

It was moved by P. M. Jones, seconded by Karl J. Lawrence and passed that this bid of Eastern Rock Products, Inc. be accepted.

Appointment to Fire Company

A letter was received from the Fountain Fire Co. recommending Charles M. Cornell for appointment as a volunteer fireman.

It was moved by P. M. Jones, seconded by J. H. Wells and passed that Charles M. Cornell be appointed a volunteer fireman.

Refuse Disposal

Mayor Elmer read a letter received from the State Department of Health regarding the disposal of refuse. It was noted that the Sanitary Code forbids the open burning of refuse.

Public Employees' Fair Employment Practices Act.

The clerk was directed to notify all village employees of their rights to organize and negotiate with their employer under the Public Employees' Fair Employment Practices Act which became effective on September 1, 1967.

Letter from University

Mayor Elmer reported that he has received a letter from Mr. Krehel, Colgate University, stating that the University can not participate in the cost of a new fire truck at this time and they will not increase the annual contribution to the Village of \$2,500.00

Petition for Sewer Extention

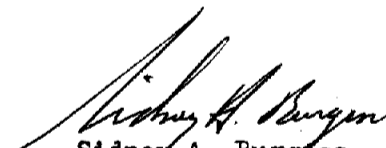
A petition was received from Eaton Street property owners requesting the Village Board to authorize the construction of a sewer line on Eaton Road from Ervin G. Schuessler to Donald J. Rhyde.

It was decided to direct the Engineer to take a survey to determine what the cost would be to extend the sewer line on Eaton Street.

Payment of Bills

It was moved by P. M. Jones, seconded by R. D. Wilder and passed that the bills on the following abstracts of audited vouchers dated September 12, 1967 be paid: #4 - T & A - \$2,309.76; #5 - V - \$33,014.52 and #6 - V - \$3,941.92.

On motion, meeting adjourned.


Sidney A. Burgess
Village Clerk

September 20, 1967

A special meeting of the Village Board of Trustees was held on September 20, 1967 at 8:00 P. M. in the Village Office. Present were Deputy Mayor P. M. Jones, Trustees J. H. Wells, R. D. Wilder and K. J. Lawrence.

School Crossing

Applications for school crossing guard were discussed.

Motion was made by K. J. Lawrence, seconded by J. H. Wells and passed that Linda Hahnle be employed as a part-time school crossing guard for mornings and afternoons and Charlene Eggleston for the noon duty, at the rate of \$2.00 per day each.

Motion was made by R. D. Wilder, seconded by J. H. Wells and passed that "No Parking or Standing" signs be installed on the

Special Meeting
September 26, 1967

A special meeting was held at 7:30 P. M. on Tuesday evening, September 26, 1967 at the Village Office, as advertised. Present were Mayor E. K. Elmer, Trustees John H. Wells, Philip M. Jones, Robert D. Wilder, Karl J. Lawrence, Commissioners, Stuart F. Jaquay, L. A. Cossitt, Richard F. Stradling and Engineer R. H. Albrecht. Clerk Sidney A. Burgess was attending clerks and treasurers school. Also present from O'Brien & Gere, Consulting Engineers, were Russell L. Sutphen and W. J. Pfau.

The meeting was held to receive bids for construction and alterations at the Hamilton Sewage Treatment Plant and Pumping Station.

Since one general contract bidder, Fletcher and Mc Carthy, Utica, New York, submitted their bid after the 12 noon deadline, a discussion took place concerning the legality of considering their bid. It was the consensus of those present that possible litigation could result from accepting and considering this bid.

It was moved by P. M. Jones, seconded by J. H. Wells and passed unanimously that the bid of Fletcher and Mc Carthy be returned unopened since they did not submit before 12:00 noon, September 26th.

Bids were then accepted and opened as follows:

General Contract #1

	<u>Bid</u>		<u>Check</u>
J. R. Hall, Inc., Georgetown, N. Y.	\$467,400	Total	\$24,000
Fred Ballard Const. Co., Syracuse, N. Y.	479,510	"	25,000
M. A. Bongiovanni, Inc., Syracuse, N. Y.	497,400	"	26,000

Electrical Contract #2

	<u>Bid</u>		<u>Check</u>
Kogut Electric, Inc., Utica, N. Y.	\$ 31,082	Total	\$ 1,555

Heating and Ventilation Contract #3

	<u>Bid</u>		<u>Check</u>
Kenneth A. Taylor, Inc., Syracuse, N. Y.	\$ 11,651	Total	\$ 1,000
O'Shea Supply Co., Inc., Rome, New York	11,865	"	600
Myers-Laine Corp., Utica, N. Y.	13,262	"	715
Springer-Schmals Corp., Utica, N. Y.	14,300	"	1,100

Plumbing Contract #4

	<u>Bid</u>		<u>Check</u>
O'Shea Supply Co., Inc., Rome, N. Y.	\$ 5,946	Total	\$ 300
Springer-Schmalz Corp., Utica, N. Y.	6,800	"	340
Myers-Laine Corp., Utica, N. Y.	7,997	"	850

Certified checks in the amounts indicated above were submitted and placed in the custody of the Village Treasurer pending a canvass of the bids by O'Brien & Gere.

Since the bids exceeded the engineers estimates by a substantial amount and since they were in excess of the figures used in the bond resolution and notice of hearing, it was decided to request additional funds to the amount of 60% of the firm contract figures from the State of New York including the \$20,000 Federal Grant.

The decision to proceed with the application for additional funds was based on the urgent need for new treatment and pumping facilities, the evidence of further increases in construction costs in the coming months, and the belief that the increase in bonding costs to the Village would be within our ability to amortize in a reasonable period of time.

It was then decided to adjourn the meeting until 5:00 P. M., Friday afternoon, September 29th, at which time Mr. Sutphen will present the figures for another bond issue resolution, and will advise on the results of his conversations with the New York State Health Department regarding additional funds. The adjourned date was moved by Mr. Jones seconded by Mr. Jaquay and passed.

On motion meeting adjourned.

Deputy Clerk
R. H. Albrecht

September 29, 1967

A special joint meeting of the Village Board of Trustees and Municipal Utilities Commission was held on Friday afternoon at 5:00 P. M. in the Village Office. Present were Mayor E. K. Elmer, Trustees John H. Wells, P. M. Jones, and R. D. Wilder, Commissioners S. F. Jaquay and L. A. Cossitt, Engineer R. H. Albrecht and Clerk S. A. Burgess. Mr. Russell Sutphen and Mr. W. J. Pfau, Consulting Engineers from O'Brien & Gere, were also present. Trustee Karl J. Lawrence and Commissioner R. F. Stradling were absent.

Sewage Treatment Plant and Pumping Facilities

Mr. Sutphen explained that the Sewage Treatment Plant bids have been canvassed and tabulated. A letter was received from O'Brien & Gere summarizing the low bids. It was noted that the construction estimate for the new plant has increased from \$392,000.00 to \$600,000.00. O'Brien & Gere recommended in their letter that the Village Board take necessary action to increase the State and Federal Grants and award the contracts to the low bidders. It was felt that re-advertising would not be of any advantage to the Village.

It was determined that the Village would require a \$166,000.00 bond issue to finance the \$600,000.00 project if the State and Federal Grants are increased by the same percentage as previously approved.

It was decided to amortize this proposed \$166,000.00 bond issue over a 25 year period rather than 30 years since the State Aid for operation and maintenance of the Sewage Treatment Plant is likely to be continued in years to come and the earnings of the Sewer Department will continue to rise with the increased water usage and new construction.

Resolution

The following resolution was offered by P. M. Jones, seconded by R. D. Wilder and unanimously adopted:

WHEREAS the Village of Hamilton received bids for the construction of Sewage Treatment and Pumping Facilities, FWPCA - NY - 360 and,

WHEREAS the bids received are in excess of the engineer's estimates and,

WHEREAS the Engineer, O'Brien & Gere, have submitted recommendations to the Village Board as per letter dated September 28, 1967,

NOW THEREFORE BE IT RESOLVED that the Mayor be authorized to:

- A. Request an increase in the total State and Federal Grant equal to the same percentage of \$600,000.00 as previously requested for the earlier estimated project cost and

- B. Request approval for award of the low bids as received.

Amended Bond Resolution

The following resolution was offered by Trustee PHILIP M. JONES, who moved its adoption, and seconded by Trustee, JOHN H. WELLS, to-wit:

AMENDED BOND RESOLUTION DATED SEPTEMBER 29, 1967.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$166,000 SERIAL BONDS OF THE VILLAGE OF HAMILTON, MADISON COUNTY, NEW YORK, AND THE EXPENDITURE OF \$474,000 CURRENT FUNDS, INCLUDING FEDERAL AND STATE AID TO PAY THE COST OF CONSTRUCTION OF A PRIMARY AND SECONDARY SEWAGE TREATMENT PLANT AND SEWAGE PUMPING FACILITIES OF SAID VILLAGE.

BE IT RESOLVED, by the Board of Trustees of the Village of Hamilton, Madison County, New York, as follows:

Section 1. That pursuant to the provisions of Law, the Village Treasurer be and hereby is authorized to issue and sell in the manner provided by the Local Finance Law, serial bonds of the Village of Hamilton, in an amount not to exceed \$166,000.00, at such rate of interest as the Treasurer shall prescribe, the principal of the serial bonds to mature in equal annual installments as provided in the Local Finance Law, the proceeds thereof together with other moneys to be for the construction of a primary and secondary sewage treatment plant and sewer pumping station.

Section 2. The specific object or purpose for which the obligations hereinafter authorized are to be issued is the construction of a SEWAGE TREATMENT PLANT situate on the south side of College Street and a SEWAGE PUMPING STATION on the east side of University Avenue in the Village of Hamilton, Madison County, New York, to consist of a primary and secondary sewage treatment plant and sewage pumping station on premises presently owned by said Village, including original furnishings, equipment, machinery and apparatus necessary therefor.

Section 3. The maximum estimated cost of the aforesaid object or purpose is \$600,000 and the plan of financing the cost thereof is as follows:

- a) By the expenditure of \$74,000.00 current funds of said Village to be paid from available funds of the Municipal Utilities Commission which amount is hereby appropriated therefore;
- b) By the expenditure of \$360,000 Federal Water Pollution

Control Agencies and New York State aid for construction of a sewage treatment plant and sewer pumping station; and

- c) By the issuance of \$166,000.00 serial bonds of said Village hereby authorized to be issued pursuant to the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of such object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, to be computed from January 1, 1968. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will be in excess of five years.

Section 5. The faith and credit of said Village of Hamilton, Madison County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds 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 bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. That no expenditure by contract or otherwise shall be made against this authorization until after approval by the Board of Trustees or its duly authorized representative, of such expenditure, or of the plans, specifications, estimates of cost, and form of proposed contracts for said improvements; nor shall any architect, engineer, expert or departmental employee be engaged or employed as a charge against this authorization except after approval by the Board of such employment and of the fee or wage to be paid by preliminary and final contract, voucher or budget schedule, unless in case of departmental employees, such employment is in accordance with schedules approved by the Board.

Section 7. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 8. The validity of such bonds may be contested only if:

- 1) Such bonds are authorized for an object or purpose for

which said Village is not authorized to expend money, or

- 2) 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 days after the date of such publication, or

3) Such bonds are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in full in the Mid-York Weekly, the official newspaper of said Village together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. That this resolution is adopted subject to permissive referendum.

Section 11. This amended Bond Resolution adopted to authorize the financing of a part of the cost of the aforesaid specific objects or purposes hereby repeals and supercedes the Bond Resolution dated August 8, 1967.

Section 12. That this Amended Bond Resolution is to be posted and published by the Village Clerk in the same manner as notices for the annual election.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<u>PHILIP M. JONES</u>	voting	<u>YES</u>
<u>JOHN H. WELLS</u>	voting	<u>YES</u>
<u>EVERETT K. EIMER</u>	voting	<u>YES</u>
<u>ROBERT D. WILDER</u>	voting	<u>YES</u>

The resolution was thereupon declared duly adopted.

On motion meeting adjourned.

Sidney A. Burgess
Village Clerk