

The regular meeting of the Board of Trustees of the Village of Attica was held on May 17, 2022, at the Attica Municipal Building. The meeting was called to order at 6:00 P.M.

Members Present:

The following members were present: Mayor Nathan Montford, Trustees Roger Durfee, Hans Walker Jr., Matthew Sage and Gary Guralny.

Others Present:

Others present: Deputy Clerk Julie A Cook, Police Chief Dean Hendershott, Chief Water plant operator Matt Durfee, Fire Chief Jay Myers, Kim Guralny, Alexis Moskopf, Gary Wysko, Ike Boss, William Lepsch, Regina Lepsch, Barb Higgins, Beth Russell, Nick Laverde and Sharon Passamonte.

Minutes and Claims Approved:

Motion was made by Trustee Walker seconded by Trustee Durfee that the minutes of the regular meeting on April 19, 2022 be approved as presented.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.

The motion was declared and carried.

Transfers between appropriations

Motion was made by Trustee Durfee seconded by Trustee Sage that the village board approves the following transfers in the budget journal:

\$4,000.00	from G1990.4	to G8110.1
\$500.00	from G1990.4	to G8110.4
\$3,000.00	from G1990.4	to G8120.1
\$10.00	from G8130.410	to G8130.411
\$1,500.00	from G9060.8	to G9030.8
\$3,000.00	from F8330.4	to F8340.4
\$3,000.00	from F8330.4	to F8310.1
\$2,755.59	from A7310.4	to A7110.2
\$500.00	from A8664.4	to A7110.2
\$500.00	from A8745.4	to A7110.2
\$359.51	from A1320.4	to A7110.2
\$6,450.00	from A2705	to A7110.2
\$300.00	from A1420.4	to A1620.1
\$37,000	from A9950.9	to A3120.1
\$4,232.98	from A3389J	to A1110.4
\$159.25	from A3389C	to A3120.12
\$327.19	from A3389C	to A3120.1
\$2,521.00	from A3389D	to A3120.1
\$1,936.21	from A1110.41	to A1110.4
\$50.00	from A9060.8	to A1010.4
\$8,992.43	from A3120.2	to A3120.4
\$2,000.00	from A5110.4	to A3120.4
\$78.74	from A3410.2	to A4540.4
\$1,314.01	from A5110.4	to A5142.4
\$100.00	from A5110.4	to A7110.2
\$2,100.00	from A9060.8	to A7110.4
\$3,509.08	from A9060.8	to A8560.4
\$1,299.77	from A9060.8	to A9040.8
\$3,500.00	from A5110.4	to A8160.1
\$500.00	from A5110.4	to A8560.1
4,000.00	from A5110.4	to A7110.1

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.

The motion was declared and carried

Approve Claims

Motion was made by Trustee Guralny seconded by Trustee Walker that the following claims be approved and the Clerk instructed to draw checks therefore:

General Fund claims in the amount of \$73,294.17 as set forth in Abstract #12

Water Fund claims in the amount of \$14,868.45 as set forth in Abstract #12

Sewer Fund claims in the amount of \$21,987.13 as set forth in Abstract #12

Capital pump station repairs in the amount of \$130,192.90 as set forth in Abstract #12

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

Beth Russell has requested the use of the warming hut in the village park to be used for a women's prayer group one hour a month on Tuesdays from June thru October. The warming hut is filled with wood from the ice rink that would have to be removed in order for them to use it. The board discussed other options in the park for them to use but Beth would really like to use the warming hut.

Matt Higgins from LaBella Associated introduced himself and discussed the proposal providing professional services for the Water Treatment Plant Improvements Project. He will be following up with the board at next months meeting with any questions or concerns they may have after reading the proposal.

Committee Reports:

Public Safety – Police Chief Hendershott discussed his monthly activity and submitted his report. He discussed the positive meeting that he and Trustee Guralny had with the Attica Rodeo Board about the security of the upcoming rodeo in August. He is also looking at possible grants for new camera at the police station.

Liaison- Councilman Wysko discussed the possible joint water project with the Village of Attica on possible village water in the town. He mentioned that both solar projects are on hold. They are still looking at buying a new truck for the highway superintendent. Possible tree removal in the fall for trees washed up from high waters.

Planning Board- none

DPW- Trustee Walker and Guralny reported on their meeting with Foreman Craig Kazmierczak. Matt Durfee reported about the pump station repairs that will be done.

Deputy Clerk Cook submitted the Treasurers and assessors report for April. She also presented the bank reconciliation report. She talked about the progress of the Splash Pad and the grand opening on June 18th.

New Business – The Mayor would like the old garbage cans in the park painted. He would like cameras in the court to be able to stream board meetings. He would like Craig to come up with an idea to store Lion's Club flags in our pool house. He would also like smoke free zones in the park which include the splash pad, basketball courts and playground.

2022-38 Purchases under County and State Bids

Motion was made by Trustee Walker seconded by Trustee Sage that the Village purchases Limestone, Stone products, Asphalt Products, Ready Mixed Concrete paving company and Bituminous Road Oil under the Wyoming County Highway Bids and Gasoline under the Town Bid.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-39 Contract with the Attica Fire Department Inc.

Motion was made by Trustee Durfee seconded by Trustee Guralny that the Village enter into a Fire Protection Contract with the Attica Fire Department Inc. providing for the Fire Department to render fire protection services within the Village of Attica and within the Township of Attica for a period of one year, commencing on the 1st day of June, 2022 and ending on the 31st day of May 2023 for the sum of \$5,000 for said year of service; that the Mayor is hereby authorized to sign said contract.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-40 Change meeting date

Motion was made by Trustee Guralny seconded by Trustee Durfee that the Village Board of Trustees approves the change in the board meeting date from May 30, 2022 at 4 PM to May 27, 2022 at 9 AM.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-41 Approve bank reconciliation report from treasurer for 04/2022

Motion was made by Trustee Sage seconded by Trustee Durfee that the Village board approves the bank reconciliation report for April 2022.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-42 Appointment of Ben Martin to the WWTP

Motion was made by Trustee Guralny seconded by Trustee Durfee that the Village board appoints Ben Martin to the WWTP as a plant operator trainee effective June 1, 2022.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-43 Estimate for fencing at the park

Motion was made by Trustee Walker seconded by Trustee Guralny that the Village board approves the estimate from DPW Foreman Craig Kazmierczak for the purchase and installation of telephone poles, nautical rope and equipment for installation totaling \$5,500.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-44 Appointment of Ethan Buchholz at the Refuse Station

Motion was made by Trustee Sage seconded by Trustee Walker that the Board of Trustees approves the appointment of Ethan Buchholz as a refuse station worker beginning May 21, 2022.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-45 Bond Resolution for new Pay Loader

Motion was made by Trustee Durfee seconded by Trustee Guralny that the Board of Trustees approves the bond resolution to purchase a new Loader

BOND RESOLUTION DATED MAY 17, 2022 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ATTICA, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION OF LOADER TRUCK, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of the acquisition of equipment authorized to be undertaken by the authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village hereby determines and finds that the proposed action hereinafter described constitutes a "type II" action under the State Environmental Quality Review Act of the State of New York and the applicable regulations thereunder ("SEQRA") which will not result in any significant adverse environmental impacts in that the purpose consists of the purchase of equipment, and such purpose is not subject to any further environmental review under SEQRA; now therefore, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ATTICA, NEW YORK (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1.The Village of Attica shall undertake the acquisition of a loader truck, which may include original equipment or furnishings required in connection therewith for such Village use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$200,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2.The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$200,000, and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized.

Section 3.It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 28 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen (15) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4.The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5.It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6.The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, whether to authorize the receipt of bids in an electronic format, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Attica.

Section 7.The faith and credit of the Village of Attica, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes 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 8.After compliance with Section 9 hereof, this resolution shall be published in full by the Village Clerk of the Village of Attica together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or 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 (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9.This resolution is subject to a permissive referendum of the qualified electors of the Village of Attica, pursuant to Section 36.00 of the Local Finance Law.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-46 Contract with George and Swede for new Pay Loader

Motion was made by Trustee Sage seconded by Trustee Durfee that the Board of Trustees approves the contract with George and Swede for the purchase of a new Pay Loader on NYS contract for \$179,711 minus \$30,000 trade for a total of \$149,711.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-47 Special Event Phantom Fireworks

Motion was made by Trustee Walker seconded by Trustee Sage that the Village Board of Trustees approves the special event application for Phantom Fireworks to sell fireworks at 150 Prospect Street from June 19- July 4.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-48 Agreement with the Chamber of Commerce for splash pad apparatus

Motion was made by Trustee Sage seconded by Trustee Walker that the Village board approves the agreement with the Chamber of Commerce for the mutually purchased Single Ripple Run device. Village share \$4,115.50 – Chamber Share \$6,450.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-49 Proclamation for Attica Historical Society Museum

Motion was made by Trustee Guralny seconded by Trustee Walker that the Village board approves the following proclamation.

VILLAGE OF ATTICA PROCLAMATION

- WHEREAS**, Throughout the history of the Town and Village of Attica, Wyoming County, New York many men have served their Country for the fight of Freedom. The Attica Historical Society Museum contains numerous and priceless artifacts of those men who marched off to war; and
- WHEREAS**, One such artifact, that survived not only the battlefields but also the Attica's Great Fire of 1907, is among the collection of memories of war. It is a survivor of the greatest battles ever fought upon American soil -- the Civil War. The artifact is the battle flag of Company C of the 130th New York Infantry. This military unit was later converted to a cavalry unit, the only such occurrence in the history of the United States. It became known as the 1st New York Dragoons; and
- WHEREAS**, On August 30, 1862 at the Portage Training Grounds, now located in Letchworth State Park, the flag was presented to Captain Rowley P. Taylor on behalf of the women of Attica by Miss Juvenilia Tinker, an Attica girl of 16 years who would become a noted national concert singer. The flag survived Captain Taylor who was killed in the Battle of Deserted House. It was returned to Attica by Medal of Honor winner and fellow Dragoon, Andrew J. Lorish, following the war. In August 1881, it was presented to the newly formed Rowley P. Taylor GAR Post #219, where it was displayed in their post rooms until June 1907, when the building was destroyed by the Great Fire of 1907. Again, the flag survived. In 1959, it was presented to the Attica Historical Society to be preserved for the people of Attica by the Rowley P. Taylor Women's Relief Corp; and
- WHEREAS**, Folded and housed in a frame, age had not been kind to the old battle flag. The Board of Trustees of the society had it appraised for preservation and conservation. Due to its rare survival and historical significance, not just to the people of Attica, but to the history of our nation, the Board decided the flag should be preserved. After consulting numerous conservators across the nation, Gwen Spicer of the Spicer Art Conservatory was chosen by the Board of Trustees for the project; and
- NOW, THEREFORE**, I, Nathan Montford, Mayor of the Village of Attica do hereby present this proclamation to the Attica Historical Society for the battle flag of Company C of the 130th New York Infantry on Memorial Day, May 30, 2022.

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.
The motion was declared and carried

2022-50 Agreement with LaBella for grant applications

Motion was made by Trustee Durfee seconded by Trustee Guralny that the Village board approves the agreement with LaBella's to prepare the grant applications for the 4 projects.

CWRF Engineering planning grant

Non-point GIGP planning grant

Transportation alternative program

CDBG public facilities for Elevator

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.

The motion was declared and carried

Adjournment

Motion was made to adjourn the meeting at 7:42 P.M. by Trustee Sage seconded by Trustee Durfee .

On the call of the roll, the vote was as follows: Durfee yes; Walker yes; Sage yes; Guralny yes.

The motion was declared and carried

Julie A Cook
Deputy Clerk/Treasurer, Village of Attica