

The regular meeting of the Board of Trustees of the Village of Attica was held on January 16, 2018, 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 Hans Walker Jr.

Others Present:

Others present: Administrator Douglas A Post, Police Chief Dean Hendershott, Fire Chief Jay Myers, Ann Lapp and Gary Wysko.

Approve minutes of regular meeting of 12/19/2017

Motion was made by Trustee Walker seconded by Trustee Durfee that the minutes of the regular meeting of 12/19/17 be approved as presented.

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

The motion was declared and carried.

Approve Claims abstract

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

General Fund claims in the amount of \$44,724.14 as set forth in Abstract #8

Water Fund claims in the amount of \$41,711.21 as set forth in Abstract #8

Sewer Fund claims in the amount of \$9,367.97 as set forth in Abstract #8

Library grant claims in the amount of \$149,937.55 as set forth in Abstract #8

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

The motion was declared and carried.

Sage Keber attended the meeting to discuss his project at the old Opera House on Exchange Street.

Committee Reports:

Public Safety- Chief Hendershott reported on current activity of the Attica Police Department.

DPW – Trustee Prusak asked when the snow would be removed on Market Street. Trustee Montford wanted to know the size of the flower baskets, to see if the Correctional Facility could fill them.

Village Administrator- Administrator Post presented the bank balance, Treasurers, Assessors and Justice Reports. He discussed the meeting regarding the log jam on Stroh Road. He discussed the sewer back up of Chris Barto.

Old Business-

New Business-

2018-1 VILLAGE ELECTION RESOLUTION

Motion was made by Trustee Montford, seconded by Trustee Walker that the Board of Trustees adopts the following resolution:

WHEREAS the next general Village election for officers will be held pursuant to Section 504 of the Election Law of the State of New York on March 20, 2018, and

WHEREAS the election law requires that the Board of Trustees adopt a resolution stating the place of voting, the hours for voting, the names and addresses of the candidates and the office and term of office for which nominated and the test of any proposition to be voted on at such election.

NOW THEREFORE BE IT RESOLVED THAT:

First: Voting shall be conducted at the Attica High School, East Main Street, Attica, NY.

Second: The polls shall be open from 12:00 noon to 9:00 P.M.

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

The motion was declared and carried.

2018-2 Approve bank reconciliation report from treasurer for 12/2017

Motion was made by Trustee Durfee seconded by Trustee Prusak that the Village approves the bank reconciliation report from the Treasurer for the month ending December 2017.

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

The motion was declared and carried.

2018-3 Appoint election inspectors

Motion was made by Trustee Durfee, seconded by Trustee Walker that the Village Board approves the appointment of Bonnie Stockholm, Donna Lane, Judith White, and Nancy Prevosto, as election inspectors with Gail Wysko and Norm Lindsey as alternates for the March 20, 2018 election.

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

The motion was declared and carried.

2018-4 Digester Bond Resolution

Motion was made by Trustee Montford seconded by Trustee Durfee that the Village Board adopts the following bond resolution:

NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 36.00

NOTICE IS HEREBY GIVEN THAT the 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 has, on January 16, 2018, adopted, pursuant to the Local Finance Law of the State of New York, a supplemental bond resolution (the "Supplemental Bond Resolution") stating that:

WHEREAS, pursuant to a bond resolution dated August 15, 2017 (the "Original Bond Resolution") the Board of Trustees of the Village of Attica, New York (hereinafter referred to as the "Village") approved expenditures for, and the issuance and sale of, up to \$400,000 aggregate principal amount of general obligation bonds and bond anticipation notes relative to the construction of sewer improvements; and

WHEREAS, actual project costs have proved to be approximately \$133,892.50 higher than the maximum estimated project costs and the Village desires to provide for the financing thereof by supplementing the Original Bond Resolution by the adoption of this Supplemental Bond Resolution; and

WHEREAS, on November 15, 2016, the Village Board of Trustees has heretofore duly determined that the purpose 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 and such purpose is not subject to any further environmental review under SEQRA; now therefor, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WYOMING, NEW YORK, by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

1. the construction of sewer system improvements, including, without limitation, essential improvements to the primary digester at the wastewater treatment plant, including the replacement of piping, fixtures, equipment and appurtenances and the rehabilitation of the primary digester vessel, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and Village use, as set forth in the Original Bond Resolution (hereinafter referred to as "purpose"), in an additional amount not to exceed \$133,892.50, and additional general obligation serial bonds in an aggregate principal amount not to exceed \$133,892.50 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are authorized to be issued to finance such additional costs of said purpose; and

2. the maximum aggregate cost to the Village, including preliminary costs and costs incidental thereto and costs of the financing thereof is now estimated to be \$533,892.50 for said purpose and said amount is appropriated therefor and the plan for financing of said purpose is to provide up to \$400,000 of such maximum cost by the issuance of serial bonds and bond anticipation notes as authorized under the Original Bond Resolution and to provide up to \$133,892.50 of such maximum cost by the issuance of bonds or bond anticipation notes as authorized under the Supplemental Bond Resolution, to be offset and reduced dollar for dollar by the amount expended (prior to any issuance of obligations for the costs paid by such expenditures) from capital reserve funds, and from the amount of grants received; and

3. (a) said purpose is one of the class of objects or purposes described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by the resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes 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; and

4. the bonds and notes authorized by the 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 applicable statutory limitations, if any; and

5. the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, from the proceeds of the obligations authorized for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations, and such is a declaration of official intent under Treasury Regulation §1.150-2; and

6. the power to further authorize the issuance of said bonds and bond anticipation notes and to prescribe the terms, form and contents of said bonds and bond anticipation 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 and liquidity enhancements, if any, and to sell and deliver said bonds and bond anticipation notes subject to the provisions of the resolution and the provisions of the Local Finance Law, is delegated to the Village Treasurer, the Village's chief fiscal officer, the Village Treasurer and the Village Clerk are authorized to sign by manual or facsimile signature any bonds and bond anticipation notes issued pursuant to the resolution, and are authorized to affix to such bonds and bond anticipation notes the corporate seal of the Village of Attica and to attest the same; and

7. the faith and credit of the Village of Attica, New York, are irrevocably pledged for the payment of the principal of and interest on such bonds and bond anticipation 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; and

8. after compliance with the next paragraph hereof, the supplemental bond resolution, or a summary thereof, 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, and 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 the 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.

9. Such Supplemental Bond 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 and petitions protesting and requesting that it be submitted to the electors of the Village of Attica for their approval or disapproval, may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such resolution

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

The motion was declared and carried.

2018-5 Training for WWTP, DPW and WTP employees

Motion was made by Trustee Walker, seconded by Trustee Durfee that the Village Board approves the attendance of Matt Durfee, Carl Romesser, Justin Lane, Adam Van Son, Jay Stockholm, Doug Beitz and Tony Phelps to attend the Western NY Water Works Conference. The cost of the conference is \$35 per person. The training will be held on February 14, 2018 at the Quality Inn & Suites in Batavia

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

The motion was declared and carried.

2018-7 WTP driveway repairs from Flood damage

Motion was made by Trustee Walker, seconded by Trustee Prusak that the Village Board approves the low bidder for the flood damage at the WTP driveway.

J Merle Excavating, LLC	\$16,400.00
A D Call & Sons Excavating	\$22,220.00
Edward Hume, Inc.	\$56,328.80

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

The motion was declared and carried.

Executive Session

Motion was made by Trustee Prusak, seconded by Trustee Walker to enter into Executive session at 8:15 PM to discuss legal and personal matters.

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

The motion was declared and carried.

Re-entered regular meeting at 8:20 pm

Adjournment

Motion was made to adjourn the meeting at 8:28 P.M. by Trustee Walker seconded by Trustee Prusak.

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

The motion was declared and carried.

Douglas A Post
Administrator, Village of Attica