



VILLAGE OF PELHAM BOARD OF TRUSTEES
REGULAR MEETING
TUESDAY, JULY 11, 2023, 8:00 PM
VILLAGE HALL - 195 SPARKS AVENUE, PELHAM, NY 10803

Join by Zoom Video:

<https://zoom.us/j/98917409392?pwd=U09KN2MxTnJHWEU2Nm9ndWxQSEgwZz09>

Join by Telephone: (929) 205-6099

Meeting ID: 989 1740 9392

Passcode: 030699

AGENDA ITEMS

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Village Trustees' Reports
5. Village Administrator's Report
6. Mayor's Report
7. Public Comments

Non-Recurring Items	
8.	Bond Resolution, Dated July 11, 2023, Authorizing the Issuance of up to \$176,000 Aggregate Principal Amount Serial Bonds of the Village of Pelham, County of Westchester, State of New York, Pursuant to the Local Finance Law, to Finance the Costs of the Acquisition of Village Motor Vehicles
9.	Bond Resolution, Dated July 11, 2023, Authorizing the Issuance of up to \$2,780,000 Aggregate Principal Amount Serial Bonds of the Village of Pelham, 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 the Village Municipal Center
10.	Bond Resolution, Dated July 11, 2023, Authorizing the Issuance of up to \$1,000,000 Aggregate Principal Amount Serial Bonds of the Village of Pelham, 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 the Village Parking Lots <i>(If Village Board Wishes to Adopt)</i>
11.	Other Business
Recurring Items	
12.	Authorizing Year-End Budget Amendments and Transfers for Fiscal Year 2022-23
13.	Authorizing Accounts Payable
14.	Authorizing Minutes of: June 27, 2023 Work Session and Regular Meeting
15.	Adjournment

Next Regularly Scheduled BOT Meetings:

Tuesday, August 8, 2023 (Summer Schedule)
Tuesday, September 12, 2023

Item # 1 - Meeting Called to Order: Mayor Mullen called the meeting to order at 8:13 PM.

Item # 2 - Pledge of Allegiance: Mayor Mullen led the Pledge at 8:13 PM.

Item # 3 - Roll Call:

Attendee Name	Present	Absent	Late
Mayor Mullen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Carpenter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Village Trustee Hill-Ries	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Village Trustee Eldahry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Village Trustee McGreal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Village Trustee Otondi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Village Trustee Solomon (Virtual)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Village Administrator Scelza	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item # 4 - Village Trustees' Report:

Village Trustee Hill-Ries – absent.

Village Trustee Kamal Eldahry – nothing to report.

Village Trustee McGreal – Summer Sundown Concert Series has started; free concert 7-8pm in Wolfs Lane Park on Saturdays in July.

Village Trustee Otondi – nothing to report.

Village Trustee Solomon – Working with Terry Clements on infrastructure initiatives for the Village; identifying what projects we have and to see if there are any funds available to move things along for this year and identify potential needs in next years budget. One topic being looked into is in regard to county funding for the Village road paving and another is the parental concerns voiced regarding the Colonial/Wolfs intersection and safety in the school zone.

Deputy Mayor Carpenter – nothing to report.

Item # 5 - Village Administrator's Report:

Fiscal year 22-23 audit will be taking place the week of July 17; results will be presented in the fall.

CONED is working on Wolfs Lane and Marquand Pl. beginning July 12, limited street parking will be in that area, but traffic will be flowing.

Item # 6 - Mayor's Report

Meeting with the Westchester Municipal Officials Association Housing Committee on Thursday, July 13 in preparation for a meeting with the NY State Housing and Community Renewal later this month.

Also on Thursday, July 13, Park and Read at Wilson's Wood Park – the Mayor will be reading at 11am to the local children. Thank you to Westchester County for the invitation.

Saturday the Sundown Concert series will be in Wolfs Lane Park featuring Abbie Gardner.

Item # 7 - Public Comments

Brian Diffley, 392 Washington Ave – Follow up regarding flooding on his street; understands there is a plan incoming but is offering to be part of the project, hoping that plan is coming sooner than later.

Nadira Boodhoo, 394 Washington Ave – Echoing the issue Brian relayed.

Village recommendation on the MTA property there are bamboo plants coming into their yard, and find on a weekly basis they are maintaining their yards from MTA plants. Who can they reach out to in order to resolve the issue?

The Mayor responded that Administrator Scelza will reach out to the MTA liaison regarding the bamboo.

Village Administrator Scelza gave an update regarding the aforementioned report; the report is expected in the next 30 days. The surveying and cleaning of the stormwater system is complete, the data is being analyzed and running hydraulic modeling on solutions that might be plausible and they will present the results.

Mr. Diffley had a follow up request asking if there's any way to see the report of what is in the street. Administrator Scelza responded that once the report is received that information will be available.

Non-Recurring Items**Item # 8 – Bond Resolution, Dated July 11, 2023, Authorizing the Issuance of up to \$176,000 Aggregate Principal Amount Serial Bonds of the Village of Pelham, County of Westchester, State of New York, Pursuant to the Local Finance Law, to Finance the Costs of the Acquisition of Village Motor Vehicles**

Whereas, the Board of Trustees of the Village of Pelham (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition of Village motor vehicles, including any preliminary and incidental costs related thereto, at a total cost not to exceed \$176,000, all in accordance with the Local Finance Law.

Now, therefore, be it resolved, by the Board of Trustees of the Village of Pelham, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$176,000, pursuant to the Local Finance Law, in order to finance the costs of the acquisition of Village motor vehicles, including any preliminary and incidental costs related thereto (the "Project").

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is (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 the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$176,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may not be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond

anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

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

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

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized and directed to sign and deliver, in the name and on behalf of the Village, the commitment

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

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

Vote Record - Item # 8 – Bond Resolution, Dated July 11, 2023, Authorizing the Issuance of up to \$176,000 Aggregate Principal Amount Serial Bonds of the Village of Pelham, County of Westchester, State of New York, Pursuant to the Local Finance Law, to Finance the Costs of the Acquisition of Village Motor Vehicles – 8:41 PM						
Village of Pelham Board of Trustees Regular Meeting					Tuesday, July 11, 2023	
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Approved	Mayor Mullen		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approved as Amended	Deputy Mayor Carpenter	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Village Trustee Hill-Ries		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Withdrawn	Village Trustee Eldahry		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussed	Village Trustee McGreal	Motion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Otondi		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Solomon		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item # 9 – Bond Resolution, Dated July 11, 2023, Authorizing the Issuance of up to \$2,780,000 Aggregate Principal Amount Serial Bonds of the Village of Pelham, 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 the Village Municipal Center

Whereas, the Board of Trustees of the Village of Pelham (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction and reconstruction of improvements to the Village Municipal Center, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$2,780,000, all in accordance with the Local Finance Law.

Now, therefore, be it resolved, by the Board of Trustees of the Village of Pelham, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$2,780,000, pursuant to the Local Finance Law, in order to finance the costs of acquisition, construction and reconstruction of improvements to the Village Municipal Center, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the "Project").

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 13 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is (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 the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$2,780,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized

to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

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

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

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized

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

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

Vote Record - Item # 9 – Bond Resolution, Dated July 11, 2023, Authorizing the Issuance of up to \$2,780,000 Aggregate Principal Amount Serial Bonds of the Village of Pelham, 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 the Village Municipal Center – 8:42 PM						
Village of Pelham Board of Trustees Regular Meeting				Tuesday, July 11, 2023		
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Approved	Mayor Mullen		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approved as Amended	Deputy Mayor Carpenter		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Village Trustee Hill-Ries		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Withdrawn	Village Trustee Eldahry		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussed	Village Trustee McGreal	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Otondi		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Solomon	Motion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item # 10 – Bond Resolution, Dated July 11, 2023, Authorizing the Issuance of up to \$1,000,000 Aggregate Principal Amount Serial Bonds of the Village of Pelham, 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 the Village Parking Lots

Whereas, the Board of Trustees of the Village of Pelham (the "Village"), located in the County of Westchester, in the State of New York (the "State"), hereby determines that it is in the public interest of the Village to authorize the financing of the costs of the acquisition, construction and reconstruction of improvements to Village parking lots, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto, at a total cost not to exceed \$1,000,000, all in accordance with the Local Finance Law.

Now, therefore, be it resolved, by the Board of Trustees of the Village of Pelham, County of Westchester, State of New York, as follows:

Section 1. There is hereby authorized to be issued serial bonds of the Village in the aggregate principal amount of up to \$1,000,000, pursuant to the Local Finance Law, in order to finance the costs of acquisition, construction and reconstruction of improvements to Village parking lots, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto (the "Project").

Section 2. It is hereby determined that the Project is a specific object or purpose, or of a class of object or purpose, described in subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is (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 the first issue of such serial bonds or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The Board of Trustees of the Village has ascertained and hereby states that (a) the estimated maximum cost of the Project is \$1,000,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the Board of Trustees of the Village plans to finance the costs of the Project from the proceeds of the serial bonds authorized herein, or the proceeds of bond anticipation notes issued in anticipation of such serial bonds; (d) the maturity of the obligations authorized herein may be in excess of five (5) years; and (e) on or before the expenditure of moneys to pay for any costs of the Project for which proceeds of such obligations are to be applied to reimburse the Village, the Board of Trustees of the Village took "official action" for federal income tax purposes to authorize capital financing of such item.

Section 4. Subject to the terms and conditions of this bond resolution and the Local Finance Law, including the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 60.00, inclusive, the power to authorize the serial bonds authorized herein, and bond anticipation notes in anticipation of the issuance of such serial bonds, including renewals thereof, the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes, and the power to issue, sell and deliver such serial bonds and such bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village. The Village Treasurer is hereby authorized to execute, on behalf of the Village, all serial bonds authorized herein and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the Village Clerk is hereby authorized

to affix the seal of the Village (or attach a facsimile thereof) on all such serial bonds and bond anticipation notes and to attest such seal. Each interest coupon, if any, representing interest payable on such serial bonds shall be authenticated by the manual or facsimile signature of the Village Treasurer.

Section 5. Each of the serial bonds authorized by this bond resolution and any bond anticipation notes issued in anticipation of the issuance of such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this bond resolution as the same shall become due.

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

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

Section 8. The Village hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the Village made with respect to the Project on or after a date which is not more than sixty (60) days prior to the date of adoption of this bond resolution by the Village.

Section 9. For the benefit of the holders and beneficial owners from time to time of the obligations authorized herein, the Village agrees in accordance with and as an obligated person with respect to the obligations under Rule 15c2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the Village's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Village Treasurer is authorized

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

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

Vote Record - Item # 10 – Bond Resolution, Dated July 11, 2023, Authorizing the Issuance of up to \$1,000,000 Aggregate Principal Amount Serial Bonds of the Village of Pelham, 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 the Village Parking Lots – 8:43 PM						
Village of Pelham Board of Trustees Regular Meeting				Tuesday, July 11, 2023		
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Approved	Mayor Mullen		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approved as Amended	Deputy Mayor Carpenter		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Village Trustee Hill-Ries		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Withdrawn	Village Trustee Eldahry	Motion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussed	Village Trustee McGreal		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Otondi	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Solomon		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item # 11 – Other Business

Village Administrator Scelza provided an update regarding the Wolfs/Sparks intersection. Saw proposals from surveying companies to survey the intersection and received two bids. Plan to move forward with the lowest responsible bidder. To be discussed at a future work session.

Mayor Mullen discussed the option of one side of the street parking at Boulevard and Corlies Ave instead of having parking on both sides; specifically, the east side of Corlies Ave north of Boulevard, to assist with traffic backup. To be discussed further at the August Board Meeting; hope to have this change in place by the start of the school year.

Recurring Items

Item # 12 - Authorizing Year-End Budget Amendments and Transfers for Fiscal Year 2022-23

Whereas, pursuant to the provisions of § 5-520 of the New York State Village Law, the Village Board of Trustees, by resolution, may increase existing appropriations by transferring funds from the unexpended balance of another appropriation, from the contingent account, from available cash surplus or unanticipated revenues within a fund, or by borrowing; and

Whereas, in all cases, there are sufficient unexpended balances in other appropriation accounts, excess revenues or fund balances available to cover the amendments and transfers.

Now, therefore, be it resolved, that pursuant to New York State Village Law § 5-520, the Board of Trustees of the Village of Pelham hereby authorizes and directs the Village Administrator/ Treasurer to modify the 2022-23 Budget by making the following year-end budget amendments and transfers (items attached hereto and made part hereof).

Vote Record - Item # 12 – Authorizing Year-End Budget Amendments and Transfers for Fiscal Year 2022-23 – 8:55 PM						
Village of Pelham Board of Trustees Regular Meeting				Tuesday, July 11, 2023		
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Approved	Mayor Mullen		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approved as Amended	Deputy Mayor Carpenter		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Village Trustee Hill-Ries		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Withdrawn	Village Trustee Eldahry	Motion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussed	Village Trustee McGreal	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Otondi		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Solomon		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item # 13 - Authorizing Accounts Payable

Deputy Mayor Carpenter is auditing the Accounts Payable.

Whereas, pursuant to § 5-524 of the New York State Village Law, the Board of Trustees shall audit all claims against the Village.

Now, therefore, be it resolved, that the Board of Trustees of the Village of Pelham after audit of the following vouchers, authorizes payment for services rendered and materials received, for the following items that have been submitted to the Treasurer's Office for payment and authorized by the Village Administrator and Deputy Village Treasurer:

<u>Fund Name:</u>	<u>Amount</u>
General Fund (A)	\$ 48,203.77
Capital Projects Fund (H)	\$126,823.90
Trust & Agency (T)	\$ 0.00
Grand Total	\$ 175,027.67

Be it further resolved, that the Village Board of Trustees hereby approves payment of the above-mentioned claims and authorizes payment thereof.

Vote Record - Item # 13 - Resolution Authorizing the Accounts Payable – 8:56PM						
Village of Pelham Board of Trustees Regular Meeting				Tuesday, July 11, 2023		
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Approved	Mayor Mullen		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approved as Amended	Deputy Mayor Carpenter		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Village Trustee Hill-Ries		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Withdrawn	Village Trustee Eldahry	Motion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussed	Village Trustee McGreal	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Otondi		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Solomon		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item # 14 - Authorizing Minutes of: June 27, 2023 Work Session and Regular Meeting

Vote Record - Item # 14 – June 27, 2023 Work Session and Regular Meeting – 8:57 PM						
Village of Pelham Board of Trustees Regular Meeting						
Tuesday, July 11, 2023						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Approved	Mayor Mullen		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Approved as Amended	Deputy Mayor Carpenter	Motion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Village Trustee Hill-Ries		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Withdrawn	Village Trustee Eldahry		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Discussed	Village Trustee McGreal		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Otondi	2 nd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Village Trustee Solomon		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item # 15 - Adjournment

A motion was made by Village Trustee Eldahry and seconded by Village Trustee McGreal at 8:58 PM and voted unanimously by all to adjourn into Executive Session to discuss a personnel matter in Village Hall and potential litigation.