

Meeting date: 02/12/2024
Resolution #: 02/02/2024

RESOLUTION OF THE SLEEPY HOLLOW LOCAL DEVELOPMENT CORPORATION (THE “CORPORATION”) AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH SHAWN’S LAWNS, INC. FOR PHASE II SITE WORK

A regular meeting of the Sleepy Hollow Local Development Corporation (“Corporation”) was convened in public session on February 12, 2024 at 7:00 p.m., local time.

The following resolution was duly offered and seconded, to wit:

WHEREAS, the Corporation was established by the Village of Sleepy Hollow (the “Village”) as a not-for-profit local development corporation with purposes and powers that include constructing, acquiring, rehabilitating for use by others, assisting financially with the construction, acquisition, rehabilitation and improvement, and maintaining and/or leasing facilities on its behalf or for others within the Village; and

WHEREAS, the Corporation is undertaking a certain project (the “Project”) involving the phased development of Sleepy Hollow Commons as a municipal facility, public open space and recreational complex to be leased to the Village of Sleepy Hollow (the “Village”); and

WHEREAS, in furtherance of the Project, the Corporation engaged, Shawn’s Lawns, Inc. (“Shawn’s Lawns”) for site development work, including excavation and fill, tree removal, surface grading, and turf laying for “Phase II” of the Project; and

WHEREAS, Shawn’s Lawns submitted Change Order Request No. 2, dated February 8, 2024 (the “Proposal”), attached hereto as Exhibit A, for changes to the scope of work related to: (i) the Continental Street Wall and Wall Alternate Extension to Beekman Ave, (ii) quantity increases to the Structure Excavation and Excavation and On-site Re-use items, and (iii) Lagging as Support of Excavation and Substitution of Chain Link Fence for Decorative Metal Fence (the “Work”), in an amount not to exceed \$1,526,697.36; and

WHEREAS, the Consultant to the Corporation, Paragon-on-Hudson, LLC, has reviewed the Proposal and recommends that the Corporation authorize the Work; and

NOW, THEREFORE, BE IT RESOLVED, by the Directors of the Corporation as follows:

Section 1. The Corporation hereby approves the Work and authorizes the Corporation’s legal counsel to negotiate an agreement with Shawn’s Lawns for the Work, with such changes and revisions as may be authorized by the Chairman, Vice Chairman and/or Chief Executive Officer and authorizes an expenditures of Corporation funds towards the Work in an amount not to exceed \$1,526,697.36.

Section 2. The officers, attorneys, employees and agents of the Corporation are hereby authorized and directed for and in the name and on behalf of the Corporation to do all acts and things required and to execute and deliver all such certificates, instruments and documents, including, but not limited to executing any agreement to reflect the Work, to pay all such fees, charges and expenses related to the Work or the Proposal and to do all such further acts and things as may be necessary or, in the opinion of the officer, attorney, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Corporation with all of the terms, covenants and provisions of the documents executed for and on behalf of the Corporation.

Section 3. This resolution shall take effect immediately.

On motion duly made by Trustee Baffico and seconded by Director Connell, the forgoing resolution was placed before the Board of Directors of the Corporation and voted:

	Aye	Nay	Abstain	Absent
Michael Dawley				X
Teresa Oeste-Villavieja	X			
Lauren Connell	X			
Paul Baffico	X			
Benjamin Sirota	X			

Motion carried 4-0.

CERTIFICATION

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

I, the undersigned, Acting Secretary of Sleepy Hollow Local Development Corporation (“Corporation”) DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Corporation, including the resolution contained therein, held February 12, 2024, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Corporation and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Corporation had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Corporation present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation this ____ day of February 2024.

Michael Curti
Acting Secretary

[SEAL]