

Title: Village to Hold Special Election for Bonding Approval

THE BOARD OF TRUSTEES OF THE VILLAGE OF MONTEBELLO, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. A Special Village Election will be held on September 15, 2020 between the hours of 6:00 o'clock A.M. (Prevailing Time) and 9:00 o'clock P.M. (Prevailing Time), or as much longer as may be necessary to enable the voters then present to cast their votes, at which Special Village Election the Proposition contained in the Notice hereinafter set forth shall be submitted for the approval or disapproval of the electors of the Village by a majority vote of such electors voting on such Proposition. The sole polling place for said Special Village Election shall be the Village of Montebello Village Hall, One Montebello Road, Montebello, New York 10901.

Section 2. The Village Clerk is hereby authorized and directed to give notice of such Special Village Election (a) by publishing, at least ten (10) days prior to such Special Village Election, a Notice thereof in form and substance as hereinafter set forth, at least once in the "Journal News," a newspaper having a general circulation in the Village, and hereby designated the official newspaper of the Village for such publication, and (b) by conspicuously posting, at least one (1) day prior to such Special Village Election, a printed copy of said Notice in at least six (6) public places in the Village and in each polling place.

Section 3. At said Special Village Election, the vote upon said Proposition shall be by paper ballot and only those persons qualified to vote according to law shall be permitted to vote.

Section 4. Said Notice shall be in substantially the following form:

VILLAGE OF MONTEBELLO, NEW YORK
NOTICE OF SPECIAL VILLAGE ELECTION
September 15, 2020

NOTICE IS HEREBY GIVEN that a Special Village Election of and for the Village of Montebello, in the County of Rockland, New York, will be held on September 15, 2020, at Village of Montebello Village Hall, One Montebello Road, Montebello, New York 10901. The polls shall remain open from 6:00 o'clock A.M. (Prevailing Time) until 9:00 o'clock P.M. (Prevailing Time) or for such longer period of time as may be necessary to enable the voters then present to cast their votes. At said Special Village Election the following Proposition is to be voted upon:

PROPOSITION

SHALL the amending bond resolution of the Village of Montebello, New York, entitled: "BOND RESOLUTION OF THE VILLAGE OF MONTEBELLO, NEW YORK, ADOPTED MAY 20, 2020 AND AMENDED JULY 15, 2020, AUTHORIZING THE CONSTRUCTION OF ROAD IMPROVEMENTS IN THE VILLAGE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,495,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$1,495,000 TO FINANCE SAID APPROPRIATION," BE APPROVED?

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

FIRST: STATING the bond resolution adopted by the Board of Trustees of the Village on May 20, 2020, authorizing the issuance of \$525,000 bonds for the construction of road improvements is amended; AUTHORIZING the Village to construct road improvements in the Village; STATING the aggregate estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,495,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$1,495,000 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;

SECOND: AUTHORIZING the issuance of \$1,495,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued is fifteen (15) years; 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 the proposed maturity of said bonds will exceed five (5) years;

FOURTH: 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;

FIFTH: 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;

SIXTH: STATING that the validity of the bonds authorized by the 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, or a summary thereof, 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; and

SEVENTH: DETERMINING that a Proposition for the approval or disapproval the bond resolution shall be submitted to the qualified voters of the Village at the Special Village Election to be held on September 15, 2020, and the bond resolution shall take effect upon the approval of said Proposition by a majority of the qualified voters of the Village present and voting at said Special Village Election; and that the sole voting place for this Special Election shall be Village of Montebello Village Hall, One Montebello Road, Montebello, New York 10901.

EIGHTH: The amendment of the bond resolution adopted on May 20, 2020 shall in no way affect the validity of any prior liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as amended. In the event that the Proposition submitted at the Special Village Election to be held on September 15, 2020 is defeated, the validity of the bond resolution adopted May 20, 2020 shall not be in any way affected and shall remain in full force and effect.

Applications for absentee ballots may be obtained from the Village Clerk at the Village Hall, One Montebello Road, Montebello, New York 10901 on or after August 15, 2020 and, commencing on August 15, 2020, absentee ballots will be available for distribution to qualified voters (or their designee) based on completed absentee ballot applications which have been submitted to the Village Clerk. All absentee ballots must be delivered by hand to the Village Clerk by September 15, 2020 or mailed via regular mail or overnight courier service and post-marked no later than September 15, 2020. The voting shall take place at the Village of Montebello Village Hall, One Montebello Road, Montebello, New York 10901, and only qualified voters shall be permitted to vote.

It being expressly understood that the intent of the Village is to comply with the Executive Orders of the Governor stemming from the coronavirus pandemic, should such in any way vary from procedures and timing referenced herein or as is otherwise usually applicable to the authorization of bonds by the Village and/or conducting the Special Village Election.

DATED: July 15, 2020

Joan Will
Village Clerk – Treasurer

Section 5. After said bond resolution shall take effect, the Village Clerk is hereby authorized to cause said bond resolution, or a summary thereof, to be published in the newspaper referred to in Section 2 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.

Section 6. This resolution shall take effect immediately.

Motion: Trustee Golden

Second: Deputy Mayor Caridi

AYES: Mayor Lance N. Millman
Deputy Mayor Stacy Caridi
Trustee Melanie Golden
Trustee Steven Beldock
Trustee Evan Kuperman

NOES: None

Upon vote, motion carries unanimously.



Lance N. Millman, Mayor

Dated: July 15, 2020