**Authorize 2019 Salt & Loft Outdoor Dining Permit/Special Exception**

WHEREAS, Salt & Loft has applied for an Outdoor Dining Permit for 2019 to place seven (7) outdoor tables and twenty-eight (28) chairs pursuant to §196-2 of the Village Code; and

WHEREAS, the Planning Board reviewed the application and recommended that the applicant be approved for six (6) tables, and twenty-four (24) chairs as depicted on the Site Plan drawn by Nicholas A. Vero, Architect, P.C., as amended,

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the placement of six (6) outdoor tables and twenty-four (24) chairs as recommended by the Planning Board and as shown on the submitted plan, and

BE IT FURTHER RESOLVED, that the Board of Trustees reserves the right to modify said Outdoor Dining Permit in the event that the Planning Board modifies its prior recommendation in connection with any request by the applicant for outdoor music.

**Authorize 2019 LL #4 – Amending Chapter 174 of the Village Code**

(see attached summary read by Steve Angel)

ROAD IMPROVEMENT BOND

BOND RESOLUTION OF THE VILLAGE OF WESTHAMPTON BEACH, NEW YORK, ADOPTED JULY 1, 2019, AUTHORIZING THE CONSTRUCTION OF ROAD IMPROVEMENTS IN CONNECTION WITH THE MAIN STREET IMPROVEMENT PROGRAM; STATING THE ESTIMATED MAXIMUM COST THEREOF IS $8,000,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE EXPENDITURE OF $1,243,000 IN GRANT FUNDS EXPECTED TO BE RECEIVED AND $1,107,000 OF AVAILABLE VILLAGE FUNDS TO PAY A PART OF SAID APPROPRIATION; AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $5,650,000 TO FINANCE THE BALANCE OF SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF WESTHAMPTON BEACH, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Westhampton Beach, in the County of Suffolk, New York (herein called the “Village”), is hereby authorized to construct road improvements in connection with the Main Street Improvement Program. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $8,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the expenditure of $1,243,000 in grant funds expected to be received and $1,107,000 of available Village funds to pay a part of said appropriation, the issuance of bonds of the Village in the principal amount of $5,650,000 to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any other funds appropriated by the Village for the project are authorized to be applied to the cost of said project and the principal amount of bonds or notes issued shall be reduced by the amount of other funds so appropriated and expended.

Section 2. Bonds of the Village in the principal amount of $5,650,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance a part of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such 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

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the *“Southampton Press,”* a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF WESTHAMPTON BEACH, NEW YORK

PLEASE TAKE NOTICE that on July 1, 2019, the Board of Trustees of the Village of Westhampton Beach, in the County of Suffolk, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Westhampton Beach, New York, adopted July 1, 2019, authorizing the construction of road improvements in connection with the Main Street Improvement Program; stating the estimated maximum cost thereof is $8,000,000; appropriating said amount for such purpose, including the expenditure of $1,243,000 in grant funds expected to be received and $1,107,000 of available Village funds to pay a part of said appropriation; and authorizing the issuance of bonds in the principal amount of $5,650,000 to finance the balance of said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Westhampton Beach to construct road improvements in connection with the Main Street Improvement Program; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $8,000,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of $5,650,000 bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; STATING the plan of financing includes the expenditure of $5,650,000 in grant fund expected to be received and $1,107,000 of available Village funds to pay a part of said appropriation, the issuance of bonds of the Village in the principal amount of $5,650,000 to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; and STATING that any other funds appropriated by the Village for the project are authorized to be applied to the cost of said project and the principal amount of bonds or notes issued shall be reduced by the amount of other funds so appropriated and expended;

SECOND: AUTHORIZING the issuance of $5,650,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance a part of said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which said bonds are authorized is fifteen (15) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum; and

DATED: July 1, 2019

Elizabeth Lindtvit

 Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

DRAINAGE IMPROVEMENT BOND

BOND RESOLUTION OF THE VILLAGE OF WESTHAMPTON BEACH, NEW YORK, ADOPTED JULY 1, 2019, AUTHORIZING THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS IN CONNECTION WITH THE MAIN STREET IMPROVEMENT PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $1,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE EXPENDITURE OF $500,000 IN GRANT FUNDS EXPECTED TO BE RECEIVED TO PAY A PART OF SAID APPROPRIATION; AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $500,000 TO FINANCE THE BALANCE OF SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF WESTHAMPTON BEACH, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Westhampton Beach, in the County of Suffolk, New York (herein called the “Village”), is hereby authorized to construct drainage improvements in connection with the Main Street Improvement Program. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $1,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the expenditure of $500,000 in grant funds expected to be received to pay a part of said appropriation, the issuance of bonds of the Village in the principal amount of $500,000 to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any other funds appropriated by the Village for the project are authorized to be applied to the cost of said project and the principal amount of bonds or notes issued shall be reduced by the amount of other funds so appropriated and expended.

Section 2. Bonds of the Village in the principal amount of $500,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance a part of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such 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

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the *“Southampton Press,”* a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF WESTHAMPTON BEACH, NEW YORK

PLEASE TAKE NOTICE that on July 1, 2019, the Board of Trustees of the Village of Westhampton Beach, in the County of Suffolk, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Westhampton Beach, New York, adopted July 1, 2019, authorizing the construction of drainage improvements in connection with the Main Street Improvement Program, stating the estimated maximum cost thereof is $1,000,000, appropriating said amount for such purpose, including the expenditure of $500,000 in grant funds expected to be received to pay a part of said appropriation; and authorizing the issuance of bonds in the principal amount of $500,000 to finance the balance of said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Westhampton Beach to construct drainage improvements in connection with the Main Street Improvement Program; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $1,000,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of $500,000 bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; STATING the plan of financing includes the expenditure of $500,000 in grant fund expected to be received to pay a part of said appropriation, the issuance of bonds of the Village in the principal amount of $500,000 to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; and STATING that any other funds appropriated by the Village for the project are authorized to be applied to the cost of said project and the principal amount of bonds or notes issued shall be reduced by the amount of other funds so appropriated and expended;

SECOND: AUTHORIZING the issuance of $500,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance a part of said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which said bonds are authorized is forty (40) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum; and

DATED: July 1, 2019

Elizabeth Lindtvit

 Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

STREET LIGHTING BOND

BOND RESOLUTION OF THE VILLAGE OF WESTHAMPTON BEACH, NEW YORK, ADOPTED JULY 1, 2019, AUTHORIZING THE INSTALLATION OF STREET LIGHTING FIXTURES IN CONNECTION WITH THE MAIN STREET IMPROVEMENT PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE EXPENDITURE OF $100,000 IN FUNDS EXPECTED TO BE RECEIVED TO PAY A PART OF SAID APPROPRIATION; AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $400,000 TO FINANCE THE BALANCE OF SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF WESTHAMPTON BEACH, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Westhampton Beach, in the County of Suffolk, New York (herein called the “Village”), is hereby authorized to install street lighting fixtures in connection with the Main Street Improvement Program. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $500,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the expenditure of $100,000 in grant funds expected to be received to pay a part of said appropriation, the issuance of bonds of the Village in the principal amount of $400,000 to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any other funds appropriated by the Village for the project are authorized to be applied to the cost of said project and the principal amount of bonds or notes issued shall be reduced by the amount of other funds so appropriated and expended.

Section 2. Bonds of the Village in the principal amount of $400,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance a part of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 5 of the Law, is thirty (30) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such 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

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the *“Southampton Press,”* a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF WESTHAMPTON BEACH, NEW YORK

PLEASE TAKE NOTICE that on July 1, 2019, the Board of Trustees of the Village of Westhampton Beach, in the County of Suffolk, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Westhampton Beach, New York, adopted July 1, 2019, authorizing the installation of street lighting fixtures in connection with the Main Street Improvement Program, stating the estimated maximum cost thereof is $500,000, appropriating said amount for such purpose, including the expenditure of $100,000 in grant funds expected to be received to pay a part of said appropriation; and authorizing the issuance of bonds in the principal amount of $400,000 to finance the balance of said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Westhampton Beach to install street lighting fixtures in connection with the Main Street Improvement Program; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $500,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of $400,000 bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; STATING the plan of financing includes the expenditure of $100,000 in grant fund expected to be received to pay a part of said appropriation, the issuance of bonds of the Village in the principal amount of $400,000 to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; and STATING that any other funds appropriated by the Village for the project are authorized to be applied to the cost of said project and the principal amount of bonds or notes issued shall be reduced by the amount of other funds so appropriated and expended;

SECOND: AUTHORIZING the issuance of $400,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance a part of said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which said bonds are authorized is thirty (30) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum; and

DATED: July 1, 2019

Elizabeth Lindtvit

 Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

UNDERGROUND CONDUIT BOND

BOND RESOLUTION OF THE VILLAGE OF WESTHAMPTON BEACH, NEW YORK, ADOPTED JULY 1, 2019, AUTHORIZING THE INSTALLATION OF UNDERGROUND CONDUIT TO RELOCATE UTILITY LINES IN CONNECTION WITH THE MAIN STREET IMPROVEMENT PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $4,500,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, INCLUDING THE EXPENDITURE OF $250,000 IN FUNDS EXPECTED TO BE RECEIVED TO PAY A PART OF SAID APPROPRIATION; AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF $4,250,000 TO FINANCE THE BALANCE OF SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF WESTHAMPTON BEACH, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Westhampton Beach, in the County of Suffolk, New York (herein called the “Village”), is hereby authorized to install an underground conduit to relocate utility lines in connection with the Main Street Improvement Program. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $4,500,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the expenditure of $250,000 in grant funds expected to be received to pay a part of said appropriation, the issuance of bonds of the Village in the principal amount of $4,250,000 to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any other funds appropriated by the Village for the project are authorized to be applied to the cost of said project and the principal amount of bonds or notes issued shall be reduced by the amount of other funds so appropriated and expended.

Section 2. Bonds of the Village in the principal amount of $4,250,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance a part of said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) Such improvements in connection with the Main Street Improvement Project constitute a physical public betterment or improvement classified as a capital asset under generally accepted accounting principles for municipalities and it has been determined by an appropriate engineering, architectural or other professional that the useful life of such improvements is at least fifteen (15) years. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is therefore hereby determined to be fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such 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

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the *“Southampton Press,”* a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF WESTHAMPTON BEACH, NEW YORK

PLEASE TAKE NOTICE that on July 1, 2019, the Board of Trustees of the Village of Westhampton Beach, in the County of Suffolk, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Westhampton Beach, New York, adopted July 1, 2019, authorizing the installation of an underground conduit to relocate utility lines in connection with the Main Street Improvement Program, stating the estimated maximum cost thereof is $4,500,000, appropriating said amount for such purpose, including the expenditure of $250,000 in grant funds expected to be received to pay a part of said appropriation; and authorizing the issuance of bonds in the principal amount of $4,250,000 to finance the balance of said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Westhampton Beach to install an underground conduit to relocate utility lines in connection with the Main Street Improvement Program; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $4,500,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of $4,250,000 bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; STATING the plan of financing includes the expenditure of $250,000 in grant fund expected to be received to pay a part of said appropriation, the issuance of bonds of the Village in the principal amount of $4,250,000 to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; and STATING that any other funds appropriated by the Village for the project are authorized to be applied to the cost of said project and the principal amount of bonds or notes issued shall be reduced by the amount of other funds so appropriated and expended;

SECOND: AUTHORIZING the issuance of $4,250,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance a part of said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which said bonds are authorized is fifteen (15) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof;

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum; and

DATED: July 1, 2019

Elizabeth Lindtvit

 Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.