

MINUTES OF THE REGULAR MEETING OF THE VILLAGE OF NORTH COLLINS BOARD OF TRUSTEES HELD ON MONDAY, July 17th, 2017 AT 6:30 P.M. IN THE VILLAGE HALL.

Deputy Mayor Kathleen Myers called the meeting to order at 6:30pm and led the Pledge of Allegiance.

MEMBERS PRESENT: Deputy Mayor Kathleen Myers Attorney Richard Schaus
Clerk Jan Hutchinson Trustee Melvin Bley
Trustee Karen Denne

Excused: Mayor Vincent George
Trustee Corinne Leone

Motion by Trustee Melvin Bley seconded by Trustee Karen Denne to accept meeting minutes from the June 19th, 2017 Regular Meeting with noted correction. Unanimous.

VISITORS:

Erie County Legislator John Mills: Brought updated literature and news about various programs around the county. Talked about Yellow Dot program; new fishing brochure with information on walleye from the Toledo Basin in Dunkirk; Scenic byway is now extended down to Ellicottville; working on Road/Covert reconstruction projects around Erie County; doesn't anticipate a tax increase at the county level at this time; working with area representatives about a transportation hub on the rails that will go all the way to Gowanda.

Nick & Laura Valentine: The Well that never runs dry will be having an event on August 26th called Well Fest. It will include 13 bands with live music; local food; possibly a dunk tank and rock climbing wall; family-friendly event with no alcohol; police will be contacted to assist with event. There will also be an ice-cream social on July 21st and possibly another Cruise Night on Tuesday, July 25th. In November, they will have a Wellness Day with several tables that focus on all types of wellness—November 10th & 11th.

Dicci Montaldi: There will be a 5K race held during the Celebrate North Collins weekend in September. It will be a suicide prevention walk that is not sanctioned this year. The route will go through the Village and there will be water stops at various locations as well. Someone will contact us with the route as there may be streets that may be limited for driving during the race. Dicci also wanted to mention about the training that the Zoning Board of Appeals recently went to a zoning training in Cheektowaga on June 29th. It was very disappointing.

Brandi LoBianco & John Appleford: Community Watch group is actively meeting every week or two at various locations. They are a group of about 10-12 members from around the area (not necessarily the Village). They are working on a Facebook page and really want to be a "cheerleader" for the area. Brandi is excited about working with the Well as well as anyone else who is looking to bring people out and together. Will try to track down the person who is interested in doing a "Christmas in the Village" event at Dr. Joy Memorial Park in North Collins.

MAYOR:

AARP Challenge Grant has been submitted for \$5,000. Winners will be notified August 7th. The grant application included four new benches and concrete pads, an ADA compliant picnic table, and a pet waste station.

NYCOM sent a letter about the status of the unfunded mandate to insure volunteer firefighters. They are recommending that the Governor veto the bill until it can include an opt-in clause.

The time clocks all work and all hourly employees are required to use their respective time clocks to keep track of their hours worked.

The Sales Tax update was noted—8+% over last year at this time.

The water softener at the Well house on Milestrip Road is not needed. It has never been used or hooked up.

Motion by Trustee Melvin Bley seconded by Trustee Karen Denne to declare the unused water softener as surplus as it is of no use to the Village. Unanimous.

Motion by Trustee Karen Denne seconded by Trustee Melvin Bley to deem 3 folding tables and 16 chairs (10 wooden and 6 metal) as surplus and to be donated to The Well that never runs dry. Unanimous.

Motion by Trustee Melvin Bley seconded by Trustee Karen Denne for the Mayor to sign an agreement with Auctions International to sell the unused water softener pending recommendation of an estimated value. Unanimous.

Motion by Trustee Melvin Bley seconded by Trustee Karen Denne to establish a new reserve in the amount of \$40,000 for the future purchase of land for a Fire Hall. Unanimous.

The following resolution was offered by Trustee Denne and seconded by Trustee Bley, to wit:

A BOND RESOLUTION, DATED JULY 17, 2017, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF NORTH COLLINS, ERIE COUNTY, NEW YORK (THE “VILLAGE”), AUTHORIZING A CAPITAL IMPROVEMENT PROJECT CONSISTING OF THE PAINTING OF THE VILLAGE WATER TOWER, RECONSTRUCTION OF THE DEPARTMENT OF PUBLIC WORKS BUILDING AND IMPROVEMENTS TO THE WELL HOUSE AND BOOSTER STATION, AT AN ESTIMATED TOTAL MAXIMUM COST OF \$110,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$100,000.00, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS.

WHEREAS, the Village Board of Trustees of the Village of North Collins, Erie County, New York (the “Village”), has determined to proceed with a certain capital improvement project in the Village of North Collins including to paint the Village Water Tower and to reconstruct and improve the Department of Public Works Building as well as improvements to the well house and booster station for the Village water system (the “Project”); and

WHEREAS, the Village Board has determined to proceed with the Project; and

WHEREAS, the Village Board desires to issue obligations of the Village to finance a portion of the cost of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees as follows:

SECTION 1. The Village is hereby authorized to undertake a capital improvements project generally consisting of, but not limited to, the painting of the Village Water Tower and improvements and reconstruction of the Department of Public Works Building including new heaters, new insulation, roof replacement as well as improvements to the well house and booster station for the Village Water System. The estimated maximum cost of the Project is \$100,000.

SECTION 2. The Village plans to finance the estimated maximum cost of said Project by the issuance of serial bonds in an aggregate principal amount not to exceed \$100,000. Unless paid from other sources or charges, the cost of the Project will be paid by the assessment, levy and collection of property taxes levied within the Village of North Collins.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in Section 13.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is ten (10) years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of 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 or notes becoming due and payable in such year. Unless paid from other sources or charges, the cost

of the Project will be paid by the assessment, levy and collection of property taxes on all parcels within the Village of North Collins which shall be sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Mayor and the Village Clerk-Treasurer.

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Mayor and Village Clerk-Treasurer are further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 10. The Village Mayor and Village Clerk-Treasurer are further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and no further action under the State Environmental Quality Review Act is necessary.

SECTION 12. To the extent applicable, the Village Mayor and Village Clerk-Treasurer are hereby authorized to execute and deliver in the name and on behalf of the Village all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

SECTION 13. In the absence or unavailability of the Village Mayor and Village Clerk-Treasurer, the Deputy Mayor is hereby specifically authorized to exercise the powers delegated to the Mayor in this resolution.

SECTION 14. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

1. (a) Such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) 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 20 days after the date of such publication; or

2. Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 15. The Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in the official newspaper of the Village as designated by the Village Board and being hereby designated as the official newspaper of the Village for such publication.

SECTION 16. This resolution is effective immediately.

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

AYES: Trustees Melvin Bley and Karen Denne and Deputy Mayor Kathleen Myers.

NOES: None

The foregoing resolution was thereupon declared duly adopted.

Motion to renew the DPW Equipment BAN for the chipper/sweeper BAN in the amount of \$48,000 at the current interest rate of 2.59%. Unanimous.

Thank you card from Corinne Leone received for use of the Village Hall. Very nice, comfortable, and clean facility.

TRUSTEE REPORTS

Trustee Bley –Kirst Construction should be starting sometime in August. Was approached about the Mecca property on Langford Rd—no longer has a tenant so may be available for fire hall. Brush in the woods just off Valone Avenue; Attorney Schaus recommends that Code Enforcement get involved—an attractive nuisance and must be removed.

Trustee Denne –The new beds in the park need some weeding and Preen; she will take care of it. The DOT still has not repaired the railing along the sidewalk over the bridge near the Litz property. There also appears to be two leaning electric poles near Three Star Restaurant that may need to be replaced. The clerk will look into both issues.

Trustee Leone – excused.

Trustee Myers – Dog report has been received and is on file in the Clerk’s office.

Motion made by Trustee Kathleen Myers seconded by Trustee Karen Denne to Approve Payment of Abstract #2 bills in the amount of: \$51,797.78. Unanimous.

Motion to adjourn at 7:32 p.m. by Trustee Melvin Bley seconded by Trustee Karen Denne. Unanimous.

Minutes submitted by

Janet L. Hutchinson, Clerk/Treasurer

