

The regular meeting of the Board of Trustees of the Village of Attica was held on January 19, 2021, at the Attica Village Hall. 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: Administrator Douglas A Post, Sargent Zufall, Gary Wysko, Fire Chief Myers and Steve Lingard (via Zoom).

Approve minutes of regular meeting of 12/15/2020

Motion was made by Trustee Walker, seconded by Trustee Durfee that the minutes of the regular meeting of 12/15/2020 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.

Public Hearing

Motion was made by Trustee Sage, seconded by Trustee Durfee that the Village board opens the public hearing at 6:02 PM regarding the proposed telecommunication structure at 43 ½ Exchange Street

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.

Transfer between appropriations

Motion was made by Trustee Walker, seconded by Trustee Guralny that the Village board approves the transfers between appropriations.

\$1,080.42 from A5110.4 to A1640.4
\$120.00 from A5110.4 to A4020.4
\$82.38 from A5110.4 to A5110.1G
\$1,000.00 from A7110.1P to A7110.1
\$163.00 from A5110.4 to A8560.4

\$1,822.42 from F8330.4 to F8340.4
\$3,000.00 from F8320.4 to F8340.1

\$1,069.27 from G8130.412 to G8130.42
\$1,941.36 from G8120.4 to G9050.8
\$0.90 from G8120.1 to G1910.4

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.

Approve Claims abstract #8

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

General Fund claims in the amount of \$37,572.65 as set forth in Abstract #8
Water Fund claims in the amount of \$42,244.31 as set forth in Abstract #8
Sewer Fund claims in the amount of \$21,682.19 as set forth in Abstract #8
Capital Pump station claims in the amount \$6,749.00 as set forth in Abstract #8
Traffic Safety grant claims in the amount of \$4,341.58 as set forth in Abstract #8

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.

Committee Reports:

Public Safety- Sargent Zufall reported on the current activity of the Police Department. Fire Chief Myers gave his yearend report.

Planning Board- none

Liaison – Gary Wysko and Trustee Walker reported on the Town board meeting.

DPW- Trustee Walker reported on the meeting he had with DPW Foreman Kazmierczak

Administrator – Administrator Post presented the bank reconciliation, assessors and Justice reports. He presented a letter from the Fire Department for new members. He stated that we received a \$40,000 grant for the Attica Tree Maintenance Project. He presented a BOND and SEQR resolution for a proposed splash pad.

Old Business: Mayor Montford discussed a phone call he had with Ann Dadd regarding the ice rink. He would like the board to consider a sledding hill in place of the skating rink.

New Business:

2021-01 VILLAGE ELECTION RESOLUTION.

Motion was made by Trustee Durfee seconded by Trustee Sage that the Board of Trustees adopts the following resolution:

WHEREAS the next general Village election for officers will be held on Tuesday, March 16, 2021, 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 16, 2021, for the following terms.

Mayor – Two years

Trustee -- Two years

Trustee -- Two years

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 16, 2021, 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: Durfee yes; Walker yes; Sage yes, Guralny yes.

The motion was declared and carried.

2021-02 Approve bank reconciliation report from treasurer for 12/2020.

Motion was made by Trustee Durfee seconded by Trustee Walker that the Village approves the bank reconciliation report from the Treasurer for the month ending December 2021.

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.

2021-03 Appoint election inspectors

Motion was made by Trustee Guralny seconded by Trustee Sage that the Village Board approves the appointment of Gail Wysko, Donna Lane, Pamela Bowers, and Nancy Prevosto, as election inspectors for the March 16, 2021 election.

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.

2021-04 Approval of contract with LaBella for professional services for Round 15 Urban and Community Forestry Grant program

Motion was made by Trustee Walker seconded by Trustee Sage that the Village Board approves the contract with LaBella for professional services for Round 15 Urban and Community Forestry Grant program. The cost is \$3,500 reimbursable by the grant.

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.

2021-05 Training for Jay Stockholm and Doug Beitz

Motion was made by Trustee Guralny seconded by Trustee Walker that the Village Board approves the virtual WNY coatings and corrosion expo on March 10, 2021. There is no cost and each operator will receive 5 contact hours.

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.

2021-06 Water Plant Cl2 Analyzer

Motion was made by Trustee Walker seconded by Trustee Sage that the Village approves the low bidder for a new Chlorine residual analyzer. Low bidder is Cold Spring Environmental \$3,380.

Cold Spring Environmental	\$3,380
HACH CLF 10sc	\$5,320
HACH CL-17	\$4,545

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.

2021-07 Closing Public Hearing

Motion was made by Trustee Walker seconded by Trustee Guralny that the Village board closes the public hearing at 6:52 PM regarding the proposed telecommunication structure at 43 ½ Exchange Street after hearing from all interested parties. The board approves the zoning application for Tilson for a telecommunication structure on Village property.

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.

2021-08 ISSUING NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE FOR ATTICA SPLASH PAD PROJECT

Motion was made by Trustee Sage seconded by Trustee Guralny that the Village board adopts the following SEQR resolution for the splash pad in the park.

WHEREAS, In accordance with the New York State Environmental Quality Review (SEQR) regulations, the Village Board of the Village of Attica conducted an environmental review of the Attica Splash Pad project (the "Project") consisting of the following: The conversion of an existing wading pool to a splash park at the Village of Attica Memorial Park. The splash park will be approximately 70 ft. wide by 70 ft. long. There will be a small concrete border around the perimeter of the Splash Pad. The Splash Pad will connect to the existing water connections that are in place for the wading pool. The project area is located wholly within the footprint of the existing wading pool and the depth of ground disturbance will not exceed beyond the current depth of the wading pool; and

WHEREAS, the Village Board has determined that the proposed action is an "Unlisted Action" under SEQR; and

WHEREAS, the Village Board has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above; and

WHEREAS, the Village Board now desires to make its determination of significance in accordance with the SEQRA regulations at 6 NYCRR §617.7.

NOW THEREFORE BE IT RESOLVED,

1. The Village Board declares that, based on the Environmental Record which has been prepared, the Project will not result in any large and important impacts, and therefore, will not have a significant adverse impact on the environment. A Negative Declaration under SEQR is therefore issued for this project, and the Village Mayor is hereby authorized and directed to prepare and issue, on behalf of the Village, the Negative Declaration in the Part 3 of the Environmental Assessment Form.
2. The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:
3. The foregoing Resolution was thereupon declared and duly adopted.

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.

2021-09 BOND RESOLUTION DATED JANUARY 19, 2021 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ATTICA, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE PARK 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.

Motion was made by Trustee Walker seconded by Trustee Sage that the Village board adopts the following resolution to borrow the funds necessary to build a splash pad in the park.

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

WHEREAS, the Village, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on January 19, 2021, has duly adopted a negative declaration with respect to the unlisted action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts; 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 park improvements, to include the conversion of an existing wading pool to a splash park at the Village of Attica Memorial Park, 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 \$250,000 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 \$250,000. 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 19-c 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; Montford yes.
The motion was declared and carried.

2021-10 Approval of traffic control devices and for the Mayor to sign DOT application for traffic control devices

Motion was made by Trustee Sage seconded by Trustee Walker that the Village board approves the Mayor to sign the DOT application for the installation and use of the traffic control devices throughout the Village of Attica.

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.

2021-11 New Fire department members

Motion was made by Trustee Durfee seconded by Trustee Walker that the Village board approves the applications for the following new members to the Attica Fire Department.

Bethany Ruffino, 303 Washington Ave., Batavia
Ryan Leahey, 25 Windsor Street, Attica
Lynn Eichelberger, 31 Favor Street, Attica
Darcy Barber, 2394 Church Road

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.

Executive Session

Motion was made by Trustee Walker seconded by Trustee Durfee to enter into Executive session at 7:10 PM to discuss legal and personal matters.

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.

Re-entered regular meeting at 7:25 pm

Adjournment

Motion was made to adjourn the meeting at 7:28 P.M. by Trustee Guralny 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.

Douglas A Post
Administrator, Village of Attica