-out option

WHEREAS, the Village of Tarrytown established a Community Choice Aggregation Program in September 2015; and

WHEREAS Assistance Program Participants (low-income residents who receive support for utility payments) are not eligible to participate in the Community Choice Aggregation program, but have been approved by the State Public Service Commission for enrollment in Westchester Power's Solar Credit Program because the cost savings are guaranteed; and

WHEREAS Westchester Power can enroll Assistance Program Participants on an opt-out basis in the Solar Credit Program for a guaranteed savings of between 5% and 10% off of their electricity bill every month; and

WHEREAS enrollment in the program will not change how participants pay their electric bill or impact their assistance benefits in any way; and

WHEREAS participation in the program will support a local solar farm while guaranteeing savings for participants; and

WHEREAS, the Village of Tarrytown must amend Chapter 119 of its Village Code entitled "Community Choice Aggregation Program" to incorporate opt-out Community Distributed Generation pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and

WHEREAS, the Board of Trustees published a notice of public hearing on July 22, 2022, and on August 22, 2022, and held a public hearing on August 15, 2022, and again on September 6, 2022.

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: 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 environmental impact and hereby adopts a Negative Declaration for the proposed action.

BE IT FURTHER RESOLVED, that the Tarrytown Village Board of Trustees does hereby adopt Local Law No.7-2022 amending Chapter 119 of the Village Code. The full text of this law can be found at the end of this Agenda.

6. Opportunity for the Public to address the Board only on items listed on the agenda, other than public hearing items. Speakers shall have three (3) minutes each to address the Board of Trustees
7. Resolution authorizing a contract with a grant consultant

WHEREAS, after reaching out to various companies to request proposals, which resulted in the submission of three expressions of interest, and one declination; and

WHEREAS, after performing due diligence to check with professional references and other communities that have worked with the different consulting companies. NOW, THEREFORE, BE IT RESOLVED, the proposed action is a Type II Action under SEQRA and therefore, not subject to further review under SEQRA; and

BE IT FURTHER RESOLVED. that the Board of Trustees of the Village of Tarrytown hereby authorizes a professional services agreement with Millennium Strategies of Nanuet, NY, for grant planning, research and complete grant application writing services to the Village of Tarrytown, for a retainer of a monthly cost of three thousand dollars (\$3,000) per month, and authorizes the Village Administrator to

execute the agreement and to take the necessary and appropriate actions to implement it.

8. Resolution authorizing a publication of a notice and upon completion execution of A. a NEPA Determination of Categorical Exclusion and B. Authorization for Release of funds for the Tarrytown MHA for the Franklin Towers rehabilitation project.

A. NEPA Determination for Franklin Towers Rehabilitation Project

WHEREAS, the Tarrytown Municipal Housing Authority has embarked on a project to rehabilitate the Franklin Towers dwelling units at the 50 White Street, which includes upgrades to common areas, plumbing and electrical systems community rooms, energy efficiency, ADA compliance and modern apartment amenities; and

WHEREAS, the proposed action: (1) will not change unit density by more than 20%; (2) does not involve changes in land use from residential to non-residential; and (3) the estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation; and

WHEREAS, this project will involve minimal ground-disturbing activities, and will not result in a significant impact on the quality of the human environment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes the execution of a certification that the renovation and rehabilitation of the housing units located there do not exceed any thresholds under the NEPA that would warrant further environmental review or analysis and makes a determination that this project qualifies for a CATEGORICAL EXCLUSION under NEPA, and therefore authorizes Village Administrator Richard Slingerland to execute and publish and post a notice of such determination for public comment for the HUD required time period of fifteen (15) days.

B. Authorization for Release of funds for the Tarrytown MHA for the Franklin Towers rehabilitation project.

WHEREAS, the Tarrytown Municipal Housing Authority would like to issue a request to HUD for the release of funds pursuant to Section 18 of the United States Housing Act of 1937, as amended, to undertake a project known as the Franklin Towers Modernization, which will include modernization, rehabilitation and renovation of 81 residential housing units, at the project location of 50 White Street, with a conversion from public housing to project based Section 8 under a HUD RAD / Section 18 blended program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown authorizes Village Administrator Richard Slingerland to execute a certification and request that HUD release of funds pursuant to Section 18 of the United States Housing Act of 1937, as amended, to undertake a project known as the Franklin Towers Modernization, and to publish and post a notice of such determination for public comment for the HUD required time period of fifteen (15) days.

9. Acceptance of a \$25,000 Grant from Assemblyman Thomas Abinanti

WHEREAS, the Village of Tarrytown worked cooperatively with Assemblyman Thomas Abinanti to identify a project at the Tarrytown Lakes, that would implement a shorebank stabilization, and provide for the purchase and installation of a kayak docks and ramp to enhance the Village’s ability to provide recreation opportunities at the Tarrytown Lakes.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorize the acceptance of a grant provided from New York State, with the assistance of Assemblyman Abinanti, for shorebank stabilization, and for the purchase and installation of a kayak docks and ramp to enhance the Village’s ability to provide recreation opportunities at the Tarrytown Lakes; and

BE IT FURTHER RESOLVED, the proposed action is a Type II Action under SEQRA and therefore, not subject to further review under SEQRA; and

BE IT FURTHER RESOLVED, that the Village Administrator is authorized to take the necessary and appropriate actions to execute an agreement for these grant funds, and to implement the noted grant provisions and improvements.

10. Resolution to add a handicapped parking space in front of 74 Wildey Street

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorize an amendment to the Vehicle and Traffic Section of the Village Code Section 291-92, Schedule XXVII – Handicapped Parking Spaces, to add the following:

Name of Street or Lot	Side	Number of spaces, Location
Wildey Street	South	1 Space, near 74 Wildey Street

11. Resolution of Support for the Clean Water, Clean Air and Green Jobs Bonds Act

WHEREAS, the State of New York is putting forth a proposal before voters this November, on Election Day, for a referendum on the first environmental bond act in 25 years; and

WHEREAS, the funding that would be included in this New York State Clean Water, Clean Air and Green Jobs Environmental Bond Act totals \$4.2 billion in funding, which if approved would be allocated as follows:

- Open Space Land Conservation and Recreation \$650 million
- Water Quality Improvement and Resilient Infrastructure \$650 million
- Climate Change Mitigation (includes \$ to electrify school buses) \$1.5 billion
- Restoration and Flood Risk Reduction \$1.2 billion

- Unallocated

\$300 million

WHEREAS, according to a post about this initiative listed on Ballotpedia, attributed to Jim Melius, administrator of the NYS Laborers Tri Funds, a “conservative view of this bond act suggests that it would create over 100,000 new jobs for New Yorkers ranging from management, construction, and innovative industries... and would put New York firmly on the track to becoming a leader in green technology at the cost of less than \$4 per month per household.” and

WHEREAS the Board of Trustees of the Village of Tarrytown supports New York State’s efforts to encourage voters to approve this bond act and encourage investment in improving infrastructure to safeguard clean drinking water, replace lead pipes, improving sewers and water treatment facilities, preserve open space and improve access to public parks, invest in clean energy and clean air infrastructure, retrofitting of buildings, replacement of vehicles, and other initiatives that would reduce pollution and improve health and safety; and

WHEREAS, it is important to note along the lines of the old adage an ounce of prevention is worth a pound of cure, that every dollar spent on storm hardening, mitigation and prevention, saves up to 6-times the cost of future storm damage that would be prevented through such prevention and mitigation measures.

WHEREAS, if approved, a portion of the funding from the proceeds authorized in this environmental bond act referendum would become available to Tarrytown through grant funding streams that would be put forth by the State of New York.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown supports the Clean Water, Clean Air, and Green Jobs Bond Act in 2022, and joins with other New York municipalities and joins the coalition supporting the passage of this New York State Environmental Bond Act on the ballot on Election Day, Tuesday, November 8, 2022.

## 12. Bond Resolution A - \$75,000 - Vehicles, 5 Years

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.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the summary bond resolution, dated August 15, 2022, authorizing the issuance of up to \$75,000 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 Acquisition of Motor Vehicles, all in and for the Village.

BE IT FURTHER RESOLVED that the entire text of Bond Resolution A shall be included in the official minutes of this Board of Trustees meeting and as an Addendum to this agenda.

13. Bond Resolution B – \$255,000 - Various Improvements, 10 Years

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.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the summary bond resolution, dated August 15, 2022, authorizing the issuance of up to \$255,000 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 Acquisition of Communications Systems, and (II) the Acquisition, Construction and Reconstruction of Interior and Exterior Improvements to Village Buildings, and (III) the Acquisition, Construction and Reconstruction of Improvements to Sidewalks and Curbs, and (IV) the Acquisition of Traffic Signs, all in and for the Village.

BE IT FURTHER RESOLVED that the entire text of Bond Resolution B shall be included in the official minutes of this Board of Trustees meeting and as an Addendum to this agenda

14. Bond Resolution C – \$1,445,000 - Various Improvements, 15 Years

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.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the summary bond resolution, dated August 15, 2022, authorizing the issuance of up to \$1,445,000 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 Acquisition, Construction and Reconstruction of Road Improvements, and (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.

15. Bond Resolution D - \$500,000 - Water Meters, 20 Years

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.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the summary bond resolution, dated August 15, 2022, authorizing the issuance of up to \$500,000 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 Acquisition water meters for the Village.

BE IT FURTHER RESOLVED that the entire text of Bond Resolution D shall be included in the official minutes of this Board of Trustees meeting and as an Addendum to this agenda.

16. Bond Resolution E – \$240,000 - Building Improvements, 25 Years

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.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the summary bond resolution, dated February 22, 2022,

authorizing the issuance of up to \$240,000 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 Acquisition, Construction and Reconstruction of Improvements to Village Buildings.

BE IT FURTHER RESOLVED that the entire text of Bond Resolution E shall be included in the official minutes of this Board of Trustees meeting and as an Addendum to this agenda.

17. Bond Resolution F - \$2,612,500 – Water and Sewer Improvements, 30 Years

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 adopts a Negative Declaration for the proposed action.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the summary bond resolution, dated August 15, 2022, authorizing the issuance of up to \$2,612,500 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 Sewer System Improvements and (ii) the Acquisition, Construction of Water System Improvements, in and for the Village.

BE IT FURTHER RESOLVED that the entire text of Bond Resolution F shall be included in the official minutes of this Board of Trustees meeting and as an Addendum to this agenda.

18. Amendment to Resolution of the Board updating the Board's Authorization of a new Financial Institution as an Authorized Depository, adding the new Village Treasurer.

WHEREAS, New York Municipal Law, Article 5-G, Section 119-o (Section 119-o) empowers municipal corporations to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis; and

WHEREAS, the Village of Tarrytown wishes to invest portions of its available investments funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 14, 2014; and

WHEREAS, the Village of Tarrytown wishes to assure the safety and liquidity of its funds.

NOW, THEREFORE, IT IS HERBY RESOLVED AS FOLLOWS:

That Richard Slingerland, Village Administrator is hereby authorized to execute and deliver the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 14, 2014, in the name of and on behalf of the Village of Tarrytown, and Antoinette Morales, Village Treasurer, is authorized to carry out his financial and fiduciary duties as Treasurer, and sign such financial instruments as may be necessary, including processing wire transfers.

19. Fire Department Membership Changes

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the following Fire Department membership changes recommended at the August 16, 2022 Board of Fire Wardens meeting.

Active Membership: Peter Civarelli has been elected to Active Membership of Phenix Hose Co. Evan Ashiloh Bowen has been elected to Active Membership of Riverside Hose Co.

Transfer of Membership: Michael Pereira has been released from active membership with Riverside Hose Co. and has been accepted for active membership with Conqueror Hook and Ladder 37.

20. Acceptance of Donations towards Mural on Building – Placemaking Committee

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown hereby authorizes the acceptance of additional monetary donations in various amounts totaling \$1,600.00 by multiple donors to be put towards the funding for the mural at the corner of Kaldenberg Place and Main Street.

21. Standard Work Day and NYS Retirement System Reporting Resolution

WHEREAS, the New York State and Local Retirement System requires that the Village establish a standard workday for each employee title for retirement reporting purposes,

NOW THEREFORE BE IT RESOLVED: that the Village of Tarrytown Location Code 40027 hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the Village Clerk of the Board of Trustees:

Title	Standard Work Day (hours)
Assistant Court Clerk-Spanish	7.00
Assistant Junior Engineer	7.00
Auto Mechanic I	8.00

Auto Mechanic II	8.00
Building Inspector	7.00
Caretaker 1	7.00
Chief Water Treatment Operator	8.00
Code Enforcement Officer	7.00
Court Clerk	7.00
General Foreman	8.00
Intermediate Clerk	7.00
Laborer	8.00
Lead Maintenance Mechanic - Automotive	8.00
Lead Maintenance Mechanic - Sanitation	8.00
Librarian I	7.00
Librarian II	7.00
Library Clerk	7.00
Library Director	7.00
Maintenance Mechanic/Utility	8.00
MEO/Road Maintainer	8.00
Motor Equipment Operator I	8.00
Office Assistant/Automated Systems	7.00
Office Assistant/Financial Support	7.00
Parks Foreman	8.00
Parks Groundsman	8.00
Parking Enforcement Officer	8.00
Parking Meter Repairer	8.00
Police Chief	8.00
Police Lieutenant	8.00
Police Officer	8.00
Police Sergeant	8.00
Recreation Assistant	8.00
Recreation Leader	8.00
Road Maintainer	8.00
Road Maintenance Foreman	8.00
School Crossing Guard	8.00
Secretary to Planning/Zoning/	7.00
Senior Account Clerk Typist	7.00
Senior Library Clerk	7.00
Senior Office Assistant/Police	7.00
Skilled Laborer	8.00
Staff Assistant/Library	7.00
Superintendent of Public Works	8.00
Superintendent of Recreation	8.00
Village Administrator	7.00
Village Clerk	7.00

Deputy Village Clerk	7.00
Village Engineer	7.00
	6.00 hrs per day
Village Justice	8.67 days per month
	6.00 hrs per day
Acting Village Justice	2.39 days per month
Village Treasurer	7.00
Deputy Village Treasurer	7.00

22. Standard Work Day and NYS Retirement System Reporting Resolution – Appointed Officials

WHEREAS, the New York State and Local Retirement System (NYSLRS) has set certain reporting requirements that apply to elected and appointed officials whose terms started on or after August 12, 2009, who are members of the NYSLRS and who do not participate in their employee’s time keeping system; and

WHEREAS, based on this requirement, the Village must establish a standard workday for each of these elected and appointed offices, specify the expectation of each term, designate the number of days to be reported for each official and certify receipt of record of activities,

NOW THEREFORE BE IT RESOLVED: that the Village of Tarrytown hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted to the Village Clerk:

**ELECTED OFFICIALS:**

TITLE	NAME	STANDARD WORK DAY	TERM BEGINS/ ENDS	PARTICIPATES IN A RECORD KEEPING SYSTEM	DAYS/ MONTHS	TIER 1	NOT SUBMITTED NO REC OF ACTIVITY COMPLETED OR TIMEKEEPING SYSTEM
VILLAGE JUSTICE	KYLE MCGOVERN	6.0	12/07/2019-12/04/2023	Yes	8.67	NO	xxxx
ACTING VILLAGE JUSTICE	GEORGE HIAPATSOS JR	6.0	12/03/18-12/05/22	Yes	2.39	NO	xxxx

TITLE	NAME	STANDARD WORK DAY	TERM BEGINS/ ENDS	PARTICIPATES IN A RECORD KEEPING SYSTEM	DAYS/ MONTHS	TIER 1	NOT SUBMITTED NO REC OF ACTIVITY COMPLETED OR TIME

							KEEPING SYSTEM
VILLAGE CLERK	KRISTINE GILLIGAN	7.00	4/15/2020-12/05/2022	YES	N/A	NO	
DEPUTY VILLAGE CLERK	ALISSA FASMAN	7.00	12/06/2021-12/05/2022	YES	N/A	NO	
TREASURER	ANTOINETTE MORALES	7.00	4/25/2022-12/05/2022	YES	N/A	NO	
DEPUTY TREASURER	AZUCENA MOLINA	7.00	5/17/2021-12/05/2022	YES	N/A	NO	

\*For the purpose of this resolution only

21. Approval of the Minutes of the Board of Trustees Meeting of August 15th, 2022

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve the minutes of the Board of Trustees Meeting held on Monday, August 15th, 2022 as submitted by the Village Clerk.

19. Approval of Audited Vouchers

BE IT RESOLVED that the Board of Trustees of the Village of Tarrytown does hereby approve Abstract No. 04 of Audited Vouchers in the total amount of \$372,866.82 as presented by the Village Treasurer, to be paid in the following amounts:

General	\$ 285,400.00
Water	\$ 39,833.23
Sewer Fund	\$ 5,880.00
Capital	\$ 26,278.72
Library	\$ 10,252.37
Trust & Agency	\$ <u>5,222.50</u>
<b>Total</b>	<b>\$ 372,866.82</b>

20. Opportunity for the Public to Address the Board on items not included on the agenda. Speakers have three (3) minutes before yielding to the next speaker

**Adjournment BOND RESOLUTION, DATED AUGUST \_\_, 2022, AUTHORIZING THE ISSUANCE OF UP TO \$75,000 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 THE ACQUISITION OF MOTOR VEHICLES.**

**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 the acquisition of motor vehicles for the Village, including any preliminary and incidental costs related thereto, at a total cost not to exceed \$75,000, 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 \$75,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition of motor vehicles for the Town, including any preliminary and incidental costs related thereto (the "Project").

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is five (5) years. Such serial bonds authorized herein 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 \$75,000; (b) 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 the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may not be in excess of five (5) years; and (e)

on or before the expenditure of moneys to pay for any costs of an item within an object or purpose, or class of object or purpose, 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 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 AUGUST \_\_, 2022, AUTHORIZING THE ISSUANCE OF UP TO \$255,000 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 ACQUISITION OF COMMUNICATION SYSTEMS, (II) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF INTERIOR AND EXTERIOR IMPROVEMENTS TO VILLAGE BUILDINGS, (III) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO SIDEWALKS AND CURBS, AND (IV) THE ACQUISITION OF TRAFFIC SIGNS, ALL IN AND FOR THE VILLAGE.**

**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 communication systems (\$90,000), (ii) the acquisition, construction and reconstruction of interior and exterior improvements to Village buildings (\$110,000), (iii) the acquisition, construction and reconstruction of improvements to sidewalks and curbs (\$35,000), and (iv) the acquisition of traffic signs (\$20,000), 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 \$255,000, 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 \$255,000, 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 communication systems for the Village, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$90,000 for which \$90,000 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 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 and reconstruction of interior and exterior improvements to Village buildings, 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 \$110,000, for which \$110,000 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 ten (10) years pursuant to subdivision 13 of paragraph a of Section 11.00 of the Local Finance Law (such buildings being of "Class A" construction as that term is defined in 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, construction and reconstruction of improvements to sidewalks and curbs in 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 \$35,000, for which \$35,000 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 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

(d) The acquisition of traffic signs for the Village, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$20,000, for which \$20,000 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 ten (10) years pursuant to subdivision 72(b) 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 \$255,000; (b) 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 the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds, (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) 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 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 which 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 AUGUST \_\_, 2022, AUTHORIZING THE ISSUANCE OF UP TO \$1,445,000 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 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.**

**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 (\$250,000), (ii) the acquisition, construction and reconstruction of improvements to parks and recreations areas (\$290,000) and (iii) the acquisition of machinery and apparatus for construction and maintenance (\$905,000), 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 \$1,445,000, 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 \$1,445,000, 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 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 an estimated maximum cost of \$250,000, for which \$250,000 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 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 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 an estimated maximum cost of \$290,000, for which \$290,000 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 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 for the Village, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$905,000, for which \$905,000 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 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 \$1,445,000; (b) 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 the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds, (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) 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 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 AUGUST \_\_, 2022, AUTHORIZING THE ISSUANCE OF UP TO \$500,000 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 THE ACQUISITION OF WATER METERS FOR THE VILLAGE.**

**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 the acquisition of water meters 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 \$500,000, 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 \$500,000, pursuant to the Local Finance Law, in order to finance the acquisition of water meters for the Village, including any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the “Project”).

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 30 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty (20) years. The serial bonds authorized herein 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 \$500,000; (b) 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 the proceeds of the serial bonds authorized herein, or from the proceeds of bond

anticipation notes issued in anticipation of such serial bonds, (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) 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 be complied with as of the date of the publication of this bond resolution, or such summary thereof, are 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 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 AUGUST \_\_, 2022, AUTHORIZING THE ISSUANCE OF UP TO \$240,000 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 THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO VILLAGE BUILDINGS.**

**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 the acquisition, construction and reconstruction of improvements to Village buildings, 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 \$240,000, 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 \$240,000, pursuant to the Local Finance Law, in order to finance the acquisition, construction and reconstruction of improvements to Village buildings, including any applicable equipment, machinery, apparatus, land and rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the “Project”).

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is twenty-five (25) years (such buildings being of "Class A" construction as that term is defined in Section 11.00 of the Local Finance Law). The serial bonds authorized herein shall have a maximum maturity of twenty-five (25) 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 \$240,000; (b) 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 the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds, (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) 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 be complied with as of the date of the publication of this bond resolution, or such summary thereof, are 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 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 AUGUST \_\_, 2022, AUTHORIZING THE ISSUANCE OF UP TO \$2,612,500 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 SEWER SYSTEM IMPROVEMENTS AND (II) THE ACQUISITION, CONSTRUCTION OF WATER SYSTEM IMPROVEMENTS, IN AND FOR THE VILLAGE.**

**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 sewer system improvements (\$120,000) and (ii) the acquisition, construction and reconstruction of water system improvements (\$2,492,500), 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 \$2,612,500, 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 \$255,000, 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 sewer system improvements 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 an estimated maximum cost of \$120,000, for which \$120,000 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 forty (40) years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of forty (40) 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 water system improvements 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 an estimated maximum cost of \$2,492,500, for which \$2,492,500 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 forty (40) years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of forty (40) 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 \$2,612,500; (b) 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 the proceeds of the serial bonds authorized herein, or from the proceeds of bond anticipation notes issued in anticipation of such serial bonds, (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) 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 be complied with as of the date of the publication of this bond resolution, or such summary thereof, are 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 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.

LOCAL LAW NO. 7-2022

**LOCAL LAW TO AMEND ITS COMMUNITY CHOICE  
AGGREGATION (ENERGY) PROGRAM IN THE Village of Tarrytown**

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

**Section 1.** Chapter 119 of the Code of the Village of Tarrytown titled “Community Choice Aggregation (Energy) Program,” is hereby amended to read as follows:

**§ 119-1. Legislative findings; intent and purpose; authority.**

- A. It is the policy of both the Village of Tarrytown and the State of New York to reduce costs and provide cost certainty for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources, such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail energy markets and increase participation of and benefits for Eligible Customers in those markets. Among the policies and models that may offer benefits in New York is community choice aggregation (“CCA”), which allows local governments to procure electric and natural gas supply on behalf of its Eligible Customers.
- B. The purpose of this CCA Program is to allow participating local governments, including the Village of Tarrytown, to procure Energy Services, such as energy supply and Community Distributed Generation (CDG) Credits for their Eligible Customers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing Distribution Utility. This Chapter establishes a program that will allow the Village of Tarrytown to put out Energy Services for bid. Eligible Customers will have the opportunity to have more control to lower their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment, thereby fulfilling the purposes of this chapter and fulfilling an important public purpose.
- C. The Village of Tarrytown is authorized to implement this Community Choice Aggregation (Energy) Program pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law and State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued April 20, 2016, hereinafter the CCA Program Framework Order)
- D. This chapter shall be known and may be cited as the "Community Choice Aggregation (Energy) Program" Law of the Village of Tarrytown.

**§ 119-2. DEFINITIONS.**

For purposes of this chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this chapter shall have the meanings set forth below, or if not so defined, as employed in the State of New York Public Service Commission's Uniform Business Practices:

**Community Choice Aggregation Program (or “CCA Program”):** A municipal energy procurement program, that replaces the incumbent as the default electric and/or gas Supplier for all Opt-out Eligible Customers within the Village of Tarrytown. The CCA Program may include Community Distributed Generation Credits on an opt-out basis and other DER offerings on an opt-in basis.

**Community Distributed Generation (or “CDG”):** Community shared renewables program expanding customer access to the environmental and system benefits of qualifying renewable project generation located behind a non-residential host meter based on remotely sharing net metering or VDER monetary credits through a monetary credit applied to the utility bills of Participating Customers.

**Community Distributed Generation Credits (or “CDG Credits”):** The monetary credit applied to the utility bills of Participating Customers through the CDG program.

**Customers:**

**Eligible Customers:** Customers of electricity and/or natural gas eligible to participate in CCA, either on an Opt-out or Opt-in basis, as delineated in the CCA Framework Order.

**Opt-out Eligible Customers:** Eligible Customers that are eligible for opt-out treatment as delineated in the CCA Framework Order.

**Participating Customers:** Opt-out eligible customers who have been enrolled subsequent to the opt-out process and other customers who have opted in.

**Customer-specific Data:** Utility data for all Opt-out Eligible Customers including account holder name, service address, primary language, if available, any customer-specific alternate billing name and/or address, and other relevant, authorized data.

**Distributed Energy Resources (or “DER”):** Reforming the Energy Vision (REV) initiatives that further engage and/or reduce cost of service for participating consumers, optimize system benefits, and/or address infrastructure and demand challenges within the geography of the CCA including, but not limited to, local renewable energy projects, Community Distributed Generation, peak demand management, energy efficiency, demand response, energy storage, community resilience microgrid projects, and other innovative initiatives.

**Distribution Utility:** Owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission.

**Energy Services:** The provision of energy supply as electric power and/or natural gas or the provision of DER offerings.

**Public Service Commission (or “PSC”):** New York State Public Service Commission. **Suppliers:** Energy service companies (ESCOs) and/or DER providers and/or other entities with authority to provide Energy Services for Participating Customers in connection with this Chapter.

**Sustainable Westchester, Inc. (or “Sustainable Westchester”):** A not-for-profit organization comprised of member municipalities in Westchester County, New York.

**Value of Distributed Energy Resources (or “VDER”):** REV proceeding (Case 15-E-0751) that replaces the net metering program with a weighted value stack tariff mechanism for accurately pricing Distributed Energy Resources on the grid as a reflection of their system value. Value stack components include the price of energy, capacity, avoided carbon emissions, cost savings to customers and utilities,

demand reduction and locational relief. The goal of this proceeding is to increase DER penetration and benefits of DER installations.

§ 119-3. Establishment of Program.

- A. A Community Choice Aggregation (Energy) Program is hereby established by the Village of Tarrytown, whereby the Village shall work together with Sustainable Westchester to implement the CCA Program to the full extent permitted by the CCA Framework Order, as set forth more fully herein. The Village's role under the CCA Program involves the aggregating the demand for energy of its Eligible Customers and entering into contracts for Energy Services. Under the CCA Program, the operation and ownership of the utility service shall remain with the Distribution Utility.
- B. The Village's participation in a CCA Program constitutes neither the purchase of a public utility system nor the furnishing of utility service. The Village will not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service but will instead negotiate with Suppliers on behalf of Participating Customers.
- C. In order to implement the CCA Program, the Village will adopt one or more resolutions that outline the process of and conditions for participation in the CCA Program, including but not limited to signing a contract for a compliant bid with one or more suppliers, all as consistent with the local law and the CCA Framework Order.
- D. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating Suppliers, the operation by which Suppliers provide Energy Services and the terms on which customers may be enrolled with Suppliers.

**§ 119-4. PROCEDURES FOR ELIGIBILITY; CUSTOMER DATA SHARING.**

- A. As permitted by the CCA Framework Order, the Village may request from the Distribution Utilities aggregated customer information by fuel type service classification and other relevant, authorized data.
- B. Sustainable Westchester, on behalf of the Village of Tarrytown, shall issue one or more requests for proposals to Suppliers to provide energy to participants and may then award one or more contracts in accordance with the CCA Program.
- C. Sustainable Westchester or the Village, if the Village so chooses, will then request individual customer data from the distribution utility in accordance with the CCA Program.
- D. Sustainable Westchester or the Village, if the Village so chooses, and the selected supplier will then notify Opt-out Eligible Customers of the contract terms and their opportunity to opt out of the CCA Program energy supply and/or CDG Credits.
- E. In accordance with and for purposes of the CCA Framework Order, the Distribution Utility will provide to Sustainable Westchester Customer-specific Data (including usage data, capacity tag obligations, account numbers, and service addresses) of all Eligible Customers in the Village.
- F. Sustainable Westchester and the Village will protect customer information as required by law,

subject to the CCA Framework Order and the limitations of the New York State Freedom of Information Law.

**§ 119-5. CHOICE OF ENERGY SUPPLIER; OPT-OUT NOTICE AND PROCEDURE.**

- A. The Village or in conjunction with the Supplier will notify, or will cause notification of, its Opt-out Eligible Customers by letter notice, of the Village establishing the CCA Program, of the contract terms with the Supplier, and of the opportunity to opt out of the CCA Program offerings.
- B. The letter notice will be sent to each Opt-out Eligible Customer at the address provided by the Distribution Utility and explain the CCA Program and the material provisions of the Supplier contract, identify the methods by which the customer can opt out of the CCA Program, and provide information on how the customer can access additional information about the CCA Program.
- C. The opt-out period shall be at least thirty (30) Days.

**§ 119-6. VERIFICATION AND REPORTING.**

Sustainable Westchester shall be responsible for filing an annual report with the Public Service Commission as required in the CCA Framework Order.

Section 2. This local law shall take effect upon filing with the Secretary of State.