

The reorganization meeting of the Board of Trustees of the Village of Attica was held on April 5, 2021, at the Municipal Building. The meeting was called to order at 4:00 P.M.

Members Present:

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

Others Present:

Others present: Administrator Douglas A Post and Deputy Clerk Julie A Cook

Oaths of Office:

Mayor – Nathan Montford

Trustee – Roger Durfee

Trustee – Hans Walker Jr.

Appointment of Board Officers:

1. Deputy Mayor: Mayor appoints Trustee Hans Walker Jr. to act in his absence as Deputy Mayor.

Village officers

Motion was made by Trustee Walker, seconded by Trustee Guralny that the Board of Trustees approves the appointments of the following Board officers for the 2021-2022 Village year.

- | | |
|----------------------------------------------|-------------------------------|
| ➤ 1) Clerk/Treasurer | Douglas A. Post |
| ➤ 2) Deputy Clerk/Treasurer | Julie A. Cook |
| ➤ 3) Tax Collector | Douglas A. Post |
| ➤ 4) Fair Housing Officer | Douglas A. Post |
| ➤ 5) Section 3 Coordinator (CDBG) | Douglas A. Post |
| ➤ 6) Labor Standards Officer | Douglas A. Post |
| ➤ 7) Environmental Review certifying officer | Douglas A. Post |
| ➤ 8) ADA Coordinator | Douglas A. Post |
| ➤ 9) Water/Sewer Collectors | Douglas A. Post/Julie A. Cook |
| ➤ 10) Village Attorney | Timothy F. Moran |

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

The motion was declared and carried.

2. Appointment of Zoning board of Appeals member

Motion was made by Trustee Walker seconded by Trustee Guralny that the Village Board re-appoints the following member to the zoning board of appeals:

Brian Fugle – 4/05/2024 - three year term

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

The motion was declared and carried

Designations

Motion was made by Trustee Guralny, seconded by Trustee Durfee that the Board of Trustees makes the following designations for the 2021-2022 Village year:

Official Bank Depositories:

General, Water, Sewer, Trust & Agency funds:	5 Star Bank
Community Development	NYCLASS
Capital Land, Equipment, Fire Truck, Water, Ambulance	NYCLASS
Sewer improvement Reserve	NYCLASS

Regular Board meetings: The Village Board meetings will be held in the Municipal Building, 9 Water Street, Attica, NY at 6:00 PM according to the following schedule.

April 20, 2021 (Tuesday)

May 18, 2021 (Tuesday)

May 28, 2021 (Friday) at 4:00 PM

June 15, 2021 (Tuesday)
July 20, 2021 (Tuesday)
August 17, 2021 (Tuesday)
September 21, 2021 (Tuesday)
October 19, 2021 (Tuesday)
November 16, 2021 (Tuesday)
December 21, 2021 (Tuesday)
January 18, 2022 (Tuesday)
February 15, 2022 (Tuesday)
March 15, 2022 (Tuesday)
April 4, 2022 (Monday) at 4:00 PM

Official Newspaper: The Daily News, Batavia, NY

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

V. Committees

The Mayor appointed the following committees for the official 2021-2022 Village year.

- ✓ Public Safety – Roger Durfee and Matthew Sage
- ✓ Liaison – Hans Walker and Gary Guralny
- ✓ Dept. of Public Works – Hans Walker and Gary Guralny

Bonding of Personnel

Motion was made by Trustee Walker seconded by Trustee Guralny that the Village Board of Trustees bonds the Clerk and the Deputy Clerks for the 2021-2022 Village year:

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

Authorization

Motion was made by Trustee Guralny seconded by Trustee Durfee that the Board of Trustees authorizes the following personnel for the 2021-2022 Village year:

- | | |
|---------------------------------------|----------------------------------------------------------------------------|
| 1. Payroll Certification | Douglas A. Post, Julie A Cook |
| 2. Purchasing Agent | Douglas A. Post |
| 3. Advertising for bids | Douglas A. Post |
| 4. Petty Cash | Douglas A. Post, Julie A Cook |
| 5. Authorized Signatures on checks | Nathan Montford or Hans Walker Jr.
&
Douglas A. Post or Julie A Cook |
| 6. Authorized Signatures on contracts | Nathan Montford, Douglas A. Post |

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

Other Items

Readopting of the Code of Ethics, By-laws, Ordinances and all Policies in effect during the previous year.

Motion was made by Trustee Walker, seconded by Trustee Guralny that the Board of Trustees officially re-adopts all Code of Ethics, By-laws, Ordinances and Policies in effect during the previous year.

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

Establish Mileage Reimbursement Rate

Motion was made by Trustee Walker seconded by Trustee Durfee that the Board of Trustees establish the mileage reimbursement rate of the 2021-2022 Village year to be the same as the IRS rate

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

2021-01 Resolution to pre-pay abstracts

Motion was made by Trustee Durfee seconded by Trustee Guralny that the Village of Attica adopts the following resolution:

WHEREAS the board of trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight, express charges and bonds, and WHEREAS all such claims be presented at the next regular meeting for audit, and WHEREAS the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees,

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees authorizes payment in advance of audit claims for public utility services, postage, freight, express charges and bonds and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees.

Section 2. That this resolution shall take effect immediately.

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

2021-02 Approve low bidder on WTP generator

Motion was made by Trustee Walker seconded by Trustee Durfee that the Board of Trustees approves the low bid on a new generator at the Water Treatment Plant.

R B U'ren	\$42,890
Key Power	\$46,740

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

2021-03 Approve fee for completing a composting grant

Motion was made by Trustee Guralny seconded by Trustee Walker that the Board of Trustees approves the quote from Ann McDonnell Miller for the services to prepare and submit an application for the compost facility roof to NYDEC Municipal Waste Reduction and Recycling Program. \$2,000

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

2021-04 VILLAGE OF ATTICA WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT SEQR RESOLUTION – TYPE II ACTION

Motion was made by Trustee Walker seconded by Trustee Guralny that the Board of Trustees approves the following resolution:

WHEREAS, the Attica Village Board is proposing the following Scope of Work to be completed as part of the Attica Wastewater Treatment Plant (WWTP) Improvements Project:

The proposed project consists of routine maintenance and repairs to the Attica WWTP, which is located at 122 Prospect Street in the Village of Attica. The scope includes the following items:

- Two new mechanical bar screens and controls
- Two new 14-inch isolation valves and motor operators on pump station bypass to Tonawanda Creek
- Two new 14-inch gate valves on pump discharge header
- Six new 8-inch pump discharge gate valves
- Six new pump discharge check valves
- Prepare and coat two grit chambers with coal tar epoxy
- Replace grating and support as needed in the valve gallery
- Two new gear boxes on wet well inlet slide gates

- Two new explosion proof electrical junction boxes, enclosing the pump terminations of each wet well
- New 16-inch primary biotower recirculation valve and refurbished stem, sand, and stem guide(s)
- New Portable 3-ton gantry frame, trolley and chain hoist

WHEREAS, the Village Board has reviewed the scope of the project and has further received and considered the advice of its engineers (Nussbaumer & Clarke, Inc.) and environmental specialists (LaBella Associates) with respect to classification of the action in accordance with the State Environmental Quality Review Act (SEQRA) that pursuant to 6 NYCRR part 617.5(c), the project qualifies as Type II under the following subsections:

“(1) maintenance or repair involving no substantial changes in an existing structure or facility”

“(2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”.

WHEREAS, Type II actions have been determined not to have a significant impact on the environment and are not subject to review under SEQRA, now therefore;

BE IT RESOLVED, no further action is required by the Village Board with regard to SEQRA for this Type II action.

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

The motion was declared and carried

2021-05 VILLAGE OF ATTICA WASTEWATER TREATMENT PLANT BOND RESOLUTION

Motion was made by Trustee Guralny seconded by Trustee Durfee that the Board of Trustees approves the following resolution:

BOND RESOLUTION DATED APRIL 5, 2021 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ATTICA, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE SEWER 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 sewer system capital improvements authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, on April 5, 2021 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 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 and construction of sewer system improvements at the Attica Wastewater Treatment Plant, including, without limitation, the acquisition and construction of pump station improvements, 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 \$1,045,000 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 \$1,045,000. 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 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) 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 power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, 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; Guralny yes; Montford.

The motion was declared and carried

ADJOURNMENT

Motion was made by Trustee Walker, seconded by Trustee Guralny that the Board of Trustees adjourn the meeting at 4:15 P.M.

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

The motion was declared and carried

Douglas A Post
Administrator/Clerk/Treasurer