§ 36.00 Bond resolution subject to permissive referendum; villages. a. A bond resolution adopted by the finance board of a village shall be subject to a permissive referendum or such resolution may be submitted to a referendum by such finance board on its own motion, in the manner prescribed in article nine of the village law, as amended from time to time. The foregoing provisions of this paragraph shall not apply to a bond resolution authorizing the issuance of bonds:

1. With a proposed maturity of not more than five years to be measured from the date of the bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is the earlier.

2. For a capital improvement or equipment, of which any part of the cost is chargeable primarily to benefited real property.

3. For the construction, pavement or other improvement of a street or highway through such village, the cost of which is to be paid in part by such village and in part by the county or state, as provided in the highway law, as amended from time to time.

4. For the payment of judgments, or compromised or settled claims against such village, or awards or sums payable by such village pursuant to a determination by a court, or an officer, body or agency acting in an administrative or quasi-judicial capacity.

5. To provide for the construction or reconstruction of facilities for the conveyance, treatment and disposal of sewage required by any order of the state commissioner of health or of the water resources commission directing compliance with standards, determinations or orders promulgated pursuant to article twelve of the public health law to prevent pollution of the waters of the state.

6. To provide for construction or reconstruction of facilities for the incineration and disposal of refuse and garbage required by any order of the commissioner of health, the air pollution control board or county health commissioner directing compliance with standards, determinations

or orders promulgated pursuant to article twelve-A of the public health law or pursuant to a local law, ordinance or regulation of the governing body of a county, which complies with at least the minimum applicable requirements set forth in any code, rule or regulation promulgated pursuant to article twelve-A of the public health law to prevent, control or prohibit pollution of the air resources of the state.

b. The expenditure of money for which it is proposed to issue obligations shall not be subject to a permissive or mandatory referendum in any village.