

The regular meeting of the Board of Trustees of the Village of Attica was held on October 16, 2018, at the Attica 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 Post, Police Chief Dean Hendershott, Deputy Clerk Julie Cook, Justin Lane, William Wagner, Gary Wysko, Justice Julie Perry, Shirl Clark, Kevin Clark, and Mike Manusia.

Minutes and Claims Approved:

Motion was made by Trustee Walker, seconded by Trustee Prusak that the minutes of the regular meeting of 09/18/2018 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 Transfers

Motion was made by Trustee Montford, seconded by Trustee Durfee that the Village Board approves the following transfers:

- \$1,668.71 from A7310.4 to A7310.1
- \$669.09 from A1640.4 to A7310.1
- \$469.95 from A7110.1 to A7110.1P
- \$7,525.00 from A9950.9 to A8020.4
- \$15,000 from A3410.4R to A9710.6
- \$2,006.25 from A3410.4R to A9710.7
- \$1,790.63 from A3410.4R to A9710.7
- \$1,505.00 from A4540.4R to A9710.7
- \$1,505.00 from A4540.4R to A9710.7

Approve Claims abstract #5

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

- General Fund claims in the amount of \$68,064.54 as set forth in Abstract #5
- Water Fund claims in the amount of \$29,483.29 as set forth in Abstract #5
- Sewer Fund claims in the amount of \$55,562.27 as set forth in Abstract #5
- Digester repair claims in the amount of \$32,119 as set forth in Abstract #5
- Capital Snow plow claims in the amount of \$241,521.00 as set forth in Abstract #5
- CDBG RR, Olive, W Ave capital claims in the amount of \$4,810.80 as set forth in Abstract #5

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.

Village of Alexander Mayor William Wagner attended the meeting to discuss the letter Mayor Lepsch sent to Alexander regarding the blending of water. Mr. Wagner asked if we could send a follow-up letter opposing the blending process. The letter would assist them in making the argument against blending Attica water with Monroe County, Erie County, or City of Batavia's water.

Committee Reports:

Public Safety-Dean Hendershott presented a recommendation to hire a part time officer. He also presented a memo to request training. He also discussed recent activity in the department since the last meeting.

Liaison- Town Councilmen Wysko and Trustee Montford reported on the Town meeting.

Planning Board-

DPW- Mr. Post submitted an estimate for curbs on Market Street. He also presented an estimate for repairs for the ice rink.

Village Administrator- Mr. Post submitted the Treasurers and assessors report for September. He presented the bank reconciliation report. He presented an application for a new fire department member. He presented a letter from Brian Krawczyk regarding in upcoming retirement. He discussed the phone system from Marchese computer. He also presented a Village of Attica safety policy.

New Business –

2018-90 Halloween recognized

Motion was made by Trustee Montford seconded by Trustee Prusak that Halloween will be on Wednesday, October 31, 2018 and the children will be out that night between 6:00 and 8:00 PM.

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.

2018-91 RESOLUTION DESIGNATING OFFICE TO BE FILLED AT NEXT VILLAGE ELECTION

Motion was made by Trustee Montford seconded by Trustee Prusak that the Village board approves the following resolution:

WHEREAS the next general Village election for officers will be held on Tuesday, March 19, 2019, and
WHEREAS the Board of Trustees must designate by resolution and publish the offices which are to be filled in such election and the terms thereof,

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees designates the following offices as vacant at the end of the current official year, to be filled at the Village election to be held on March 19, 2019, for the following terms.

Mayor – Two years
Trustee -- Two years
Trustee -- Two years
Justice – Four years

Section 2. The Village Clerk is hereby directed to publish this resolution in full in the Batavia Daily News.

Section 3. The Village of Attica Board of Trustees pursuant to Chapter 217 of the Election Law of 1992 resolved on January 8, 1998 to abolish Registration Day in the Village of Attica. Only persons whose names are on the County registration lists will be allowed to vote in the Village election.

Section 4. This resolution shall take effect immediately

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.

2018-92 Approve bank reconciliation report from treasurer for September 2018.

Motion was made by Trustee Walker seconded by Trustee Prusak that the Village approves the bank reconciliation report from the Treasurer for the months ending September 2018.

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.

2018-93 New Fire Department members

Motion was made by Trustee Durfee seconded by Trustee Montford that the Village board approves the membership of Jennifer Marsocci – 10639 Alexander Road.

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.

2018-94 Genesee Street bond resolution

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

BOND RESOLUTION DATED OCTOBER 16, 2018 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ATTICA, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, 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 water system capital improvements heretofore duly authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village has heretofore duly found and determined 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 and such purpose is not subject to any further environmental review under SEQRA; now therefor, 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 construction of water system improvements, including, without limitation, installation and inter-connecting of a new 8-inch water main and appurtenances 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 (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$435,464 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose, and said amount is hereby appropriated therefor.

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 \$435,464. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized, to be offset and reduced, dollar for dollar by an amount anticipated to be separately appropriated from an existing capital reserve fund, presently estimated to be \$100,000.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 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 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, 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: Prusak yes; Montford yes; Durfee yes; Walker yes
The motion was declared and carried.

2018-95 Brian Krawczyk retirement

Motion was made by Trustee Walker seconded by Trustee Montford that the Village board accepts the resignation of Brian Krawczyk on October 30, 2018 after 37 years of service operating our Water Treatment Plant.

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.

2018-96 Matt Durfee appointment

Motion was made by Trustee Prusak seconded by Trustee Walker that the Village board appoints Matthew Durfee as the Chief operator of the Village of Attica Water Treatment Plant effective November 1, 2018.

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.

2018-97 Appointment of Brian Krawczyk to part time water operator

Motion was made by Trustee Walker seconded by Trustee Durfee that the Village board approves the appointment of Brian Krawczyk as a part time water plant operator effective 11/11/2018.

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.

2018-98 Set public hearing for use of Water reserve funds.

Motion was made by Trustee Durfee seconded by Trustee Montford that the Village board sets December 19, 2018 as the date for a public hearing for the use of water reserve funds for the walnut street project.

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.

2018-99 Surplus equipment 2008 Mack snow plow.

Motion was made by Trustee Walker seconded by Trustee Prusak that the Village board declares the 2008 Mack snow plow as surplus equipment.

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.

2018-100 Police officer training

Motion was made by Trustee Durfee seconded by Trustee Prusak that the Village board approves the training of Officers Zufall and Murray to attend a training course in Erie County for the use of online social media for criminal investigations.

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.

2018-101 Appointment of part time Officer James Yansick

Motion was made by Trustee Durfee seconded by Trustee Prusak that the Village board appoints James Yansick to a part time officer.

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.

2018-102 Curbing for Walnut Street

Motion was made by Trustee Walker seconded by Trustee Montford that the Village board accepts the low bidder for curbs on Walnut Street.

Concrete Construction	\$14.50 LF
Millennium Construction	\$15.00 LF
Militello Concrete	\$13.85 LF

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

2018-103 Appointment of Michael Manusia as our associate Justice

Motion was made by Trustee Walker seconded by Trustee Durfee that the Village board appoints Michael Manusia as our associate Village Justice effective November 1, 2018 at a salary of \$1,000 per year.

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.

2018-104 Adopting a Village wide safety policy

Motion was made by Trustee Walker seconded by Trustee Durfee that the Village board adopts the new village wide safety policy.

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 Walker, seconded by Trustee Prusak to enter into Executive session at 7:47 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 9:30 pm

Adjournment

Motion was made to adjourn the meeting at 9:32 P.M. by Trustee Walker seconded by Trustee Durfee.

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-Clerk/Treasurer