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August 22, 2022

VIA EMAIL (mmackenzie@townharrison.org)

Ms. Maureen MacKenzie
Comptroller/Treasurer
Village of Harrison
1 Heineman Place
Harrison, NY 10528

Re: Village of Harrison, Westchester County, New York
Consolidated Water District – Westchester Joint Water Works
Rye Lake Filtration Plant Project - $7,804,266 Serial Bonds
Orrick File No. 42509-2-NEW

Dear Maureen:

We enclose herewith the following for your use at the next Board meeting.

a) Form of order determining the project to be in the public interest; Within ten days of adoption a certified copy should be recorded with the County Clerk.

b) Form of bond resolution for adoption by the affirmative vote of at least four of the five members of the Board of Trustees.

c) Form for the publication of the Legal Notice of estoppel.

When available provide us with the following via e-mail and mail:

1) An original printer's affidavit of publication of the Legal Notice of the Hearing;

2) Village Clerk's posting of the Legal Notice of the Hearing;

3) Proof of recording of the public interest order in the County Clerk's office;

4) Certified copy of the enclosed bond resolution;

5) Original printer's affidavit of publication of the legal notice of estoppel;

6) An executed copy of the Certificate of Posting of the Notice of Public Hearing.

Please do not hesitate to call if you have any questions.

With best wishes,

Very truly yours,

Tom

Thomas E. Myers
/es

Enc.

cc: Ms. Jackie Greer (jgreer@harrison-ny.gov)

At a regular meeting of the Board of Trustees of the Village of Harrison, Westchester County, New York, held at the Village Hall, in Harrison, New York in said Village, on September 1, 2022, at ____ o'clock P.M., Prevailing Time.

PRESENT:

____
Mayor

____
Trustee

____
Trustee

____
Trustee

____
Trustee

In the Matter of
the Increased Cost of the Increase and Improvement of the Facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York

PUBLIC INTEREST ORDER

WHEREAS, the Board of Trustees of the Village of Harrison, Westchester County, New York, has previously approved various improvements to the Consolidated Water District at a maximum estimated cost of $3,957,266; and

WHEREAS, the Board of Trustees has received written notice from the Westchester Joint Water Works that an increase in cost for such increase and improvement of the facilities is required for the Consolidated Water District in the Village of Harrison, Westchester County, New York; and

WHEREAS, at a meeting of said Board of Trustees duly called and held on August 11, 2022, an order was duly adopted by it and entered in the minutes specifying the said Board of Trustees would meet to consider the increased cost of the increase and improvement of the facilities of the Consolidated Water District in said Village and to hear all persons interested in the subject thereof concerning the same at the Village Hall, in Harrison, New York, in said Village, on September 1, 2022, at 7:00 o'clock P.M., Prevailing Time; and

WHEREAS, notice of such hearing was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the improvement, to increase and improve the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the Village's share of a joint project for the Rye Lake Filtration Plant project (originally $3,280,000, now $6,780,000), a chlorination system project (originally $270,000, now $430,000), wholesale customer interconnection pressure regulator/meter vault Osborn Road (originally $134,500, now $229,500), and Anderson Hill Road (originally $272,766, now $364,766), at a new maximum estimated cost of $7,804,266.

Section 2. This order shall take effect immediately.

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

______________________________VOTING ________________

______________________________VOTING ________________

______________________________VOTING ________________

______________________________VOTING ________________

______________________________VOTING ________________

The order was thereupon declared duly adopted.

* * * * *

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY Of WESTCHESTER)

I, the undersigned Clerk of the Village of Harrison, Westchester County, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 15th day of July, 2021.

2. That such meeting was a **special** **regular** (circle one) meeting.

3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.

4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.

5. That all members of the Board of the Issuer had due notice of said meeting.

6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".

7. That notice of said meeting ***(the meeting at which the proceeding was adopted)*** was caused to be given PRIOR THERETO in the following manner:

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of September, 2022.

____
Village Clerk

(CORPORATE SEAL)

At a regular meeting of the Board of Trustees of the Village of Harrison, Westchester County, New York, held at the Village Hall, in Harrison, New York, in said Village, on September 1, 2022, at ______ o'clock __.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

BOND RESOLUTION DATED SEPTEMBER 1, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL $3,847,000 SERIAL BONDS OF THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CONSOLIDATED WATER DISTRICT IN THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 17-1712 of the Village Law and Section 202-b of the Town Law, and more particularly an order of even date herewith, said Board of Trustees has determined it to be in the public interest to increase and improve the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, at a new maximum estimated cost to the Village of $7,804,266; and

WHEREAS, it is now desired to provide funding for such capital projects; NOW, THEREFORE, BE IT

RESOLVED, by the Board of Trustees of the Village of Harrison, Westchester County, New York, as follows:

Section 1. For the specific object or purpose of paying the additional costs of the increase and improvement of the facilities of the Consolidated Water District in the Village of Harrison, Westchester County, New York, consisting of the Village's share of a joint project for the Rye Lake Filtration Plant project (originally $3,280,000, now $6,780,000), a chlorination system project (originally $270,000, now $430,000), wholesale customer interconnection pressure regulator/meter vault Osborn Road (originally $134,500, now $229,500), and Anderson Hill Road (originally $272,766, now $364,766), there are hereby authorized to be issued $3,847,000 serial bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is $7,804,266, and that the plan for the financing thereof is as follows:

(a) By the issuance of the $3,847,000 serial bonds of said Village authorized to be issued pursuant to this bond resolution; and

(b) By the issuance of the $3,957,266 bonds authorized pursuant to a bond resolution previously adopted.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local

Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

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

Section 5. The faith and credit of said Village of Harrison, Westchester County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto shall be determined by the Village Treasurer.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

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

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

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

Section 10. This resolution which takes effect immediately shall be published in summary form in the Journal News, the official newspaper, together with a notice of the Village Clerk in substantially the form provided in 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 call, which resulted as follows:

_______________________VOTING ______________

_______________________VOTING ______________

_______________________VOTING ______________

_______________________VOTING ______________

_______________________VOTING ______________

The resolution was thereupon declared duly adopted.

* * * * * *

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY Of WESTCHESTER)

I, the undersigned Clerk of the Village of Harrison, Westchester County, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 1st day of September, 2022.
2. That such meeting was a **special** **regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting ***(the meeting at which the proceeding was adopted)*** was caused to be given PRIOR THERETO in the following manner:

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of September, 2022.

____
Village Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond resolution, summary of which is published herewith, has been adopted on September 1, 2022, 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 Harrison, Westchester 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 for a period of twenty days from the date of publication of this Notice.

Dated: Harrison, New York,
__________________, 2022.

____
Village Clerk

BOND RESOLUTION DATED SEPTEMBER 1, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL $3,847,000 SERIAL BONDS OF THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CONSOLIDATED WATER DISTRICT IN THE VILLAGE OF HARRISON, WESTCHESTER COUNTY, NEW YORK.

Specific object or purpose:	Increase and Improvement of the Consolidated Water District consisting of the Village's share of a joint project for the Rye Lake Filtration Plant Project
Maximum estimated cost:	$7,804,266
Period of probable usefulness:	Forty years
Amount of obligations to be issued:	$3,847,000 bonds; $3,957,266 previously authorized