

The regular meeting of the Board of Trustees was held on November 19, 2024, at the Attica Municipal Building. The meeting was called to order at 6:00 p.m.

Members Present:

The following members present: Mayor Nathan Montford, Trustees Pam Rudolph, Matthew Sage, Hans Walker Jr. and Chris Van Son.

Others Present:

Others present: Administrator Brenda Beck, Water Treatment Plant Chief Operator Matt Durfee, Police Chief Dean Hendershott, Waste Water Plant Chief Operator Doug Beitz, Pam Babin, Jim Miller, Steve Schmit, John Perry, Justice Julie Perry, Fire Chief Stephen Bove, Assistant Fire Chief Jay Myers, Gary Gurlany, Justin Bennett, La Bella Representatives: Mathew Higgins, Don Lucas, Carolyn Weeden.

Minutes and Claims Approved:

Motion was made by Trustee Van Son seconded by Trustee Rudolph that the minutes of the regular meeting of 10/15/24, be approved as presented.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

Open public hearing

Motion was made by Trustee Sage seconded by Trustee Rudolph that the Village board opens the public hearing at 6:01 PM, regarding the use of Waste Water Treatment Plant Reserve funds for the payment of the Kubota Ultra Grand Cab \$65,830.56 and Kuhn Knight RA 142T Tow Mixer \$76,791.00.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried

Approve Claims

Motion was made by Trustee Van Son 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 \$247,168.76 as set forth in Abstract #6

Water Fund claims in the amount of \$46,183.66 as set forth in Abstract #6

Sewer Fund claims in the amount of \$61,301.33 as set forth in Abstract #6

Water Treatment plant Capital claims in the amount of \$3,323.92 as set forth in Abstract #6

Capital Water Distribution Line claims in the amount of \$5,000.00 as set forth in Abstract #6

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

Pam Babbins spoke about the activity she has been working on this month.

Trustee Walker spoke on behalf of the Senior Citizens and what they have been doing.

COMMITTEE REPORTS

PUBLIC SAFETY – Police Chief Hendershott discussed activity this month. Fire Chief Bove reported on the calls for the previous month.

It was also noted about the burn ban until November 30, 2024.

DPW – WTP Chief Operator Matt Durfee reported that the LaBella Team was here to discuss the upcoming projects and that we should reach out to see if the Boy Scouts would help with cleaning up around of the off shore fishing. Take Down Tree came in and removed the tree hanging on Damn #3. Waste Water Treatment Plant Chief Operator Doug Beitz updated the Board on how things are running at the plant and we passed the last wet testing for 2024 and are good until 2029.

TOWN LAISON – Trustee Walker spoke on behalf of the Town of Attica.

VILLAGE ADMINISTRATOR – Administrator Beck presented the bank reconciliation, Assessors, Treasurers and Justice Reports.

OLD BUSINESS

NEW BUSINESS – Winterfest will be on December 14, 2024.

2024-121 Return of unpaid taxes to Wyoming and Genesee County for relevy

Motion was made by Trustee Sage seconded by Trustee Walker that the Village Board approves the list of unpaid taxes for 2024 and orders the return of these taxes to the respective County.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

2024-122 Approve bank reconciliation report from treasurer for September 2024.

Motion was made by Trustee Van Son seconded by Trustee Sage that the Village approves the bank reconciliation report from the Treasurer for the month ending September 2024.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

2024-123 Approve the increase for Sewer Inspections.

Motion was made by Trustee Van Son seconded by Trustee Rudolph that the Village board approves the increase for the Sewer Inspection from \$10.00 to \$50.00 beginning on January 1, 2024.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

2024-124 Close public hearing for the use of Waste Water Treatment Plant reserve funds

Motion was made by Trustee Sage seconded by Trustee Van Son that the Village board closes the public hearing at 8:00 PM regarding the use of Waste Water Treatment Plant Reserve funds for the payment of the Kubota Ultra Grand Cab \$65,830.56 and Kuhn Knight RA 142T Tow Mixer \$76,791.00. After hearing from all interested parties, the Village Board moves to approve the use of the reserve funds.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

2024- 125 Purchase of Tractor and Mixer for Waste Water Plant

Motion was made by Trustee Sage seconded by Trustee Walker that the Village Board approves Waste Water Treatment Plant to purchase the Kubota Ultra Grand Cab \$65,830.56 and Kuhn Knight RA 142T Tow Mixer \$76,790.00 from Alexander Equipment under government bid.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

2024-126 County Snow and Ice contract – Amended Agreement

Motion was made by Trustee Walker seconded by Trustee Sage that the Village board approves the Amended Agreement contract with Wyoming County Highway department for the Snow contact for 2023-2024 from .69 to .75.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

2024-127 County Snow and Ice contract – Amended Agreement

Motion was made by Trustee Walker seconded by Trustee Van Son that the Village board approves the Amended Agreement contract with Wyoming County Highway department for the Snow contact for 2024-2025 to .69 to .75.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

2024-128 Training for Water Operator

Motion was made by Trustee Van Son seconded by Trustee Walker that the Village board approve the attendance of Cory Buchholz, Carl Romesser, Chad Clark, Paul Gorny, Justin Lane and Craig Kazmierczak to attend the Water Operator Training on November 14, 2024. The training will be held in Perry: and has no cost for the training in addition to 5 contact hours for Water recertification.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

2024-129 Town of Attica Water Proposal

Motion was made Trustee Rudolph seconded by Trustee Sage that the Village Board approve 4% of Debt Service towards the Distribution Line.

WHEREAS,

1. The Board of Trustees of the Village of Attica (hereinafter the “Village Board”) initiated in January 2023 a project jointly with the Town of Attica (“Town”) called the “Attica Water System Transmission Main Extension Project” that involves completion of a study to evaluate the feasibility and cost of constructing drinking water infrastructure in portions of the Town to be supplied with water produced by the Village of Attica Water Treatment Plant.
2. The Village of Attica (“Village”) intends to engage in discussions with the Town regarding the sharing of capital costs associated with construction of “Extension 1” as considered in the study completed.

NOW THEREFORE BE IT RESOLVED,

The Village Board has reviewed the results of the study completed and is in support of offering to the Town a capital cost-sharing split of: 96% to be borne by the Village and 4% to be borne by the Town.

Motion was made by Trustee Sage seconded by Trustee Vanson that the Village Board has reviewed the results of the study completed and is in support of the Town a capital Cost-Sharing split of 96% to borne by the Village and 4% to be borne by the Town of Attica.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

2024-130 AMENDED NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE FOR VILLAGE OF ATTICA WATER TREATMENT PLANT IMPROVEMENTS PROJECT

Recommended Action: That the Village Board accepts as Lead Agency the 2024 SEQRA findings narrative issues an amended Negative Declaration pursuant to 6 N.Y.C.R.R. § 617.7 (e)(1)(i).

WHEREAS,

1. The Board of Trustees of the Village of Attica (hereinafter the “Village Board”) initiated a SEQRA review for the Village of Attica Water Treatment Plant Improvements Project. The project involves the construction of an approximately 1,500 square foot addition to the existing building at the Village’s Water Treatment Plant (WTP) located at 3368 Dunbar Road in the Village of Attica (SBL 19.-1-54). Additionally, the Village proposes to construct an approximate 500 SF pumphouse on a portion of (No #) Dunbar Road (SBL 19.-1-58). The building expansion and pumphouse will facilitate the installation of new treatment systems. Proposed site improvements, including those necessary for the building expansion, include: driveway modification, fill and grading, relocation of overhead electrical lines, buried piping modifications, septic system replacement, and exterior pump enclosure removal. Overall, the amount of ground disturbance will be limited to approximately 3.3 acres on the existing WTP site.
2. The Village intends to pursue NY State Revolving Fund financing as administered by the NYS EFC which requires State Environmental Review Process (SERP) compliance. To comply with SERP, unless the project is a Type II Action exempt from SEQR, it generally must be treated as a Type I Action under SEQR, and is subject to a coordinated review.

3. On August 15, 2023, the Village Board classified the Project as a Type 1 Action under SEQRA and declared its intent to serve as Lead Agency.
4. On August 16, 2023, the Village Board notified the involved and interested agencies of its intent to serve as Lead Agency for the Project and circulated Part 1 of the long EAF.
5. The Village Board considered the Environmental Record prepared for this action, including any comments received from the Involved Agencies, and the proposed Negative Declaration.
6. On September 19, 2023, the Village Board declared itself as Lead Agency and based on its review of the Full Environmental Assessment Form Parts 1, 2, and 3 and supporting Project documents, the Village Board determine that the Project would not result in any significant adverse environmental impacts and issued a Negative Declaration for the Project.
7. Subsequent to the 2023 Negative Declaration, an additional Scope of Work was added to the Village of Attica Water Treatment Plant Improvement Project including re-grading of the Village WTP's existing two 200-ft by 50-ft lagoons and the addition of a third lagoon to ensure adequate capacity for process waste flows from the WTP. The proposed changes were designed in consideration of the Village's existing SPDES permit. Additional site improvements, including those necessary for the third lagoon integration, include but are not limited to: extension of existing electrical and water utilities to the pumphouse; modification of access roads to and around the lagoons and pumphouse; dimension changes to the pumphouse; alternate tree clearing locations; installation of new emergency spillways and infiltration basin and forebay; fencing and gate modifications; and a concrete pad addition.
8. The Project's SEQRA findings have been updated to reflect the new scope of work and results of 2024 agency consultations regarding potential environmental impacts as described in the findings narrative attached to this resolution.
9. After analyzing the 2024 SEQRA findings narrative for this Project and the previous 2023 environmental review record (including Parts 1, 2, and 3 of the 2023 Environmental Assessment Form), the Village Board seeks to issue an amended Negative Declaration in compliance with 6 NYCRR §617.7(e)(1)(i).

NOW THEREFORE BE IT RESOLVED,

The Village Board, as Lead Agency, hereby accepts the 2024 SEQRA findings narrative.

The Village Board has thoroughly reviewed the Environmental Record prepared for this Project, including the original SEQRA record prepared for this project in 2023 (including the 2023 Environmental Assessment Form Parts 1, 2, and 3) and the 2024 SEQRA findings narrative.

The Village Board has considered significance of any potential environmental impacts according to the criteria set forth in 6 NYCRR § 617.7(c); and has thoroughly analyzed the

identified areas of relevant environmental concern.

Based on its review of the Project's entire environmental record, including the 2024 SEQRA findings narrative, the Town Board has determined that the Project would not result in any significant adverse impacts. The Village Board, therefore, issues an amended Negative Declaration pursuant to 6 N.Y.C.R.R. § 617.7 (e)(1)(i).

Motion was made by Trustee Rudolph seconded by Trustee Sage that the Village Board accepts the 2024 SEQRA findings narrative.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

2024-131 Resolution in Support of Continued and Increased State Aid for Local Governments

Motion was made by Trustee Van Son seconded by Trustee Sage that the Village Board expresses our support for the continuation of the \$50 Million and additional funding in the 2025 – 26 state budget and beyond.

Whereas, until 2024, cities, villages and towns had not received an increase in unrestricted state aid (AIM funding) in 15 years, significantly impacting their ability to provide essential services to their residents; and

Whereas, after a prolonged period without financial support, local governments finally received an increase of \$50 million in unrestricted state aid; and

Whereas, local officials express their gratitude for the \$50 million increase in unrestricted state aid, recognizing it as a positive step towards addressing long-standing funding challenges; and

Whereas, the State has referred to this new aid as Temporary Municipal Assistance, suggesting that such increase may not continue, jeopardizing the sustainability of crucial municipal programs and services; and

Whereas, the property tax cap further limits the ability of local governments to properly fund the programs and services their residents need; and

Whereas, increased and ongoing state aid for local governments is vital for maintaining infrastructure, public safety, housing and other municipal services; and

Whereas, the challenges of inflation, the increasing costs of labor and supplies, and the end of extraordinary federal aid only accentuate the need for consistent and predictable funding to effectively plan for the future and meet the growing needs of their residents;

Now, therefore, be it resolved, that the Village of Attica calls upon the Governor and the State Legislature to commit to continuing the additional \$50 million in unrestricted state aid in the 2025-26 State Budget and beyond, and

Be it further resolved, that the Village of Attica urges state officials to recognize the need for a long-term plan that ensures consistent and predictable increases in financial support for local governments that keep pace with inflation.

A copy of this resolution shall be sent to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator George Borello, Assemblymember David DiPietro and the New York State Conference of Mayors (NYCOM).

Motion was made by Trustee Van Son seconded by Trustee Sage that the Village Board of Trustees urge the Governing Bodies to increase unrestricted state aid in the 2025 – 2026 State Budget and beyond.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

Executive Session

Motion made by Trustee Van Son seconded by Trustee Rudolph to enter into Executive session at 8:07 PM to discuss legal and personal matters.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

Re-entered regular meeting at 9:22 pm

Adjournment

Motion made to adjourn the meeting at 9:22 P.M. by Trustee Van Son seconded by Trustee Sage.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes. The motion was declared and carried.

Brenda J Beck
Administrator, Village of Attica