

**VILLAGE OF ARDSLEY
BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, MAY 4, 2020**

Present:	Mayor	Nancy Kaboolian
	Deputy Mayor	Trustee
	Trustee	Andy DiJusto
	Trustee	Evan Yager
	Trustee	Joann D’Emilio
		Steve Edelstein
	Village Manager	
	Village Attorney	Meredith S. Robson
	Village Clerk	Robert Ponzini
		Ann Marie Rocco

Mayor Kaboolian called to order the Regular Meeting at 8:00 p.m. via Zoom.

I. ANNOUNCEMENT OF EXIT SIGNS

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES: Regular Meeting – Monday, April 20, 2020

Trustee Yager: RESOLVED, that the Village Board of the Village of Ardsley hereby approves the minutes of the Regular Meeting of Monday, April 20, 2020 as submitted.
Seconded by Trustee D’Emilio and passed unanimously.

IV. DEPARTMENT REPORTS:

LEGAL REPORT: Village Attorney Robert Ponzini stated there is nothing to report and has been working with staff on various ongoing items.

MANAGER’S REPORT – 05/04/2020

Village Manager Robson read the following report:

- PUBLIC SERVICE RECOGNITION WEEK:** May 3-9 is Public Service Recognition Week. As I have done in previous years, I want to acknowledge and celebrate the work done by our municipal employees. For the most part, the work done by our Village staff is done “under the radar” and not recognized nearly enough. Garbage and recycling is collected, police respond to calls, inspections are done, bills are paid, official records are kept and leisure services are provided. This year, in particular, their commitment and dedication to providing service to the community should be profoundly evident.

Despite the dangers posed by the current pandemic, most of these services are still being provided, albeit in a very different and perhaps reduced fashion. But services are still being provided, nonetheless ... by employees who may have contracted and recovered from the virus ... by employees who are concerned like everyone else that they may contract the virus ... by employees who are concerned that they may unknowingly bring the virus home to their families ... by employees who are committed to serving the Village despite the risk. There is no satisfactory way to truly express my gratitude! To all of the public employees engaged in providing service to the public at all times, particularly during this immensely difficult period, I say “THANK YOU”!!! You are the very best and I am proud to work with you.

2. **9A ROAD IMPROVEMENTS:** We have been notified by the N.Y.D.O.T. that the 9A road improvement project is now complete! Hopefully those who are actually driving these days are enjoying the brand new road conditions.
3. **CON ED GAS LINE PROJECTS:** We understand that there is a great deal of disruption caused by the Con Ed gas line upgrades being done throughout the Village. We have been trying for some time to get a reliable schedule from Con Ed that we can distribute to the community, but this is a great challenge. We are still working on getting this accomplished so we can provide the information on this project as soon as possible.
4. **STATE OF EMERGENCY DECLARATION:** The second State of Emergency is in place until May 17th. Depending on the Governor’s Emergency Orders and the emergency conditions at that time, I may extend it again. Please stay safe!

TREASURER’S REPORT: Village Manager Robson, read the Treasurer’s Report for May 4, 2020:

Village Manager Robson, stated the bills for the past two weeks totaled as follows: From the General Fund: \$45,788.59 from the Trust & Agency Fund: \$870.25 and from the Capital Fund: \$464.00.

Trustee DiJusto: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Treasurer to make the following payments: From the General Fund: \$45,788.59 from the Trust & Agency Fund: \$870.25 and from the Capital Fund: \$464.00.
Seconded Yager by Trustee and passed unanimously.

MAYOR’S ANNOUNCEMENTS:

Mayor Kaboolian announced the following:

- Echoed what Village Manager Robson stated about Public Service Recognition Week.

- The Memorial Day Parade has been cancelled. However, we are trying to organize a wreath ceremony at Pascone Park with some members of the Board and Military.
- Reminded residents to not have their dogs run in our parks. Residents should leash their dogs at all times.
- Reminded residents to complete the 2020 Census. We are at 71.9%.
- Reminded residents that when you leave your home you need to wear a mask.
- We need to remain patient regarding the reopening phases of our businesses.

TRUSTEE DIJUSTO:

Trustee DiJusto announced the following:

- A resident reached out to the Board regarding the speeding motorcycles on the thruway. Trustee DiJusto spoke to the Chairman of the Ardsley Traffic Committee on different ways we can request sound barriers along the New York State Thruway.

TRUSTEE YAGER:

Trustee Yager announced the following:

- There has been some discussion around the Comprehensive Plan and we have had some good progress. Pace University, Camoin Associates and Planner are working together to put a draft plan in place. There will be some public outreach in the middle of the summer. A complete draft should be available around September.

TRUSTEE D'EMILIO:

Trustee D'Emilio announced the following:

- The Ardsley Public Library is now doing virtual adult and children programs. Please visit the Ardsley Public Library website for more information:
<https://www.ardsleylibrary.org/>
- The Ardsley Historical Society is looking for member's email addresses. If you are a member and have an email address please email them at
info@ardsleyhistoricalsociety.org.
- Thanked Ardsley Masks for sewing reusable masks and delivering them to families.

TRUSTEE EDELSTEIN:

Trustee Edelstein announced the following:

- Multicultural Committee is still working on the design for the lawn signs.
- Thanked DPW for planting wild flower seeds at the entrance of Pascone Park.

VISITORS:

V. OLD BUSINESS

VI. NEW BUSINESS

1. Consider a Resolution to Award Bid for Heatherdell Road Sidewalk Improvement & Guiderail Project

RESOLUTION TO AWARD BID FOR HEATHERDELL ROAD SIDEWALK IMPROVEMENT & GUIDERAIL PROJECT

WHEREAS, a public notice for the Heatherdell Road Sidewalk Improvement & Guiderail Project was duly advertised in an official newspaper on March 19, 2020; and

WHEREAS, on April 16, 2020 at 2:00 p.m. via Zoom the Project Engineer in the presence of the Village Manager and Village Clerk, opened eight bids as summarized below;

HEATHERDELL ROAD SIDEWALK IMPROVEMENT & GUIDERAIL PROJECT

CONTRACTOR	BASE BID
Woodland Manor, LLC.	\$356,367.33
Con –Tec Construction Technology	\$478,950.00
Gianfia	\$465,950.00
Landi, Inc.	\$493,580.00
MTS Infrastructure	\$493,472.50
Tony Casale, Inc.	\$358,000.00
Consorti Bros.	\$584,450.00
Paladino Concrete	\$501,525.00

RESOLVED, that the Village Board of the Village of Ardsley hereby awards the bid for the Village to Woodland Manor, LLC., 188 Haviland Drive, Patterson, New York 12563 in the amount of \$356,367.33.

NOW, THEREFORE, BE IT RESOLVED, the Village Board of the Village of Ardsley hereby authorizes the Village Manager to execute a contract with Woodland Manor, LLC., 188 Haviland Drive, Patterson, New York to perform work pertaining to the Heatherdell Road Sidewalk Improvement & Guiderail Project.

Mayor Kaboolian explained that resolution #1 will be skipped because there are still some open questions and discussions that need to be dealt with.

2. Consider a Resolution to Authorize the Village Manager to Sign an Agreement with Weston & Sampson

RESOLUTION TO AUTHORIZE THE VILLAGE MANAGER TO SIGN AN AGREEMENT WITH WESTON & SAMPSON

Trustee D’Emilio: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to execute an agreement with the Weston & Sampson, 55 Walkers Brook Drive, Suite 100, Reading, MA 01867 for Engineering/Architectural Services related to the Highway Garage Building Project. **Seconded by Trustee Edelstein and passed unanimously.**

3. Consider a Resolution to Authorize the Village Manager to Sign an Agreement with Calgi Construction Company, Inc.

RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO SIGN AN AGREEMENT WITH CALGI CONSTRUCTION COMPANY, INC.

Trustee Edelstein: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign an agreement with the Calgi Construction Company, Inc. located at 56 Lafayette Avenue, Suite 350, White Plains, New York 10603, for Construction Management Services related to the Highway Garage Building project. **Seconded D’Emilio by Trustee and passed unanimously.**

4. Consider a Resolution to Schedule a Public Hearing for Sewer Rents

RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR SEWER RENTS

Trustee DiJusto: RESOLVED, that the Village Board of the Village of Ardsley hereby schedules a public hearing on Monday, May 18, 2020 via zoom at 8:15 p.m. to discuss establishing sewer rents. **Seconded by Trustee Yager and passed unanimously.**

5. Consider a Resolution Authorizing the Village Board of Trustees to Approve a Stipend for the Village Treasurer

RESOLUTION AUTHORIZING A STIPEND FOR THE VILLAGE TREASURER

Trustee D’Emilio: Whereas, the Village has been unable to fill the Deputy Village Treasurer position, particularly during the COVID-19 pandemic, and the Treasurer’s Office has been without a second full time position since an employee retirement on January 30, 2020; and

Whereas, there are critical functions in the Treasurer’s Office that must continue despite the staffing level;

Now, Therefore Be It Resolved, that the Village Board of Trustees hereby authorizes a stipend for the Village Treasurer of \$800 per week commencing retroactively as of January 30, 2020 to continue to fulfill the critical functions not now being handled by additional staff until such time as a Deputy Village Treasurer is hired. **Seconded by Trustee Edelstein and passed unanimously as amended.**

6. Consider a Bond Resolution Authorizing the Reconstruction of the Addyman Square Parking Lot-\$42,000

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$42,000 BONDS OF THE VILLAGE OF ARDSLEY, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF THE ADDYMAN SQUARE PARKING LOT, IN AND FOR SAID VILLAGE.

Trustee Yager: WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which such regulations provide, will not result in any significant adverse environmental effects; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, BE IT BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Ardsley, Westchester County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the reconstruction of the Addyman Square parking lot, in and for the Village of Ardsley, Westchester County, New York, including incidental equipment and expenses in connection therewith, there are hereby authorized to be issued \$42,000 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$42,000 and that the plan of financing of said maximum estimated cost is by the issuance of \$42,000 bonds of said Village authorized to be issued therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Ardsley, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are,

or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum. **Seconded by Trustee DiJusto and passed: 4-1-0.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trustee Andy DiJusto VOTING Aye

Trustee Evan Yager VOTING Aye

Trustee Joann D'Emilio VOTING Aye

Trustee Steve Edelstein VOTING Nay

Mayor Nancy Kaboolian VOTING Aye

The resolution was thereupon declared duly adopted.

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7. Consider a Resolution Authorizing the Issuance of \$25,000 Bonds of the Village of Ardsley, Westchester County, New York, to Pay for the Cost of the purchase of Police Livescan Equipment

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$25,000 BONDS
OF THE VILLAGE OF ARDSLEY, WESTCHESTER COUNTY, NEW
YORK, TO PAY THE COST OF THE PURCHASE OF POLICE
LIVESCAN EQUIPMENT, FOR SAID VILLAGE.**

Trustee Edelstein: WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which such regulations provide, will not result in any significant adverse environmental effects; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, BE IT BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Ardsley, Westchester County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the purchase of police livescan equipment, for the Village of Ardsley, Westchester County, New York, including incidental equipment and expenses in connection therewith, there are hereby authorized to be issued \$25,000 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of said specific object or purpose is \$25,000 and that the plan of financing of said maximum estimated cost is by the issuance of \$25,000 bonds of said Village authorized to be issued therefor pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years, pursuant to subdivision 25 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Ardsley, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum. **Seconded by Trustee DiJusto: and passed unanimously**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trustee Andy DiJusto VOTING Aye

Trustee Joann D'Emilio VOTING Aye

Trustee Steve Edelstein VOTING Aye

Trustee Evan Yager VOTING Aye

Mayor Nancy Kaboolian VOTING Aye

The resolution was thereupon declared duly adopted.

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8. Consider a Resolution Authorizing the Issuance of \$897,689 Bonds of the Village of Ardsley, Westchester County, New York, to Pay the Cost of Reconstruction of Roads

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$897,689 BONDS
OF THE VILLAGE OF ARDSLEY, WESTCHESTER COUNTY, NEW
YORK, TO PAY THE COST OF THE RECONSTRUCTION OF ROADS,
IN AND FOR SAID VILLAGE.**

Trustee Yager: WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as such, will not result in any significant adverse environmental effects; and

WHEREAS, it is now desired to authorize such capital project and its financing;

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Ardsley, Westchester County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the reconstruction of roads, in and for the Village of Ardsley, Westchester County, New York, including drainage, sidewalks, curbs, gutters, landscaping, grading or improving rights-of-way, as well as other incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$897,689 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$897,689, which class of objects or purposes is hereby authorized at said maximum estimated cost, and that the plan of financing thereof is by the issuance of the \$897,689 bonds of said Village authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Ardsley, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,
and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum. **Seconded by Trustee DiJusto: and passed unanimously**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trustee Joann D’Emilio VOTING Aye

Trustee Steve Edelstein VOTING Aye

Trustee Andy DiJusto VOTING Aye

Trustee Evan Yager VOTING Aye

Mayor Nancy Kaboolian VOTING Aye

The resolution was thereupon declared duly adopted.

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9. Consider a Resolution Authorizing the Issuance of \$124,000 Bonds of the Village of Ardsley, Westchester County, New York, to Pay the Cost of Storm Sewer Improvements at Summit Avenue

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$124,000 BONDS
OF THE VILLAGE OF ARDSLEY, WESTCHESTER COUNTY, NEW
YORK, TO PAY THE COST OF STORM SEWER IMPROVEMENTS AT
SUMMIT AVENUE, IN AND FOR SAID VILLAGE.**

Trustee D’Emilio: WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which such regulations provide, will not result in any significant adverse environmental effects; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, BE IT

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Ardsley, Westchester County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of improvements to the storm sewer system at Summit Avenue, in and for the Village of Ardsley, Westchester County, New York, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$124,000 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$124,000 and that the plan of financing of said maximum estimated cost is by the issuance of \$124,000 bonds of said Village authorized to be issued therefor pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Ardsley, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level

or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum. . **Seconded by Trustee Edeslstein: and passed unanimously**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trustee Steve Edelstein VOTING Aye

Trustee Andy DiJusto VOTING Aye

Trustee Evan Yager VOTING Aye

Trustee Joann D'Emilio VOTING Aye

Mayor Nancy Kaboolian VOTING Aye

The resolution was thereupon declared duly adopted.

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10. Consider a Resolution Authorizing the Village Manager to Sign an Inter-Municipal Agreement with Westchester County-Radio Replacement Project

RESOLUTION AUTHORIZING VILLAGE MANAGER TO SIGN AN INTER-MUNICIPAL AGREEMENT WITH WESTCHESTER COUNTY –RADIO REPLACEMENT PROJECT

Trustee Edelstein: RESOLVED, that the Village Board of the Village of Ardsley hereby authorizes the Village Manager to sign an inter-municipal agreement with Westchester County – Radio Replacement Project at Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601. **Seconded by Trustee D’Emilio: and passed unanimously**

VII. CALL FOR EXECUTIVE SESSION

VIII. ADJOURNMENT OF MEETING

Trustee DiJusto: RESOLVED, that the Village Board of the Village of Ardsley Hereby adjourns the regular meeting of Monday, May 4, 2020, at 8:57 p.m. **Seconded by Trustee Yager and passed unanimously.**

IX. NEXT VILLAGE BOARD MEETING: Monday, May 18, 2020 at 8:00 p.m.

Respectfully submitted,

Ann Marie Rocco
Village Clerk