

The regular meeting of the Board of Trustees of the Village of Attica was held on September 20, 2016 in the Municipal building. The meeting was called to order at 7:00 P.M.

Members Present:

The following members were present: Mayor William P Lepsch, Trustees Sandy Prusak, Nathan Montford, Roger Durfee, and Ralph A Janes Jr.

Others Present:

Others present: Administrator Douglas Post, Police Chief Dean Hendershott, Gina Lepsch, Sharon Passamonte, Suzanne Janes, Lynn Tedford, Hans Walker, Betsy Van Son, Chris Van Son, Julie Huber, Jennifer Baldwin, Carrie Snyder and Jay Myers.

Approve minutes of regular meeting of 8/16/2016

Motion was made by Trustee Montford, seconded by Trustee Janes that the minutes of the regular meeting of 08/16/16 be approved as presented.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

Open public hearing

Motion was made by Trustee Durfee, seconded by Trustee Prusak that the Village Board opens the public hearing regarding the use of the park reserve funds for the repairs to the wading pool.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

Approve Claims abstract #4

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

General Fund claims in the amount of \$38,793.21 as set forth in Abstract #4

Water Fund claims in the amount of \$76,431.45 as set forth in Abstract #4

Sewer Fund claims in the amount of \$32,899.52 as set forth in Abstract #4

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

Committee Reports:

Public Safety- Police Chief Hendershott requested permission to hire a new part time officer and also to send two current officers to breath test operator schooling. Fire Chief Jay Myers reported on the monthly activity for the fire department.

Planning Board- Chairperson Jennifer Baldwin discussed the updating of our comprehensive plan.

DPW- Mr. Post discussed the draft copy of the NYS DEC SPDES discharge permit.

Village Administrator- Mr. Post presented the bank balance and Justice Reports. He discussed the fence at the park. The Town Assessor submitted a monthly report. He discussed the zoning board of appeals hearing. He also discussed the refuse transfer station yearend report. Mr. Post discussed the Court Audit. He discussed the status of the applications for home improvements.

Old Business-

New Business-

2016-72 The Village Board has reviewed and audited the Annual Financial Report for the Village and for the Village Court for the Fiscal year ended May 31, 2016.

Motion was made by Trustee Durfee seconded by Trustee Janes that the Village Board except the Annual Financial Report of the Village Treasurer and for the Village Court for the fiscal year ended May 31, 2016, prepared by the Village Clerk-Treasurer and the Court Clerk.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

2016-73 Approve bank reconciliation report from treasurer for August 2016.

Motion was made by Trustee Montford seconded by Trustee Janes that the Village approves the bank reconciliation report from the Treasurer for the month ending August 2016.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

2016-74 Special event application

Motion was made by Trustee Janes, seconded by Trustee Montford that the Village board approves the special event application for Attica Clergy Fellowship.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

2016-75 Create capital project fund for VacAll

Motion was made by Trustee Janes seconded by Trustee Prusak that the Village board creates a capital project fund for the purchase of a VacAll.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

2016-76 Surplus Equipment

Motion was made by Trustee Janes, seconded by Trustee Montford that the Village Board declares the following equipment as surplus.

1992 John Deere 310 D Backhoe

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

2016-77 Training for Matthew Durfee, Jay Stockholm and Tony Phelps

Motion was made by Trustee Janes seconded by Trustee Montford that the Village Board approves the attendance of Matthew Durfee, Jay Stockholm and Tony Phelps to the Charge Chemistry and Chemical Handling CEU course on October 19, 2016 at the Warsaw Fire Hall.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

2016-78 Bond Resolution for VacAll

Motion was made by Trustee Durfee seconded by Trustee Prusak to adopt the following resolution:

BOND RESOLUTION DATED SEPTEMBER 20, 2016 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ATTICA, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION OF A SWEEPER/VACUUM 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.

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 sweeper/vacuum 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 \$270,500 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 \$270,500 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 bonds or bond anticipation notes 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 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, 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: Prusak yes; Montford yes; Durfee yes; Janes yes, Lepsch yes.
The motion was declared and carried

2016-79 Close Public Hearing

Motion was made by Trustee Montford, seconded by Trustee Durfee that the Village Board closes the public hearing at 7:40 pm regarding the use of the park reserve funds for the repairs to the wading pool. The village board moves to use \$51,700 from the park reserve fund to pay for the repairs to the wading pool after hearing from all interested parties.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.
The motion was declared and carried.

2016-80 Training for Carl Romesser

Motion was made by Trustee Montford seconded by Trustee Janes that the Village Board approves the attendance of Carl Romesser to the WNY Water Works Conference Workshop, on October 12, 2016 at the Creekside Banquet and Conference Center, Cheektowaga. The training is free.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.
The motion was declared and carried.

2016-81 Hiring of part time police officer

Motion was made by Trustee Janes to not hire Joshua Brabon until the police committee can interview him. The motion was not seconded. The motion dies on the floor.

2016-82 Hiring of part time police officer

Motion was made by Trustee Montford seconded by Trustee Prusak that the Village Board approves recommendation of Police Chief Hendershott and hires Joshua Brabon as a part-time Police officer, contingent on a signed union waiver.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes no.
The motion was declared and carried.

2016-83 Breath Test Operator training

Motion was made by Trustee Durfee seconded by Trustee Montford to send Officers Fleiss and Prusak to Breath Test Operator School. The course of instruction will be held at the LeRoy Police Department on October 26-28.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes no.
The motion was declared and carried.

2016-84 Remove fence at the park

Motion was made by Trustee Durfee seconded by Trustee Janes to remove the fence at the South end of the Village Park.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

2016-85 Refuse Station yearend report

Motion was made by Trustee Janes seconded by Trustee Durfee to accept the refuse station yearend report as presented.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

Adjournment

Motion was made to adjourn the meeting at 7:43 P.M. by Trustee Janes seconded by Trustee Montford.

On the call of the roll, the vote was as follows: Prusak yes; Montford yes; Durfee yes; Janes yes.

The motion was declared and carried.

Douglas A Post
Administrator, Village of Attica