

A Regular Meeting of the Board of Trustees of the Village of Croton-on-Hudson, NY was held on Monday, February 4, 2008 at the Municipal Building, Van Wyck Street, Croton-on-Hudson, NY 10520.

The following officials were present:

Mayor Schmidt	Trustee Brennan
Village Treasurer/Interim Manager Zambrano	Trustee Kane
Village Attorney Staudt	Trustee Gallelli
	Trustee Konig

1. CALL TO ORDER:

Mayor Schmidt called the meeting to order at 8:00 p.m. Everyone joined in the Pledge of Allegiance.

2. APPROVAL OF VOUCHERS:

Trustee Brennan made a motion to approve the vouchers as follows, subject to review by the Audit Committee. The motion was seconded by Trustee Gallelli and approved unanimously.

General Fund	\$21,533.69
Water Fund	14,773.66
Sewer Fund	0
Capital Account	43,072.50
Trust & Agency	918.00
Total	\$80,297.95

3. CORRESPONDENCE:

Interim Manager Zambrano read the following correspondence (full text available at the Village Office):

- a) A letter from Marianne and Harry McCormack, 142 Cleveland Dr., requesting that Verizon FIOS and related services come into the Village as soon as it can be arranged. Interim Manager Zambrano replied that they have met with Verizon representatives and they will be starting installations as soon as the franchise agreement is worked out. Mayor Schmidt added that this has escalated because Croton sent a letter requesting the Village be put on the list.
- b) A letter from Maria Rykowski, 13 Georgia Lane, requesting permission to use a portion of the train station parking lot for the delivery of Girl Scout cookies in March, with exact dates to be determined in late February or early March. All Trustees agreed to approve this, with the Village Manager working out the details.
- c) A notice from NYS Board of Real Property Services with the Revised Residential Assessment Ratio for 2008 Assessment Roll. Interim Manager Zambrano stated that the rate was 2.75 last year and this years' tentative rate is 2.68; this helps establish how properties are assessed; it is a positive rate for the Village. Trustee Gallelli added that the RAR going up reflects a going down of market value; this does not affect already assessed homes; our Assessor petitioned for it to go up because of the housing market change in the Village.

4. CITIZEN PARTICIPATION (agenda items):

No participation

5. RESOLUTIONS:

- a. On motion of TRUSTEE Brennan, seconded by TRUSTEE Kane, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, on June 18, 2007 the Village Board of Trustees awarded the night security contract for Senasqua Park to PEC Group of NY, Inc.; and

WHEREAS, the contract had an option to be renewed at the original price for one year; and

WHEREAS, the prevailing wage rate in New York State for security guards has increased by \$0.20 per hour and by \$0.30 per hour for holidays; and

WHEREAS, PEC Group of NY, Inc. has asked if it could pass along this increase to the Village for the 2008 increase which would increase the cost to the Village by approximately \$247; and

WHEREAS, the Superintendent of the Recreation and Parks Department has been satisfied with their work,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees approves the amendment of the contract between the Village of Croton-on-Hudson and PEC Group of NY, Inc. to reflect the addition \$0.20 per hour (\$0.30 on holidays),

AND BE IT FURTHER RESOLVED: that the Village Manager is authorized to execute the amended contract.

Discussion: Trustee Brennan stated that the Superintendent of Parks & Recreation has recommended this firm be retained and it is nominal rate. Trustee Gallelli added that this is just an amendment to the original contract.

- b) On motion of TRUSTEE Gallelli, seconded by TRUSTEE Brennan, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, on September 4, 2007 the Village Board of Trustees authorized the application for a grant under the 2007 Greenway Conservancy for the Hudson River Valley Grant Program, for a project known as Kaplan's Pond Trail Construction and Extension; and

WHEREAS, Mary Mangione, Executive Director of the Hudson River Valley Greenway has notified us that the Greenway has approved funding of \$5,000 for a matching grant to the Village; and

WHEREAS, in order to accept the funding the Village must enter into a contract with the Greenway,

NOW, THEREFORE BE IT RESOLVED: that the Mayor is authorized to sign the contract between the Village and the Hudson Valley Greenway for the Kaplan's Pond Trail and Extension Project.

Discussion: Trustee Gallelli asked Village Engineer Dan O'Connor for a brief overview of what this grant will accomplish. Mr. O'Connor stated that the end of Lounsbury Road a trail heads up to Hessian Hill Road through the woods, along the edge of the pond; the purpose of the grant is to move the trail from the road to the edge of the pond which will be more scenic; they hope to improve the trail over the dam, some trees have been cut down, they will put down some chips over the dam and create a loop around Kaplan's Pond.

- c) On motion of TRUSTEE Brennan, seconded by TRUSTEE Kane, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village of Croton on Hudson has benefited from several inter-municipal agreements with the Town of Cortlandt over the years with respect to bidding by the Town Purchasing Director, shared use of equipment and the removal of Freon from appliances; and

WHEREAS, the Village is desirous of continuing these inter-municipal agreements for another year;

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the three Intermunicipal agreements for the year 2008 which deal with bidding by the Town Purchasing Director, shared use of equipment and removal of Freon from appliances.

- d) On motion of TRUSTEE Kane, seconded by TRUSTEE Konig, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, Dvirka and Bartilucci have prepared a proposal for assistance with storm water management issues including:

- (1) prepare 2008 storm water management program annual report and municipal compliance certification for submittal to NYSDEC
- (2) provide training to Village staff regarding 4 minimum control measures to meet the Village's permit requirements
- (3) prepare a Village-specific BMP manual
- (4) Assist the Village in preparing an official Village storm water outfalls map
- (5) Assist in preparing the Village for possible USEPA and/or NYSDEC audits or inspections of the Phase II Storm Water Program; and

WHEREAS, the total cost of these 5 tasks comes to \$17,500; and

WHEREAS, the Village Engineer and Superintendent of Public Works recommend that the Village proceed with tasks 1 and 5 at a cost of \$8,500,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the proposal from Dvirka and Bartilucci for storm water management assistance for tasks 1 and 5 at a total cost of \$8,500,

AND BE IT FURTHER RESOLVED; that this amount should be charged to Account #A8140.4000.

- e) On motion of TRUSTEE Brennan, seconded by TRUSTEE Kane, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

BE IT RESOLVED, that the Village Election shall be held on Tuesday, March 18, 2008 between the hours of 6:00 am and 9:00 pm,

AND BE IT FURTHER RESOLVED, in accordance with section 15-116 (1) of the Election law the following persons are hereby appointed inspectors of election to preside at the Village Election on March 18, 2008:

DEMOCRATIC: Laura Seitz,
 Chairperson
 Linda Potthast
 Carol Shanesy
 Peggy Cunningham
 Margaret Opie

Alternatives:
Julie Evans
Paul Rolnick

REPUBLICAN: Jean Kraemer, Chairperson
 Mary Santella
 Ruth Waitkins
 Lucy Agosta
 Audrey Gabrielsen

Alternatives:
Marian Costello
Estelle Calcutti

AND BE IT FURTHER RESOLVED, that the compensation for each Election Inspector shall be a fixed rate of \$200.00 for the day and \$225.00 for each Chairperson on Election Day;

AND BE IT FURTHER RESOLVED, that R. Michael Mitchell and Joseph Price are hereby appointed as machine custodians at the compensation of \$65.00 per machine to prepare the voting machines.

- f) On motion of TRUSTEE Kane, seconded by TRUSTEE Konig, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village over many years has bid turf care for selected Village parks, fields and other properties to include lawn maintenance involving spring and fall cleanup, mowing and trimming ; and

WHEREAS, at the Village bid opening of January 24, 2008 the Village received five bids; and

WHEREAS, the Superintendent of the Recreation & Parks Department has reviewed the bids and recommends awarding the contract to the low bidder, Michael Bellantoni, Inc. for their bid of \$51,888.84,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to award a contract to Michael Bellantoni, Inc. for their bid of \$51,888.84,

AND BE IT FURTHER RESOLVED: that this amount should be charged to Account #A7140-4000.

Discussion: Trustee Brennan stated that they received 5 bids ranging from \$51,888 to \$173,875 which is quite a range. Mayor Schmidt asked if they could start mulching and composting using a mulching blade.

- g) On motion of TRUSTEE Gallelli, seconded by TRUSTEE Brennan, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, Connect-CTY has provided a proposal to the Village for integrated communications outreach to Village residents and train station parking permit holders; and

WHEREAS, this service has been used successfully by the School District for a number of years; and

WHEREAS, the cost of this proposal is \$2.50 per user; and

WHEREAS, Connect CTY has estimated the number of residents, businesses, and permit holders to be 3,600; and

WHEREAS, the annual cost to the Village would be \$9,000 based on this estimate; and

WHEREAS, the Village as asked CTY to provide a 15-month proposal so as to align the contract with our fiscal year; and

WHEREAS, the cost for the 15-month period is \$11,250,

NOW, THEREFORE BE IT RESOLVED: that the Village Manager is authorized to sign the proposal with Connect CTY for integrated communications to our residents and permit holds at a cost of \$11,250,

AND BE IT FURTHER RESOLVED: that this amount should be charged to the communications contractual account #A1650.4000,

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees authorizes a transfer of \$11,250 from the contingent account A1990.4000 to the communications account A1650.4000.

Discussion: Mayor Schmidt stated that they have been looking at this for a reverse phone system; many departments can use this system to notify users of cancellations, emergencies, etc., and it will add greatly to the value of communications and will give another line of contact with commuters. He added that it is based on land lines for now; unlisted phone numbers will have to be self-input; information is kept confidential by the company; users can add email and cell phone number and it can do text messaging; more information will be coming. Interim Manager Zambrano stated that the staff recommended an announcement be put into the newsletter several times. Trustee Gallelli stated that not every announcement has to be sent to everyone and they can be broken up into appropriate sub-groups; the Village must be careful and set some policies on how this is to be used. Interim Manager Zambrano replied that the Village will set up policies for appropriate use.

- h) On motion of TRUSTEE Brennan, seconded by TRUSTEE Kane, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, the Village Fire Department provides ambulance service to the Mount Airy/Quaker Bridge District on a contract basis each year, and

WHEREAS, the Town has provided the Village with the 2007 Ambulance Agreement between the Town of Cortlandt and the Village of Croton-on-Hudson,

NOW THEREFORE BE IT RESOLVED: that the Village Manager is hereby authorized to sign the 2007 Ambulance Agreement with the Town of Cortlandt which provides that the Town shall pay the Village the sum of \$48,626 for providing ambulance service within the Mount Airy Quaker Bridge Fire District during the period from January 1, 2007 to December 31, 2007.

- i) Trustee Konig presented the following resolution and moved that it be adopted. The motion was seconded by Trustee Brennan. By a vote of 5 votes in the affirmative (being at least a majority of the voting strength of the Board of Trustees) and 0 votes in the negative, the resolution as follows was adopted by the Board of Trustees of the Village of Croton-on-Hudson.

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

WHEREAS, Daniel F. O'Connor, P.E., Village Engineer, duly licensed by the State of New York, has, at the instance of the Board of Trustees (the "Board"), prepared engineering plans and studies and an estimate of the cost of various capital projects authorized by the Board pursuant to four (4) bond resolutions, totaling \$1,058,548 including rights-in-land, original furnishings, equipment, machinery, apparatus required for such purpose, and preliminary and incidental costs related thereto (the "Project") and said engineering plans and studies have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Board of Trustees has determined that upon the examination of an environmental assessment form ("EAF") prepared by the Engineer, each component of the Project is an "unlisted action", as that term is defined in 6 NYCRR §617.2(ak), or a "Type II action", as that term is defined in 6 NYCRR §617.2(aj), and therefore the Village has caused the EAF to be prepared and promptly filed with the Village Clerk; and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is \$1,058,548 and that the costs of the Project are to be financed by the issuance of serial bonds of the Village in the aggregate principal amount of \$1,058,548 pursuant to the Local Finance Law of New York (the "LFL") and if deemed advisable by the issuance of bond anticipation notes in anticipation of the issuance of said bonds; and

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

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

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

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

Section 2. Upon receipt and examination of the EAF it is hereby determined that the Project is an unlisted action or a Type II action, as those terms are defined in 6 NYCRR §617.2(ak) and §617.2(aj), respectively.

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

Section 4. No hearing as set forth in 6 NYCRR §617.10(e) is required in making the determinations contained herein with respect to the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7 for determining significance of actions, upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it is determined that the Project will not have a significant effect on the environment and no unidentified adverse effects are anticipated with respect thereto.

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

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

Issuance of Serial Bonds: \$1,058,548:

- j1) Trustee Brennan submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee Gallelli. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 5 affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with 0 negative votes and 0 votes absent.

BOND RESOLUTION, DATED FEBRUARY 4, 2008, AUTHORIZING THE ISSUANCE OF UP TO \$937,548 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF CROTON-ON-HUDSON, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF (A) STREETS AND ROADS IMPROVEMENTS AND (B) THE ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE IN AND FOR THE VILLAGE.

WHEREAS, the Board of Trustees of the Village of Croton-on-Hudson (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of (a) the acquisition, construction and reconstruction of streets and roads improvements in and for the Village, including (i) general road repairs (100,000), (ii) improvements to Elliot Way (25,000), (iii) replacement of sidewalks and curbs (\$500,000), and (iv) the High Street CDBG Project (\$256,548), and (b) the acquisition of machinery and apparatus for construction and maintenance including (i) a 4X4 Pickup (\$31,000) and (ii) a stormwater/oil separator (\$25,000), or other item of the same object or purpose within the total estimated cost, and including any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$937,548, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$937,548 pursuant to the Local Finance Law, in order to finance the costs of the acquisition, constructions and reconstruction of streets and roads improvements and the acquisition of machinery and apparatus for construction and maintenance in and for the Village, including any preliminary and incidental costs related thereto (collectively, the "Project").

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$937,548; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project except \$256,548 for the High Street CDBG 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, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of such serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivisions 20(c), 28 and 91 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is fifteen (15) years. The serial bonds authorized herein shall have a maximum maturity of fifteen (15) years computed from the earlier of (a) the date of issuance of such serial bonds, or (b) the date of issuance of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

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

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

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

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

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

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the “obligations”), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

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

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

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

Discussion: Trustee Gallelli stated that this resolution includes a provision for the purchase of an SUV vehicle. The amount approved in the capital budget was for a 4X4 and she asks which is it going to be? Interim Manager Zambrano replied that they will determine the type when it is purchased. Trustee Gallelli added that it does make a difference; she is not in favor of a SUV, but is in favor of a 4X4. Mayor Schmidt stated that it may determine what comes through under the contracts and suggested approval with a recommendation that they purchase a vehicle that meets their needs. Trustee Gallelli replied that this has been a long-running discussion for many years about moving away from SUVs. Interim Manager Zambrano stated that he will make sure the purchase will be a 4X4 and the wording of the resolution changed. Trustee Kane requested that the items be read aloud for the public to hear what the money is being spent on. Interim Manager Zambrano did so. (The above resolution has been amended to reflect the change from the SUV vehicle to a 4X4 vehicle.)

j2) Trustee Gallelli submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee Kane. The Board of Trustees of the Village was polled. The

motion was adopted by a vote of 5 affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with 0 negative votes and 0 votes absent.

BOND RESOLUTION, DATED FEBRUARY 4, 2008, AUTHORIZING THE ISSUANCE OF UP TO \$25,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF CROTON-ON-HUDSON, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION OF FURNISHINGS FOR THE POLICE DEPARTMENT IN AND FOR THE VILLAGE.

WHEREAS, the Board of Trustees of the Village of Croton-on-Hudson (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition of furnishings for the police department, including any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$25,000, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$25,000 pursuant to the Local Finance Law, in order to finance the costs of the acquisition of furnishings for the police department, including any preliminary and incidental costs related thereto (the "Project").

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$25,000; (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, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of such serial bonds authorized herein shall not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivision 32 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. The serial bonds authorized herein shall have a maximum maturity of five (5) years computed from the earlier of (a) the date of issuance of such serial bonds, or (b) the date of issuance of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize serial bonds as authorized herein, and bond anticipation notes issued

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

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

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

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

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the

“Code”) (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

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

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

Discussion: Trustee Gallelli stated that this includes a much-needed upgrade for the police.

- j3) Trustee Brennan submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee Konig. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 5 affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with 0 negative votes and 0 votes absent.

BOND RESOLUTION, DATED FEBRUARY 4, 2008, AUTHORIZING THE ISSUANCE OF UP TO \$30,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF CROTON-ON-HUDSON, 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 PUBLIC BUILDINGS IN AND FOR THE VILLAGE.

WHEREAS, the Board of Trustees of the Village of Croton-on-Hudson (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction and reconstruction of improvements to public buildings in and for the Village, or other item of the same object or purpose within the total estimated cost, and including any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$30,000, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$30,000 pursuant to the Local Finance Law, in order to finance the costs of the acquisition, constructions and reconstruction of public building improvements including any preliminary and incidental costs related thereto (the "Project").

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$30,000; (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, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of such serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivision 32 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. The serial bonds authorized herein shall have a maximum maturity of

twenty-five (25) years computed from the earlier of (a) the date of issuance of such serial bonds, or (b) the date of issuance of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

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

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

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

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

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial

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

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

independent special counsel to the Village and shall be entitled to rely upon any legal advice provided by the Village Attorney or such bond counsel or other qualified independent special counsel in determining whether a filing should be made.

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

- J4) Trustee Brennan submitted the following bond resolution and moved for its adoption. The motion was seconded by Trustee Kane. The Board of Trustees of the Village was polled. The motion was adopted by a vote of 5 affirmative votes (being at least two-thirds of the voting strength of the Board of Trustees of the Village) with 0 negative votes and 0 votes absent.

BOND RESOLUTION, DATED FEBRUARY 4, 2008, AUTHORIZING THE ISSUANCE OF UP TO \$66,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE VILLAGE OF CROTON-ON-HUDSON, COUNTY OF WESTCHESTER, STATE OF NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE ACQUISITION OF (A) AN AMBULANCE/EMS VEHICLE AND EQUIPMENT AND (B) FIREFIGHTING APPARATUS IN AND FOR THE VILLAGE.

WHEREAS, the Board of Trustees of the Village of Croton-on-Hudson (the "Village"), a municipal corporation of the State of New York, located in the County of Westchester, hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition of (a) (i) an Ambulance/EMS vehicle (33,000) and (ii) EMS equipment (\$12,000), and (b) firefighting apparatus (\$21,000), including any preliminary and incidental costs related thereto, at a total estimated cost not to exceed \$66,000, all in accordance with the Local Finance Law;

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

Section 1. There is hereby authorized to be issued serial bonds of the Village, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$66,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition of an Ambulance/EMS vehicle and equipment and firefighting apparatus in and for the Village, including any preliminary and incidental costs related thereto and any preliminary and incidental costs related thereto (collectively, the "Project").

Section 2. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$66,000; (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, and/or of bond anticipation notes issued in anticipation of the issuance of such serial bonds; (d) the maximum maturity of such serial bonds authorized herein shall be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs in connection with the Project for which the proceeds of any obligations authorized herein are to be applied to reimburse the Village, the Board of Trustees of the

Village took “official action” for federal income tax purposes to authorize the capital financing of such expenditure.

Section 3. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, as described in subdivisions 27, 27(a), and 90 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is ten (10) years. The serial bonds authorized herein shall have a maximum maturity of ten (10) years computed from the earlier of (a) the date of issuance of such serial bonds, or (b) the date of issuance of the first bond anticipation notes issued in anticipation of the issuance of such serial bonds.

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

Section 5. The faith and credit of the Village are hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

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

Section 7. Prior to the issuance of any obligations authorized herein, the Board of Trustees of the Village shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this bond resolution, the Board of Trustees

of the Village will re-adopt, amend or modify this bond resolution prior to the issuance of any obligations authorized herein upon the advice of bond counsel. It is hereby determined by the Board of Trustees of the Village that the Project will not have a significant effect on the environment.

Section 8. The Village hereby declares its intention to issue the serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds (collectively, the "obligations"), to finance the costs of the Project. The Village covenants for the benefit of the holders of such obligations that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations, or any other funds of the Village, and will not make any use of the Project which would cause the interest on such obligations to become subject to federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or the Project financed thereby, if such action or omission would cause the interest on such obligations to become subject to federal income taxation under the Code (except for the federal alternative minimum tax imposed on corporations by section 55 of the Code), or subject the Village to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of any serial bonds authorized and issued under this bond resolution, or any other provisions hereof, until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made in connection with the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Board of Trustees of the Village.

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

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

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

- k) On motion of TRUSTEE Brennan, seconded by TRUSTEE Kane, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

WHEREAS, through its action in the United States District Court, Southern District of New York captioned, "Ametek, Inc., et al. v. Kraft Foods North America Inc., et al.," (the "Action") the Croton Point Landfill Joint Defense Group (the "Industrial Plaintiffs") comprised of industrial parties who entered into a Consent Decree with New York State and the County of Westchester to settle an action for response costs for remediation of the Croton Point Sanitary Landfill, is seeking contribution from certain municipalities in Westchester County (the "Municipalities") under the Comprehensive Environmental Response, Compensation and Liability Act; and

WHEREAS, in April 2006 the Village agreed to join a defense group comprised of some of the other Municipalities (the "Municipal Defense Group") and entered into an agreement with Periconi, LLC to represent the Municipal Defense Group; and

WHEREAS, at that time the Village Board approved an initial payment to Periconi, LLC of \$5,000 for its share of the legal fees and related costs; and

WHEREAS, on May 7, 2007 the Village Board approved a second payment to Periconi, LLC in the amount of \$5,050 for its share legal fees and related costs; and

WHEREAS, Periconi, LLC has negotiated a settlement with the Industrial Plaintiffs whereby the Village will pay \$31,907 instead of the original \$85,000 originally demanded; and

WHEREAS, an additional \$2,553 for legal fees and related costs is owed by the Village to Periconi, LLC,

NOW, THEREFORE BE IT RESOLVED: that the Village Board of Trustees authorizes the third payment to Periconi, Inc. in the amount of \$2,553,

AND BE IT FURTHER RESOLVED: that the Village Board of Trustees agrees to the settlement amount of \$31,907, conditioned upon the Industrial Plaintiffs discontinuing the Action as against the Village, and conditioned upon obtaining a release satisfactory to the Municipal Defense Group's and Village's counsel,

AND BE IT FURTHER RESOLVED: that the total amount of \$34,459 be charged to the law account # A.1420-4000.

Discussion: Village Attorney Staudt explained the reason for this action; about 6 or 7 years ago, NYS brought a lawsuit against a number of private companies for the cost of clean up of Croton Point Landfill contamination; private companies settled with New York State and Westchester County and the private companies paid about 18 million dollars. He added that a very powerful federal statute deals with the issues of liability for contamination; one of the things is that a party who settles a lawsuit can then seek retribution from other parties; these private parties formed a consortium and engaged an attorney specializing in these types of lawsuits; the mediator enacted a settlement; the initial payment demanded initially was \$85,000 from the Village with a claim of more; the Village's agreement is to pay \$31,000; an overall settlement was reached and Attorney Staudt recommends it be approved. He stated that outside counsel experts also strongly recommend it be approved; the Village will have no future claim of liability. Trustee Brennan stated that the total cost to the Village is \$41,510 with legal fees, which is still less than half of what asked for. Attorney Staudt added that the legal and consultant fees would have been in the millions if this had gone to litigation. Mayor Schmidt added that this involved about 15 communities, some of which were hit harder. Attorney Staudt stated that Croton spearheaded the formation of the consortium and it was a good initiative.

- 1) On motion of TRUSTEE Konig, seconded by TRUSTEE Brennan, the following resolution was adopted unanimously by the Board of Trustees of the Village of Croton-on-Hudson, New York:

BE IT RESOLVED: that the Board of Trustees hereby ratifies and approves the Stipulation of Agreement between the Village of Croton on Hudson and Dennis Coxen dated February 2, 2008 and approves the funding for such Agreement,

AND BE IT FURTHER RESOLVED: that the Mayor is hereby authorized to execute the Stipulation of Agreement on the Board's behalf.

Discussion: Mayor Schmidt stated that this relates to Chief Coxen's retirement; Chief Coxen leaves a great department and is retiring after many years of service. Trustee Brennan wished Chief Coxen luck in his retirement; he has left the department in excellent condition. Trustee Gallelli stated that she agrees that Chief Coxen has done a good job; every day one sees the positive outcomes of the benefit of a well-run department. Trustee Kane added that this Police Dept. is one of the finest in Westchester; the Village has not been plagued with lawsuits, etc. and Chief Coxen should be commended for this. Trustee Konig wished Dennis Coxen good health in his retirement.

6. CITIZEN PARTICIPATION (non-agenda items):

Kevin Davis, 17 Wolf Road, stated that he loves the Village and brought the Board a Valentine's Day present, a box of 'community center chocolates'; there are 13 chocolates representing something that has to be done: 1) those who criticize policy relating to recreation are not being critical of those that implement that policy; 2) the Community Center survey should be sent to the Croton Historical society; the survey did not measure the cost and a price tag should be put on it; 3) in order to lower the cost, the Village should take a regional approach for the community center; (no #4) 5) examine why there is low usage of any program; 6) politicians who don't deliver on their promises should be voted out; 7) work with the school district to use space for programs when the school is not using the space; 8) make sure the new Village Manager knows how to get grants which will lower the cost of the proposed community center; 8) put a teen on the committee; ask members of the Croton-Harmon High School student government; 10) don't provide for things that are already being provided for; 11) the Village Board needs to come up with policy proposals and costs; 12) having the Community Center as an election issue is a good thing; it will get residents thinking about what it wants if its part of the election conversation; 13) has the Mayor taken the Community Center off the table; the survey asked residents if they wanted one. Trustee Gallelli stated that Mr. Davis should be commended for taking such a creative approach. Mayor Schmidt added that nothing is off the table; this is an on-going look at all the possibilities which is what the Board has been doing all along; he does not decide anything unilaterally.

7. APPROVAL OF MINUTES:

Trustee Brennan made a motion to approve the minutes of the Regular Board Meeting held on January 22, 2008 as corrected. Trustee Gallelli seconded the motion. The Board voted unanimous approval.

Trustee Brennan made a motion to approve the minutes of the Executive Session held on January 22, 2008. Trustee Kane seconded the motion. The Board voted unanimous approval.

Trustee Brennan made a motion to approve the minutes of the Executive Session held on January 28, 2008. Trustee Kane seconded the motion. The Board voted approval with Trustee Konig abstaining.

8. REPORTS:

Interim Manager Zambrano reported that the DPW has finished the leaf collection; however, if any areas still need to be addressed, just let them know and arrangements will be made. He added that this past Friday, 2/1/08, the Tentative Assessment Roll was filed with the Village Clerk's office and can be inspected at the Village office between 8:30 am and 4:00 pm; tax grievance day will be on February 19th between the hours of 4:00 pm to 8:00 pm in the Municipal Building. *Interim Manager Zambrano* stated that the work session of February 11th will include a special meeting of the Board of Trustees.

Trustee Konig reported that tomorrow is Super Tuesday and reminded people that voting is done according to each district area. She added that Bob Wintermeier said if anyone needs help getting to the polls please call 271-9796 for assistance.

Trustee Kane announced that he will not be running for re-election this year; he will spend more time with family. He added that it has been a pleasure working on the Board and thanked everyone for their support.

Trustee Gallelli stated that the whole community appreciates everything Trustee Kane has done for the community and hopes he will keep involved. Trustee Gallelli reported that ConEd is going to start doing tree trimming in the Harmon area; they will be doing many streets and will announce their arrival by hanging notices on doors; in many cases it will include a check off of what they intend to do; residents should indicate by signature that you understand and do not object, put the tag outside the door and they will pick them up. Village Engineer O'Connor stated that ConEd started the trimming today. Trustee Gallelli reported also that the School District and the Village are working cooperatively in applying for a grant; the focal area is a sidewalk project between Olcott/Larson and Rt. 129/Maple St. near PVC; the application needs to be completed by April 1st and they will meet shortly to finalize the application. Trustee Gallelli reported that at the last work session, the DPW superintendent presented a proposal for alternate side of the street parking; this will allow the DPW to have one day a week to clean streets and pick up leaves; it is a work in progress; the Village will move ahead with this but not yet; people who are affected will receive notification; it is a well thought out plan to keep streets cleaner in those areas. Trustee Gallelli asked Mayor Schmidt about the status of the meeting with the Town for their proposed community center. Mayor Schmidt replied that this is scheduled for next Thursday. Trustee Gallelli reported that next Monday's work session will be primarily devoted to the draft of the proposed Steep Slopes Law revision; several boards have been invited and all have received copies of the draft; consultants will be there. Trustee Gallelli reminded people that Saturday is Eagle Fest 2008; the primary location for the events will be at Croton Point Park; there will be a heated tent and two shows at 11 am and 1 pm; they will have people who are knowledgeable about bald eagles at the Echo launch site as well as a number of other sites that day.

Trustee Brennan reported that he attended the retirement dinner for Ex-Chief Diggs who will be taking over the EMS program. Trustee Brennan reported that there will be a Community Center meeting on Thursday at 1 pm at Town Hall; there is limited space; a set of plans will be in Sue Snider's office to view. Trustee Brennan wished Charlie Kane good luck; it has been a pleasure working with him on the Board. Trustee Brennan reported that the street sweeping plan should be implemented around June 1st. Trustee Brennan wished good luck to all the High School sports.

Mayor Schmidt reported that regarding the alternate side of parking plan, they will notify people in the affected area; both residences and businesses are involved which makes it a sensitive area; Marco, the new DWP superintendent, has made a concerted effort to look at these streets and he has designated an individual to oversee street cleaning; they also will use the new call-out program to notify residents. Mayor Schmidt reported that, at a work session,

they had Tony Conetta give a report on what is going on with the train station flooding issue; the Village is not a recipient of a FEMA grant; Mr. Conetta will be brought back to discuss how to implement a plan to be phased in the next few years. Mayor Schmidt reported that they met with auditors before this meeting and the Village got a good report. Interim Manager Zambrano stated that he would like to commend the staff of the Finance Department for their excellent work. Mayor Schmidt stated that the auditors came up with very insignificant changes. Mayor Schmidt added that Eagle Fest weekend also will be the kick off of the camera that will be installed at the launch; people can view what is going on down there on the internet. Mayor Schmidt thanked Trustee Kane; it was a pleasure serving with him; anyone who serves on this Board and other boards and committees, should be commended for this work; it takes a lot of time away from family and he added that he hopes Trustee Kane enjoys time with them and takes care of himself.

Trustee Brennan made a motion to go into Executive Session to discussion ongoing litigation regarding 1A Croton Point Ave. The motion was seconded by Trustee Konig, approved by all.

Trustee Brennan made a motion to adjourn. Trustee Kane seconded the motion; approved unanimously. The meeting was adjourned at 9:20 pm.

Respectfully submitted,

Phyllis A. Bradbury

Phyllis A. Bradbury, Secretary

Village Clerk