

EXTRACTS FROM MINUTES OF MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUCKAHOE, COUNTY OF WESTCHESTER, NEW YORK

(C. \$969,000 Maintenance Equipment/Street Improvements/Park Improvements, 15 Years)

A regular meeting of the Board of Trustees of the Village of Tuckahoe, located in the County of Westchester, State of New York, was held at Village Hall, in Tuckahoe, New York, on December __, 2020, at __ o'clock, __.M. (Prevailing Time) at which meeting a quorum was at all times present and acting. There were:

PRESENT:

ABSENT:

ALSO PRESENT:

* * * * *

Trustee _____ submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee _____. The Board of Trustees of the Village was polled. The motion was adopted by a vote of ___ affirmative votes (being at least two thirds of the voting strength of the Board of Trustees of the Village) with ___ negative votes and ___ votes absent.

BOND RESOLUTION, DATED DECEMBER __, 2020, AUTHORIZING THE ISSUANCE OF UP TO \$969,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF TUCKAHOE, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE, (II) THE CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO VILLAGE STREETS, AND (III) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF PARK IMPROVEMENTS, ALL IN AND FOR THE VILLAGE.

WHEREAS, the Board of Trustees of the Village of Tuckahoe (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 machinery and apparatus for construction and maintenance (\$102,000), (ii) the construction and reconstruction of improvements to Village streets (\$627,300), and (iii) the acquisition, construction and reconstruction of park improvements (\$239,700), 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 \$969,000, all in accordance with the Local Finance Law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Tuckahoe, 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 \$969,000, 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 machinery and apparatus for construction and maintenance, including any preliminary and incidental costs related thereto, at an estimated maximum cost of \$102,000, for which \$102,000 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; and

(b) The construction and reconstruction of improvements to Village streets, 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 \$627,300, for which \$627,300 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

(c) The acquisition, construction and reconstruction of park improvements, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at an estimated maximum cost of \$239,700, for

which \$239,700 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.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$969,000; (b) except as set forth in the Village's financial records, 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; (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 a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and

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

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

I, **CAMILLE DISALVO**, Clerk of the Village of Tuckahoe, located in the County of Westchester, State of New York (the "Village"), **HEREBY CERTIFY** as follows:

1. A regular meeting of the Board of Trustees of the Village of Tuckahoe was duly held on December __, 2020, and minutes of such meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purposes of recording the minutes of meetings of the Board of Trustees of the Village.

2. I have compared the attached extract with such minutes so recorded and such extract is a true and correct copy of such minutes and of the whole thereof insofar as such minutes relate to matters referred to in such extract.

3. Such minutes correctly state the time when such meeting was convened and the place where such meeting was held and the members of the Board of Trustees of the Village who attended such meeting.

4. Notice of such meeting was given as prescribed by law and such meeting was open to all persons who were entitled by law to attend such meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village, this __ day of December, 2020.

(SEAL)

CAMILLE DISALVO
Village Clerk
Village of Tuckahoe, New York

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Tuckahoe (the “Village”), located in the County of Westchester, State of New York (the “State”), has on the ___ day of December, 2020, adopted, pursuant to the Local Finance Law of New York, a bond resolution which:

(1) authorizes the Board of Trustees of the Village to finance (i) the acquisition of machinery and apparatus for construction and maintenance (\$102,000), (ii) the construction and reconstruction of improvements to Village streets (\$627,300), and (iii) the acquisition, construction and reconstruction of park improvements (\$239,700), 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, and authorizes the issuance of \$969,000 aggregate principal amount of serial bonds of the Village to finance such purposes, and

(2) states the estimated maximum total costs of such acquisition, construction, and reconstruction to be not in excess of \$969,000, states that such costs will be financed in whole or in part with the issuance of obligations authorized in the bond resolution and sets forth the plan of financing of the cost of such purposes, and

(3) determines the period of probable usefulness to be fifteen (15) years, and

(4) determines that the maximum maturity of such serial bonds will be in excess of five (5) years, and

(5) delegates to the Village Treasurer the power to prescribe the terms, form and contents of such serial bonds and to authorize the issuance of, and the power to prescribe the terms, form and contents of any bond anticipation notes issued in anticipation of the issuance of such serial bonds, including renewals thereof, and to issue, sell and deliver such serial bonds and such bond anticipation notes, and

(6) states that the validity of such serial bonds or any of such bond anticipation notes may be contested only if (a) 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 (b) the provisions of law which should have been complied with as of the date of the publication of such bond resolution, or a 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 (c) if such obligations are authorized in violation of the provisions of the Constitution of the State.

Such bond resolution is subject to a permissive referendum under the provisions of Article 9 of the Village Law and petitions protesting against such bond resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such bond resolution.

By order of the Board of Trustees of the Village of Tuckahoe, New York.

Dated: _____, 2020

CAMILLE DISALVO
Village Clerk
Village of Tuckahoe, New York

VILLAGE OF TUCKAHOE, NEW YORK
CERTIFICATE OF NO PROTEST

I, **CAMILLE DISALVO**, Clerk of the Village of Tuckahoe, located in County of Westchester, State of New York (the "Village"), **HEREBY CERTIFY** as follows:

1. The Board of Trustees of the Village at a regular meeting thereof duly called and held on December __, 2020, adopted a bond resolution having the following title:

BOND RESOLUTION, DATED DECEMBER __, 2020, AUTHORIZING THE ISSUANCE OF UP TO \$969,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF TUCKAHOE, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF (I) THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE, (II) THE CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO VILLAGE STREETS, AND (III) THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF PARK IMPROVEMENTS, ALL IN AND FOR THE VILLAGE.

2. On and prior to the date hereof, no petition or petitions protesting such bond resolution and requesting that it be submitted to the electors of the Village for their approval or disapproval have been filed with the Village Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Tuckahoe, this ___ day of _____, 2020.

(SEAL)

CAMILLE DISALVO
Village Clerk
Village of Tuckahoe, New York