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August 14, 2024

VIA E-MAIL (Idolch@cayuga-heights.ny.us)

Ms. Laura Dolch
Village Treasurer
Village of Cayuga Heights
836 Hanshaw Road
Ithaca, NY 14850

Re: Village of Cayuga Heights, Tompkins County, New York
WWTP Improvements - Replacement of Existing Rail Track System - \$1,000,000 Bonds
Orrick File: 42852-2-501

Dear Ms. Dolch:

Pursuant to your request, we are enclosing proceedings of the Board of Trustees containing a bond resolution in connection with the above matter. If the resolution meets with the approval of the Board of Trustees, please have it certified as adopted by a super majority vote; that is a vote of at least two-thirds of the total voting strength of the Board. The period of probable usefulness is limited to five years per our conversation.

As soon as possible after the adoption of such resolution, the enclosed summary Legal Notice of Estoppel should be published in the Village's official newspaper. There is, however, no time limit within which publication is required.

As soon as available, please furnish us with the following via e-mail, followed up with originals by mail:

1. An **ORIGINALLY** certified copy of the enclosed bond resolution, showing the vote taken thereon.
2. An **ORIGINAL** printer's affidavit of publication of the Legal Notice of estoppel from the official newspaper of the Village.

With best wishes,

Very truly yours,

Douglas

Douglas E. Goodfriend
/es

cc: Jeffrey D. Walker, Clerk (jwalker@cayuga-heights.ny.us)

BOND RESOLUTION
(effective immediately)

At a regular meeting of the Board of Trustees of the Village of Cayuga Heights, Tompkins County, New York, held at the Village Hall, in Ithaca, New York, in said Village, on the 21st day of August, 2024, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Mayor Linda Woodard, and upon roll being called, the following were

PRESENT: Mayor Woodard; Trustees Biloski, Conway, Hubbell, Renekamp, Robinson, and Salton

ABSENT: None

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

BOND RESOLUTION DATED AUGUST 21, 2024.

A RESOLUTION AUTHORIZING IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT IN AND FOR THE VILLAGE OF CAYUGA HEIGHTS, TOMPKINS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,000,000, AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, the purpose described herein has been determined to constitute a Type II Action as defined under regulations of the State of New York promulgated pursuant to the State Environmental Quality Review Act which, by such definition, will not have a significant adverse impact upon the environment; NOW, THEREFORE, BE IT

RESOLVED by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Cayuga Heights, Tompkins County, New York, as follows:

Section 1. Replacement of the existing rail track system at the Village wastewater treatment plant in and for the Village of Cayuga Heights, Tompkins County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$1,000,000.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$1,000,000 bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for

sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of said Village, provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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

Section 7. The faith and credit of said Village of Cayuga Heights, Tompkins County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

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

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

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

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are

reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said Village hereby designated for such purpose, together with a notice of the Village Clerk in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

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

Mayor Woodard VOTING Yes

Trustee Biloski VOTING Yes

Trustee Conway VOTING Yes

Trustee Hubbell VOTING Yes

Trustee Rennekamp VOTING Yes

Trustee Hubbell VOTING Yes

Trustee Robinson VOTING Yes

Trustee Salton VOTING Yes

The resolution was thereupon declared duly adopted.

* * * * *

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

I, the undersigned Clerk of the Village of Cayuga Heights, Tompkins County, New York, DO HEREBY CERTIFY:

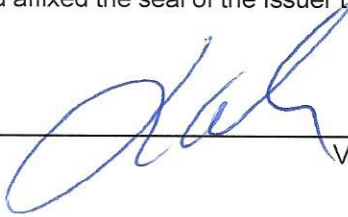
- 1) That a meeting of the Issuer was duly called, held and conducted on the 21st day of August, 2024.
- 2) That such meeting was a regular meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of Trustees of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board of Trustees.
- 5) That all members of the Board of Trustees of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 23rd day of August, 2024.





Village Clerk

LEGAL NOTICE OF ESTOPPEL

The bond resolution, summary of which is published herewith, has been adopted on August 21, 2024, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Village of Cayuga Heights, Tompkins County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Village Clerk of the Village for a period of twenty days from the date of publication of this Notice.

Dated: Ithaca, New York,
August 21, 2024.

/s/ Jeff Walker
Village Clerk

BOND RESOLUTION DATED AUGUST 21, 2024.

A RESOLUTION AUTHORIZING IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT IN AND FOR THE VILLAGE OF CAYUGA HEIGHTS, TOMPKINS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,000,000, AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

Specific object or purpose:	WWTP improvements-replacement of existing rail track system
Maximum Estimated Cost:	\$1,000,000
Period of probable usefulness:	Forty years
Amount of obligations to be issued:	\$1,000,000
SEQRA Status:	Type II Action