



Village of Endicott

Linda Jackson, Mayor
Eileen Konecny, Deputy Mayor
R. Ted Warner, Trustee
Patrick Dorner, Trustee
Nicholas Burlingame, Trustee

Anthony Bates, Village Manager

Board Meeting November 15, 2021

Order of Business

1. Pledge of Allegiance – Moment of Silence

2. Fire and ADA Compliance Announcement

3. Mayor Announcements

Having been involved with the Village and Town of Union for so many years, I have made a lot of contacts. Although the position of Mayor is part time, I am retired so I can devote my full attention to this office.

I am excited to announce that I was asked to represent the Towns and Villages Association as president. We cover three counties, and between 30 to 50 Towns and Villages. It is a great way to collaborate ideas and work on problems we all face.

A new mandate from the Federal Government to force all employers with over 100 employees be immunized or weekly tested at the employee expense. I have contacted the mayors and supervisors of neighboring Municipalities, and we are discussing our options.

Went to a ribbon cutting for National Pipe and Plastics.

The Village is putting in a crosswalk in the front of the middle school on Loder Ave.

Had a meeting at the Town of Union regarding an exercise area planned for the area behind the new SEPP building parking lot in conjunction with the art park.

I am working with the United Way and the Town of Union on collecting and centralizing information for residents in need.

Our open house for the Washington Avenue went great. We received many new ideas and suggestions.

Went to a wonderful event at Celebrations with the new owners of Huron – Phoenix Investors, Ubiquity Solar, Imperium, and Huron President - Chris Pelto.

Byrne Dairy is making a lot of progress. The old building is down, and the new one is starting construction. Thank you planning board members for making Byrne Dairy a reality by helping secure their building permit.

Attended a Chamber of Commerce luncheon. Our main speaker was from the American Civic Association. While at this luncheon, I also talked to Assemblywoman Lupardo. She will be an important supporter to help get our grant applications to the right people. She is very supportive of the Village, and we greatly appreciate all her hard work.

We have three people from our fire department retiring and will hold a recognition party for them in December.

We were so fortunate to have Precision Auto manufacture the gear we needed to run our carousel. While the cost estimate was between \$1600 and \$1800, they manufactured the part and donated it the Village.

Our Veteran's service and parade went well. Thank you for all who came to show respect for our veterans.

Today we are starting to decorate for Christmas. The snowflakes are on their way to the Avenue.

4. Trustees

Warner-Questioned as to why the agenda had been changed. Mayor Jackson responded by saying that due to the Attorney not being a Village employee, she has removed it but may change her mind at a later time. He spoke of a new segment he is taking on called "Setting the record straight". Mayor Jackson stated she would like this also to continue to set the record straight.

Burlingame- he worked the Carousel at the Scarousel event, he attended the welcome reception for Phoenix Investors, Ubiquity Solar and Imperium III, NY, he spoke at the 5th grade Cub Scout Pack #218 and spoke of local government. He attended the Auxiliary Police dinner. He walked in the Veterans Day Parade. He has been working with Little Italy in regards to opening the Carousel on 12/3 and 12/4, following the parade and tree lighting from 4-8pm. He spoke with the auditor re: the State Comptrollers recent audit of reimbursements. He spoke with a resident re: the intersection of Jenkins/Robble Ave- requesting (2) red strips down the stop sign pole and another resident spoke re: a gap at some new pavement on Jenkins. Concerns for the blind. He thanked both groups of volunteers who have cleaned up the Village but feels the Village must do better. He spoke of the agenda format, especially when formally adopted by the Trustees and would like go on record that he objects to tonight's agenda format and not to be used for future meetings.

5. Village Manager

He stated he received the permit in order to complete the Chugnut Project. We will be setting up an Open House for the Washington Ave Project for all to review new options. He has a new proposal for the Kmart property, SEPP project. The new playground is installed at the GWJ Park. Many Village roads have been completed and just need striping. He attended the welcome reception for the 3 new businesses in the Village.

6. Attorney for the Village

Laws for this evening are drafted. SEPP project and EPAC sign will be in front of the Planning board this week.

7. Special Presentations

Doug Courtright, Chairman of the Village Water board- Capital Improvements/Water Bill Increase- \$12.00 per billing cycle beginning in 2022. This increase will be used to offset grants and also to major projects such as: unexpected pipe repairs, a new pump & well site and upgrades to the Ranney Well; among others.

(For full presentation, transcript will be available)

8. Public Hearings

a. Public Hearing re: LL# 06 -2021- Digital Signs

A motion to amend the local law amending zone regulations for digital message signs, a reference to section 1- subsection 3, from 100ft to 500ft was made by Trustee Warner and seconded by Trustee Burlingame

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent

Warner-Yes Burlingame-Yes

Michael Colella- comment re: elimination of signs

Christine Ellison-Noted that at the Planning board meeting, any Sinage is to be approved on a case by case basis. Attorney McKertich stated that this is in the local law.

As no one else wished to speak, the Mayor closed the public hearing.

A motion to approve amending Local Law #6-2021 was made by Mayor Jackson and seconded by Trustee Warner

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent

Warner-Yes Burlingame-Yes

b. Call for a Public Hearing on 12/20/2021 re: Noise Law

A motion to cancel the board meeting and public hearing for 12/20 was made by Mayor Jackson and seconded by Trustee Warner

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent

Warner-Yes Burlingame-Yes

A motion to call for a public hearing on 1/3/2022 re: the Noise law was made by Trustee Burlingame and seconded by Trustee Warner

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent

Warner-Yes Burlingame-Yes

c. Call for a Public Hearing on 12/6/2021 re: Property & Building Nuisance Law

A motion to call for the public hearing on 12/6/21 was made by Trustee Burlingame and seconded by Trustee Warner

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent

Warner-Yes Burlingame-Yes

d. Capital Improvements

A motion to call for a public hearing on 12/6/21 re: Capital Improvement fee of \$12.00 per billing cycle for the Village water dept was made by Trustee Burlingame and seconded by Trustee Konecny

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent
Warner-Yes Burlingame-Yes

9. Resolutions/Local Laws

a. SEQR Review, parts 1-3- Digital Signs

A motion for a negative declaration under SEQR related to the Sign amendment local law was made by Trustee Warner and seconded by Trustee Burlingame

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent
Warner-Yes Burlingame-Yes

b. R#52-2021- to approve LL#06 -2021 -Digital Signs

A motion to approve the resolution approving the Local Law for Digital Signs was made by Trustee Konecny and seconded by Trustee Warner

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent
Warner-Yes Burlingame-Yes

c. SEQR Type II- Sanitary Sewer II Removal Phase I-WW WIIA Grant

A motion to approve was made by Trustee Konecny and seconded by Trustee Burlingame

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent
Warner-Yes Burlingame-Yes

d. R#47-2021-Authorization of the Project-Sanitary Sewer II Removal Phase I -WW WIIA Grant

A motion to authorize was made by Trustee Konecny and seconded by Trustee Burlingame

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent
Warner-Yes Burlingame-Yes

e. R#48-2021-Bond Resolution- WW WIIA Grant

A motion to authorize up to \$750,000.00 in serial bonds for the sanitary sewer was made by Trustee Konecny and seconded by Trustee Burlingame

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent
Warner-Yes Burlingame-Yes

f. SEQR part 2- Water WIIA Grant

A motion to approve was made by Trustee Konecny and seconded by Trustee Burlingame
Roll Call

Mayor Jackson- Yes	Konecny-Yes	Dorner-Absent
Warner-Yes	Burlingame-Yes	

g. SEQR part 3- Water WIIA Grant

A motion to approve was made by Trustee Konecny and seconded by Trustee Burlingame
Roll Call

Mayor Jackson- Yes	Konecny-Yes	Dorner-Absent
Warner-Yes	Burlingame-Yes	

h. R#51 -2021-SEQR Water WIIA Grant

A motion to approve was made by Trustee Konecny and seconded by Trustee Burlingame
Roll Call

Mayor Jackson- Yes	Konecny-Yes	Dorner-Absent
Warner-Yes	Burlingame-Yes	

i. R#50-2021- Municipal Authorization Water WIIA Grant

A motion to approve was made by Trustee Konecny and seconded by Trustee Burlingame
Roll Call

Mayor Jackson- Yes	Konecny-Yes	Dorner-Absent
Warner-Yes	Burlingame-Yes	

j. R#49-2021 Bond Resolution Water WIIA Grant

A motion to approve the bond resolution for the full amount of \$7,310,218.00 was made by
Trustee Konecny and seconded by Trustee Burlingame
Roll Call

Mayor Jackson- Yes	Konecny-Yes	Dorner-Absent
Warner-Yes	Burlingame-Yes	

10. 1st Hearing of Visitors

Michael Colella, 524 W. Main St, Endicott- Congratulated Trustee Warner and Tim Wright on the recent election. Asked the Mayor if she was aware of any threats directed to Trustee Warner through Facebook with the Village of Endicott heading. Mayor Jackson responded by she was not aware of this. Asked the Mayor regarding her rental properties and Mayor Jackson stated this is not Village business then proceeded to ask if she was receiving any federal money such as section 8 grants towards any of her rental properties. Mayor Jackson stated no she has not. David Powell- comments re: parking situation on Jackson and the 1900 block of Monroe St. Commented on the increase of small powered, unlicensed, uninsured and unregistered vehicles.

As no one else wished to speak, the Mayor closed the 1st Hearing of Visitors

11. Approval of Minutes

VOE 10/18/2021

A motion to approve was made by Trustee Konecny and seconded by Trustee Burlingame
Roll Call

Mayor Jackson- Abstain	Konecny-Yes	Dorner-Absent
Warner-Yes	Burlingame-Yes	

12. Communications for Filing

- a. UVES Support Letter & Response from the Fire Chief
- b. VOE Planning Board meeting Minutes 9/9/2021
- c.. Town of Union-Regular Meeting 10/6/2021 & Agenda 11/3/2021
- d. NY Dept of State- receipt of filing of Local Law #5-2021- Altura Project
- e. Notice from Charter Communications (3)- 10/18, 10/22 and 11/1/2021
- f. Email from Doug Courtright re: the Water board recommendation to increase water bills by \$2 per industrial and \$12 per residential
- g. Notice from MVP Health Care re: National Fitness Campaign
- h. SEPP Sentinel
- i. Water Grant- SEQR response

A motion to approve was made by Trustee Burlingame and seconded by Trustee Konecny
Roll Call

Mayor Jackson- Abstain	Konecny-Yes	Dorner-Absent
Warner-Yes	Burlingame-Yes	

13. Communications for Action

- a. NYSDEC Request for acceptance/signature re: Flood Control Land Use Permit

A motion to accept the permit and authorize the Mayor to sign the acceptance letter was made by Trustee Burlingame and seconded by Trustee Konecny

Roll Call

Mayor Jackson- Yes	Konecny-Yes	Dorner-Absent
Warner-Yes	Burlingame-Yes	

- b. NYSEG Agreement

A motion to accept the NYSEG agreement was made by Trustee Konecny and seconded by Trustee Burlingame

Roll Call

Mayor Jackson- Yes	Konecny-Yes	Dorner-Absent
Warner-Yes	Burlingame-Yes	

- c. Audit Response and Corrective Action Plan

A motion to accept the Audit Response and Corrective Action Plan was made by Trustee Burlingame and seconded by Trustee Konecny

Roll Call

Mayor Jackson- Yes	Konecny-Yes	Dorner-Absent
Warner-Yes	Burlingame-Yes	

14. Bid(s)

a. A request from Chief Operator, Kevin Pero to receive bids for the inside coating of the water tank on Pine St

A motion to receive bids was made by Trustee Konecny and seconded by Trustee Burlingame
Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent
Warner-Yes Burlingame-Yes

b. A request from Chief Operator, Kevin Pero and WWTP Chief Operator, Philip Grayson to award the following chemicals for the year 2021-22 to:

The Following Chemical Bids were received:

Liquid Chlorine – Hydrofluorosilicic Acid – Sodium Bisulfite – Sodium Hypochlorite- PAC

Amrex	\$202.50 cyl	0.74/lb	1.85/gal	1.40/gal	no bid
JCI Jones Chem	\$150/cyl	no bid	no bid	no bid	no bid
Holland Co.	no bid	no bid	no bid	no bid	2.33/gal
Kuehne. Chem	no bid	no bid	no bid	2.00/gal	no bid
Slack Chem	\$314.14/cyl	.399/lb	1.998/gal	1.197/gal	3.09/gal

A motion to approve the following chemical bid awards was made by Trustee Konecny and seconded by Trustee Burlingame:

Amrex- Sodium Bisulfite **1.85/gl**

JCI Jones Chem Liquid Chlorine- **\$150/cyl**

Holland Co- PAC- **2.33/gal**

Slack Chemical-Hydrofluorosilicic Acid-.**399/lb** and Sodium Hypochlorite-**1.197/gal**

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent
Warner-Yes Burlingame-Yes

15. Accounts Payable for Action 11/1/2021 \$451,546.76

GENERAL	\$130,852.94
LIGHT	\$61,592.90
WATER	\$47,513.31
WASTEWATER	\$68,934.06
CAPITAL	\$119,049.52
LIBRARY	\$18,024.69
PARKING	\$928.36
TRUST & AGENCY	\$4,650.98
TOTAL	\$451,546.76

A motion to approve the 11/1/21 accounts payables was made by Trustee Konecny and seconded by Trustee Burlingame

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent
 Warner-Yes Burlingame-Yes

15a. Accounts Payable for Action 11/15/2021 \$393,924.12

GENERAL	\$126,489.35
LIGHT	\$60,962.26
WATER	\$58,897.64
WASTEWATER	\$74,628.46
CAPITAL	\$45,713.56
LIBRARY	\$27,132.45
PARKING	\$200.40
TRUST & AGENCY	\$0.00
TOTAL	\$393,924.12

A motion to approve the 11/15/21 accounts payables was made by Trustee Konecny and seconded by Trustee Burlingame

Roll Call

Mayor Jackson- Yes Konecny-Yes Dorner-Absent
 Warner-Yes Burlingame-Yes

16. Unfinished Business-None

17. New Business

a. Discussion re: Local Law for No Parking Zone-2-4 N. Liberty Ave- Mayor Jackson also brought up N. Loder to allow parking 1-6am on the west side.

Items are being referred to the Parking Committee.

b. Discussion re: SEQR parts 1-3- Dinosaur Dental/ETM Solar Works

Attorney McKertich stated this should go to Brian Botsford, Code Enforcement, to evaluate 1st if any permits are necessary.

18. 2nd Hearing of Visitors

Chief Patrick Garey responded to David Powell’s questions during the 1st hearing of visitors.

Electric scooters are illegal and not to be ridden on the roads.

As no one else wished to speak, the Mayor closed the 2nd Hearing of Visitors

19. Mayor Comments- None

20. Trustees Comments

Warner-commented on a water man hole behind Roger's Market. Asked that the Mayor mention this to the Village Engineer.

21. Executive Session

A motion to enter into executive session was made by Trustee Warner and seconded by Trustee Burlingame

A motion to exit executive session at 9:12pm was made by Trustee Burlingame and seconded by Trustee Warner

22. Adjournment

A motion to adjourn at 9:13pm was made by Trustee Burlingame and seconded by Mayor Jackson

Roll Call

Mayor Jackson- Yes

Konecny-Yes

Dorner-Absent

Warner-Yes

Burlingame-Yes

VILLAGE OF ENDICOTT
Resolution R#46-2021
SEQR Type II Determination Resolution

Whereas, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT:

RESOLVED that the Village of Endicott hereby determines that the proposed Village of Endicott Sanitary Sewer II Removal Phase 1 project is a Type II action in accordance with 6 NYCRR Section 617.5(c)(6) which constitutes “street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;” and is therefore not subject to review under 6 NYCRR Part 617.

CERTIFICATION

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held via Zoom Video Conference on the 15th day of November 2021. Said resolution was adopted by the following roll call vote:

A motion to approve R #46-2021 was made by Trustee Konecny and seconded by Trustee Burlingame

Ayes – 3

Nays – 0

Absent -1

Roll Call

Mayor Jackson- Abstain

Burlingame–Yes

Dorner -Absent

Warner-Yes

Konecny-Yes

This Resolution R#46 -2021 was adopted at the Regular Meeting of the Village of Endicott Board of Trustees held on November 15, 2021

Anthony J. Bates
Village Manager

**RESOLUTION REGARDING
VILLAGE OF ENDICOTT, BROOME COUNTY, NY
Village of Endicott Sanitary Sewer II Removal Phase 1
R#47-2021**

WHEREAS, the Village of Endicott (hereinafter the “Village”) maintains the Village of Endicott Sanitary Sewer Collection System; and

WHEREAS, the Village of Endicott proposes to undertake Village of Endicott Sanitary Sewer II Removal Phase 1; and

WHEREAS, the Engineering Report prepared by Arcadis recommends making identified repairs to the collection that remove inflow and infiltration from the sanitary collection system, with a total project cost estimate of \$752,900; and

WHEREAS, the Village of Endicott is seeking financial assistance through the 2021 NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program; and

WHEREAS, the grant application requires that the applicant adopt a resolution that authorizes: the undertaking of the project and the maximum total cost of the project; expenditures for the project, including identification of any non-municipal source of funds; obligation of funds necessary to meet any required local match, including any cash and/or in-kind services; and when applicable, the submission of an application for financial assistance. The resolution must also designate a representative of the applicant who is authorized to sign the funding agreement with EFC and any associated documents.

NOW, THEREFORE, BE IT:

RESOLVED that the Village Board of the Village of Endicott authorizes the undertaking of the Project and the maximum total cost of the project \$752,900; expenditures for the project, including identification of any non-municipal source of funds; obligation of funds necessary to meet any required local match, including any cash and/or in-kind services; and when applicable, the submission of an application for financial assistance; and

RESOLVED that the Village of Endicott authorizes preparation and submission of an application for grant funding under the NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program on behalf of the Village of Endicott; and

RESOLVED that the Village Manager, Anthony Bates is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village’s obligations under the Water Infrastructure Improvement Act Grant Agreement; and

RESOLVED that the Village Manager is authorized to execute expenditures for the Project under the NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program on behalf of the Village of Endicott.

This resolution shall take effect immediately.

CERTIFICATION

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held via Zoom Video Conference on the 15th day of November 2021. Said resolution was adopted by the following roll call vote:

A motion to approve R #47-2021 was made by Trustee Konecny and seconded by Trustee Burlingame

Ayes – 3

Nays – 0

Absent -1

Roll Call

Mayor Jackson- Abstain

Burlingame–Yes

Dorner -Absent

Warner-Yes

Konecny-Yes

This Resolution R#47 -2021 was adopted at the Regular Meeting of the Village of Endicott Board of Trustees held on November 15, 2021

Anthony J. Bates
Village Manager



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November 12, 2021

VIA E-MAIL (voetreasurer@endicottny.com)

Mr. Anthony Bates
Treasurer
Village of Endicott
1009 East Main Street
Endicott, NY 13760

Re: Village of Endicott, Broome County, New York
Sewer System Improvements
Orrick File: 42551-2-503

Dear Anthony:

In accordance with your request, you will find enclosed a form for the bond resolution for adoption by the Board.

If the resolution meets with the approval of the Board, please have it adopted by a super majority vote; that is a vote of at least two-thirds of the total voting strength of the Board.

Since the bond resolution is subject to permissive referendum, Notice of Adoption thereof (forms enclosed herewith) must be published once in the official newspaper of the Village, and copies thereof conspicuously posted in at least six public places within the Village, such publication and postings **TO BE MADE WITHIN TEN DAYS AFTER ADOPTION.**

PLEASE NOTE THAT THE TEN-DAY PUBLICATION AND POSTING REQUIREMENT IS ABSOLUTE. FAILURE TO MAKE THE REQUIRED PUBLICATION AND POSTING WITHIN THE TEN DAYS WILL INVALIDATE THE ADOPTION OF THE RESOLUTION.

In due course, please furnish us with the following:

- 1) An originally certified copy of the enclosed bond resolution.
- 2) An original printer's affidavit of publication of the Notice of Adoption thereof from the official newspaper of the Village.
- 3) An original Village Clerk's Certification of Posting of such Notice. For your convenience, we are enclosing herewith a form for such certification. When returning the same to us, please make sure there is attached thereto, as recited therein, a true, correct and complete copy of the Notice of Adoption as was actually posted.
- 4) Evidence of compliance with SEQR.

With best wishes,

Very truly yours,

A handwritten signature in cursive script that reads "Tom".

Thomas E. Myers
/es

Enc.

cc: Mr. Benjamin Maslona (bmaslona@fiscaladvisors.com)

**BOND RESOLUTION
(SUBJECT TO PERMISSIVE REFERENDUM)**

At a regular meeting of the Board of Trustees of the Village of Endicott, Broome County, New York, held at the Village Hall, in Endicott, New York, in said Village, on the 15th day of November, 2021, at _____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Trustee _____, who moved its adoption, seconded by Trustee _____, to-wit:

Sewer Bond Resolution

R#48-2021

BOND RESOLUTION DATED NOVEMBER 15, 2021.

A RESOLUTION AUTHORIZING SEWER SYSTEM IMPROVEMENTS IN AND FOR THE VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$775,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF UP TO \$775,000 SERIAL BONDS OF SAID VILLAGE TO PAY COSTS THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Endicott, Broome County, New York (the "Village"), as follows:

Section 1. Sewer system improvements, consisting of rehabilitation thereof, including manholes, as well as removal of stormwater connections, including costs incidental thereto, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$775,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of up to \$775,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

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

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

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

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

Section 7. The Village Treasurer is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

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

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

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

CERTIFICATION

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held via Zoom Video Conference on the 15th day of November 2021. Said resolution was adopted by the following roll call vote:

A motion to approve R #48-2021 was made by Trustee Konecny and seconded by Trustee Burlingame

Ayes – 3

Nays – 0

Absent -1

Roll Call

Mayor Jackson- Abstain

Burlingame–Yes

Dorner -Absent

Warner-Yes

Konecny-Yes

This Resolution R#48 -2021 was adopted at the Regular Meeting of the Village of Endicott Board of Trustees held on November 15, 2021

Anthony J. Bates
Village Manager

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

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF BROOME)

I, the undersigned Clerk of the Village of Endicott in the County of Broome, New York (the "Issuer"), DO HEREBY CERTIFY:

- 1. That a meeting of the Issuer was duly called, held and conducted on the 15th day of November, 2021.
- 2. That such meeting was a **special regular** (circle one) meeting.
- 3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5. That all members of the Board of the Issuer had due notice of said meeting.
- 6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7. That notice of said meeting (***the meeting at which the proceeding was adopted***) was caused to be given **PRIOR THERETO** in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of November, 2021.

Village Clerk

(CORPORATE SEAL)

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Endicott, Broome County New York, at a meeting held on the 15th day of November, 2021, duly adopted the resolution published herewith **SUBJECT TO A PERMISSIVE REFERENDUM.**

Dated: Endicott, New York,
_____, 2021.

Village Clerk

BOND RESOLUTION DATED NOVEMBER 15, 2021.

A RESOLUTION AUTHORIZING SEWER SYSTEM IMPROVEMENTS IN AND FOR THE VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$775,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF UP TO \$775,000 SERIAL BONDS OF SAID VILLAGE TO PAY COSTS THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Endicott, Broome County, New York (the "Village"), as follows:

Section 1. Sewer system improvements, consisting of rehabilitation thereof, including manholes, as well as removal of stormwater connections, including costs incidental thereto, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$775,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of up to \$775,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

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

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

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief

fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

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

Section 7. The Village Treasurer is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

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

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

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

CERTIFICATION OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF BROOME)

I, the undersigned Clerk of the Village of Endicott, Broome County, New York, DO HEREBY CERTIFY:

That on the ____ day of November, 2021, I caused to be posted a Notice of Adoption of a bond resolution dated November 15, 2021, at the following six (6) conspicuous public places in said Village:

A true, correct and complete copy of such Notice of Adoption, in the exact form in which the same was actually posted, is attached hereto and made a part hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Village this _____ day of November, 2021.

Village Clerk

(CORPORATE
SEAL)

**2021 WATER INFRASTRUCTURE IMPROVEMENT ACT
RESOLUTION REGARDING
VILLGE OF ENDICOTT, BROOME COUNTY, NY
ENDICOTT EMERGING CONTAMINANTS WATER SYSTEM IMPROVEMENTS**

R#50-2021

WHEREAS, the Village of Endicott (hereinafter the “Village”) maintains the Village of Endicott Municipal Water System; and

WHEREAS, the Village of Endicott proposes to undertake Village of Endicott New Source Development Project; and

WHEREAS, the Preliminary Engineering Report prepared by Hunt Engineers recommends securing a new water source and watermain replacement, with a total project cost estimate of \$7,310,218; and

WHEREAS, the Village of Endicott is seeking financial assistance through the 2021 NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program; and

WHEREAS, the grant application requires that the applicant adopt a resolution that authorizes: the undertaking of the project and the maximum total cost of the project; expenditures for the project, including identification of any non-municipal source of funds; obligation of funds necessary to meet any required local match, including any cash and/or in-kind services; and when applicable, the submission of an application for financial assistance. The resolution must also designate a representative of the applicant who is authorized to sign the funding agreement with EFC and any associated documents.

NOW, THEREFORE, BE IT:

RESOLVED that the Village Board of the Village of Endicott authorizes the undertaking of the Project and the maximum total cost of the project \$7,310,218; expenditures for the project, including identification of any non-municipal source of funds; obligation of funds necessary to meet any required local match, including any cash and/or in-kind services; and when applicable, the submission of an application for financial assistance; and

RESOLVED that the Village of Endicott authorizes preparation and submission of an application for grant funding under the NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program on behalf of the Village of Endicott; and

RESOLVED that the Village Manager, Anthony Bates is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village’s obligations under the Water Infrastructure Improvement Act Grant Agreement; and

RESOLVED that the Village Manager is authorized to execute expenditures for the Project under the NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program on behalf of the Village of Endicott.

This resolution shall take effect immediately.

Passed by the following vote of all Board of Trustee of the Village of Endicott Board Members voting in favor thereof:

CERTIFICATION

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held via Zoom Video Conference on the 15th day of November 2021. Said resolution was adopted by the following roll call vote:

A motion to approve R #50-2021 was made by Trustee Konecny and seconded by Trustee Burlingame

Ayes – 3

Nays – 0

Absent -1

Roll Call

Mayor Jackson- Abstain

Burlingame–Yes

Dorner -Absent

Warner-Yes

Konecny-Yes

This Resolution R#50 -2021 was adopted at the Regular Meeting of the Village of Endicott Board of Trustees held on November 15, 2021

Anthony J. Bates
Village Manager



Orrick, Herrington & Sutcliffe LLP

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F +1 212 506 5151

November 12, 2021

VIA E-MAIL (voetreasurer@endicottny.com)

Mr. Anthony Bates
Treasurer
Village of Endicott
1009 East Main Street
Endicott, NY 13760

Re: Village of Endicott, Broome County, New York
Water System and Infrastructure Improvements
Orrick File: 42551-2-502

Dear Anthony:

In accordance with your request, you will find enclosed a form for the bond resolution for adoption by the Board.

If the resolution meets with the approval of the Board, please have it adopted by a super majority vote; that is a vote of at least two-thirds of the total voting strength of the Board.

Since the bond resolution is subject to permissive referendum, Notice of Adoption thereof (forms enclosed herewith) must be published once in the official newspaper of the Village, and copies thereof conspicuously posted in at least six public places within the Village, such publication and postings **TO BE MADE WITHIN TEN DAYS AFTER ADOPTION.**

PLEASE NOTE THAT THE TEN-DAY PUBLICATION AND POSTING REQUIREMENT IS ABSOLUTE. FAILURE TO MAKE THE REQUIRED PUBLICATION AND POSTING WITHIN THE TEN DAYS WILL INVALIDATE THE ADOPTION OF THE RESOLUTION.

In due course, please furnish us with the following:

- 1) An originally certified copy of the enclosed bond resolution.
- 2) An original printer's affidavit of publication of the Notice of Adoption thereof from the official newspaper of the Village.
- 3) An original Village Clerk's Certification of Posting of such Notice. For your convenience, we are enclosing herewith a form for such certification. When returning the same to us, please make sure there is attached thereto, as recited therein, a true, correct and complete copy of the Notice of Adoption as was actually posted.
- 4) Evidence of compliance with SEQR.

With best wishes,

Very truly yours,

A handwritten signature in cursive script that reads "Tom".

Thomas E. Myers
/es

Enc.

cc: Mr. Benjamin Maslona (bmaslona@fiscaladvisors.com)

**BOND RESOLUTION
(SUBJECT TO PERMISSIVE REFERENDUM)**

At a regular meeting of the Board of Trustees of the Village of Endicott, Broome County, New York, held at the Village Hall, in Endicott, New York, in said Village, on the 15th day of November, 2021, at _____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Trustee _____, who moved its adoption, seconded by Trustee _____, to-wit:

Water Bond Resolution

R #49-2021

BOND RESOLUTION DATED NOVEMBER 15, 2021.

A RESOLUTION AUTHORIZING WATER SYSTEM AND INFRASTRUCTURE IMPROVEMENTS IN AND FOR THE VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$7,310,218 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF UP TO \$7,310,218 SERIAL BONDS OF SAID VILLAGE TO PAY COSTS THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Endicott, Broome County, New York (the "Village"), as follows:

Section 1. Water system and infrastructure improvements, consisting of the development of a new water source and replacement of watermains, including costs incidental thereto, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$7,310,218.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of up to \$7,310,218 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

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

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

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

Section 7. The Village Treasurer is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

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

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

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

CERTIFICATION

I, Anthony J. Bates, do hereby certify that I am the Village Manager of the Village of Endicott and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board at a meeting thereof held via Zoom Video Conference on the 15th day of November 2021. Said resolution was adopted by the following roll call vote:

A motion to approve R #49-2021 was made by Trustee Konecny and seconded by Trustee Burlingame

Ayes – 3

Nays – 0

Absent -1

Roll Call

Mayor Jackson- Abstain

Burlingame–Yes

Dorner -Absent

Warner-Yes

Konecny-Yes

This Resolution R#49 -2021 was adopted at the Regular Meeting of the Village of Endicott Board of Trustees held on November 15, 2021

Anthony J. Bates
Village Manager

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

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF BROOME)

I, the undersigned Clerk of the Village of Endicott in the County of Broome, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 15th day of November, 2021.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (***the meeting at which the proceeding was adopted***) was caused to be given **PRIOR THERETO** in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of November, 2021.

Village Clerk

(CORPORATE SEAL)

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Endicott, Broome County New York, at a meeting held on the 15th day of November, 2021, duly adopted the resolution published herewith **SUBJECT TO A PERMISSIVE REFERENDUM.**

Dated: Endicott, New York,
_____, 2021.

Village Clerk

BOND RESOLUTION DATED NOVEMBER 15, 2021.

A RESOLUTION AUTHORIZING WATER SYSTEM AND INFRASTRUCTURE IMPROVEMENTS IN AND FOR THE VILLAGE OF ENDICOTT, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$7,310,218 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF UP TO \$7,310,218 SERIAL BONDS OF SAID VILLAGE TO PAY COSTS THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Endicott, Broome County, New York (the "Village"), as follows:

Section 1. Water system and infrastructure improvements, consisting of the development of a new water source and replacement of watermains, including costs incidental thereto, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$7,310,218.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of up to \$7,310,218 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

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

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief

fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

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

Section 7. The Village Treasurer is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

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

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

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

CERTIFICATION OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF BROOME)

I, the undersigned Clerk of the Village of Endicott, Broome County, New York, DO HEREBY CERTIFY:

That on the ____ day of November, 2021, I caused to be posted a Notice of Adoption of a bond resolution dated November 15, 2021, at the following six (6) conspicuous public places in said Village:

A true, correct and complete copy of such Notice of Adoption, in the exact form in which the same was actually posted, is attached hereto and made a part hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Village this _____ day of November, 2021.

Village Clerk

(CORPORATE
SEAL)