

Village of Afton
Board of Trustees Meeting
Jack D. Bolster Community Center, Afton, NY
April 9, 2018

Minutes of the meeting of the Board of Trustees held April 9, 2018 at 7:00 pm in the Susquehanna Room, 105 Main Street, Afton, NY

Meeting called to order at 7:00 PM

Present: Mayor Burnett, Trustee Harvey, Trustee Simonds Trustee Zablocki, Trustee Matthews and David Bird

Visitors: Joyce Thorsland, Daniel Fugnani, Andy Graves and Sara Weeks

- A motion was made by Trustee Matthews authorizing Clerk/Treasurer to pay the following audited vouchers, Seconded by Trustee Harvey. All in favor, motion passed.
General Fund Vouchers # 241 - 266, Totaling \$15,912.54.
Water Fund Vouchers # 79 – 85, Totaling \$1,879.45.
- Motion to accept previous minutes with no additions or corrections was made by Trustee Simonds, seconded by Trustee Harvey. All in favor, motion passed.
- **Open Public Hearing at 7:15 pm** for the purpose of informing the public of the tentative water and general budgets for the 2018 -2019.

Monthly Report:

- DPW/ Water: Report distributed.
- Police Department. Report distributed.
- Code Enforcement: Report distributed.
- Planning Board: Trustee Matthews informed the Village Board of Trustees that the Planning Board continues working on updating the zoning codes. Trustee Matthews reminded the Board that at last month's meeting Mayor Muller asked the Planning Board to look into the rewriting of the Village Code Law pertaining to the Village Police Department fee change. Trustee Matthews stated that the Planning Board feels as though this is to in depth for then. This should be handled by the Village Attorney.
- Finance/Insurance: Up to date.
- Christmas Parade Committee: Remains the same.
- Grant Committee: Working on the closing of the Strategic Plan. A public hearing will be held at the Susquehanna Room on April 19th at 7 pm to close out the last part of the Grant with ESD. All are welcome to attend.
- Parks Committee: Trustee Simonds informed the Village Board of Trustees that the Committee will be holding their 2nd annual chili cook off and vender's sale this Saturday for 10 am to 4 pm at the New Town Hall.
- Historian Report: Report distributed.
- Dog Control Officer: - No Report

Old Business:

- Weiss Cleanup – Remains the same.
- Sidewalk- Strong- per David Bird after meeting with DOT it seems the best option is to place a French drain along the edge of the sidewalk and roadway.
- Trespassing posting – Vallonia Springs property posted according to the law – DPW will need to post this property once spring arrives.
- Credit Card – NBT bank is working on obtaining a credit card for the Village.
- Hydrant Flushing - Time Plan – Per Mr. Bird this will be done once school releases for the summer.
- Discussions of Street Lights – Remains the same.
- Energy Audit – Waiting on written contract from Eastern Energy.

New Business:

- Visitor Joyce Thorsland address the Village Board with her concerns of parking on both sides of the street on Orchard Street. She stated that due to this it's been difficult to receive her mail. She asked the Village Board of Trustees if one side of Orchard Street could be posted with no parking. Trustee Matthews informed Ms. Thorsland that are steps that are required before this could be done, and that we'll have to look into the process.
- Visitor Sara Weeks informed the Village Board of Trustees that she'd like to sponsor a meet and greet here at the Susquehanna Room on Sunday, May 6th 2018 from 2pm to 4 pm. She stated that this will give the Village residents a chance to come and get to know the newly elected Mayor as well as the Village employees.
- Visitor Daniel Fagnani from Delaware Engineering, D.P.C. spoke with the Village Board of Trustees about the water tank replacement process. When Chenango County Environmental Health inspected the water tank they informed the Village that the tank needs to be relined or replaced. Mr. Fagnani discussed the different options available for Delaware Engineering to assist the Village with this project.
- The contract to start this process was signed already by our previous Mayor Ms. Sally Muller. The contract will give Delaware Engineers permission to start the work of inspection and recommendation as well as soliciting grants for the project.
- The Village Board of Trustees were informed that the sale of 1.49 acres from Brian Buttner & Jonathon Canonaco located on East Main Street has been conducted. The Village should be receiving the final paperwork from the Village Attorney.
- A motion was made by Trustee Simonds to remove the previous Mayor from all the Village Bank Accounts and add the newly elected Mayor. Seconded by Trustee Matthews. All in favor, motion passed.

- A discussion of village keys was brought fourth. All keys will be tested on all doors to insure the safety of the Village Office.
- The Village Board of Trustees received a letter of request from Sally Muller asking that she be allowed to retain a set of keys to the outer door as well as the Susquehanna Room at the Village Community Center. She attends several meetings here each month and it would be convenient for her to have a set of keys.
- A motion was made by Trustee Zablocki to allow Sally Muller to have a set of keys to the outer door as well as the Susquehanna Room. Seconded by Trustee Matthews. All in favor, motion passed.
- A motion was made by Trustee Zablocki to review and agree to the scope presented by Delaware Engineering, D.P.C. Seconded by Trustee Simonds. All in favor, motion passed.
- A motion was made by Trustee Matthews and Seconded by Trustee Simonds to approve the follow resolution:

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE VILLAGE OF AFTON, CHENANGO COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,250,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE CERTAIN IMPROVEMENTS TO THE VILLAGE'S WATER SYSTEM AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

BE IT RESOLVED, by the Board of Trustees of the Village of Afton, Chenango County, New York (the "Village") (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as “purpose”) to be financed pursuant to this resolution is certain improvements to the Village’s water system, including the design, purchase and installation of a new 210,000-gallon water storage tank, necessary site work in connection therewith and removal of the existing water storage tank. The estimated maximum cost of said purpose is \$1,250,000.

SECTION 2. The Board of Trustees plans to finance the total cost of said purpose by the issuance of serial bonds of the Village in an amount not to exceed \$1,250,000, hereby authorized to be issued therefor pursuant to the Local Finance Law, and to offset a portion of such amount by a Water Infrastructure Improvement Act grant anticipated to be received from the New York State Environmental Facilities Corporation.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years.

SECTION 4. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five (5) years.

SECTION 5. 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 said bonds.

SECTION 6. The proceeds of the bonds authorized by this resolution, and any notes issued in anticipation thereof, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the specific purpose set forth herein. This resolution shall constitute a statement of official intent for purposes of Treasury Regulation Section 1.150-2 of the United States Treasury Department.

SECTION 7. Each of the bonds authorized by this resolution, and any notes issued in anticipation thereof, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on said 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 said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes, and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including, without limitation, dates, denominations, maturities, interest payment dates, consolidation with other issues, manner of execution and redemption rights), and the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of said bonds, are hereby delegated to the Village Treasurer, the Chief Fiscal Officer of the Village. The Village Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Village Clerk is hereby authorized to affix the corporate seal of the Village to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Village Treasurer is hereby further authorized, in her discretion, to execute a project finance agreement or agreements, a grant agreement or agreements and any other agreements with the New York State Environmental Facilities Corporation and/or the New York State Department of Health, and any amendments thereto, and to take such actions and execute such documents as may be necessary to provide for the financing or refinancing of the specific purpose set forth herein, or a portion thereof, by the issuance of serial bonds of the Village and the sale of said bonds to the New York State Environmental Facilities Corporation.

SECTION 10. The Village Treasurer is 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 to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 11. 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) Such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of the 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

(3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 12. 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 the Local Finance Law, in the Tri-Town News, a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication, after the period of time shall have elapsed for the submission and filing of a petition for a permissive referendum and a valid petition shall not have been submitted and filed.

SECTION 13. This resolution is adopted subject to a permissive referendum pursuant to Section 36.00 of the Local Finance Law.

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

Cynthia Burnett	VOTING: Aye
Gloria Harvey	VOTING: Aye
Girard Matthews	VOTING: Aye
Ron Zablocki	VOTING: Aye
Michele Simonds	VOTING: Aye

The foregoing resolution was thereupon declared duly adopted.

- A motion was made by Trustee Simonds to enter into agreement with Walsh & Walsh, LLP Attorneys at law. They will assist the Village in applying for a Water Infrastructure Improvement Act grant from New York State Environmental Facilities Corporation. They have prepare a Bond Resolution, a Notice of Adoption of Resolution Subject to Permissive Referendum and a Notice of Bond Resolution for this meeting. In doing so the Village agrees to pay them \$450.00 for these services. Seconded by Trustee Harvey. All in favor, motion passed.

- A motion was made by Trustee Simonds and Seconded by Trustee Matthews to approve the Adopt Bond Resolution as follows:

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 9th day of April, 2018 the Board of Trustees of the Village of Afton, Chenango County, New York duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Section 36.00 of the Local Finance Law of the State of New York.

Said resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of said serial bonds, in an amount not to exceed \$1,250,000, a portion of such amount to be offset by a Water Infrastructure Improvement Act grant anticipated to be received from the New York State Environmental Facilities Corporation. The proceeds from the sale of the obligations authorized in said resolution will be used for the specific purpose of financing certain improvements to the Village's water system, including the design, purchase and installation of a new 210,000-gallon water storage tank, necessary site work in connection therewith and removal of the existing water storage tank. The period of probable usefulness of said purpose is forty (40) years. A copy of the resolution summarized herein is available for public inspection during normal business hours at the office of the Village Clerk located at the Jack D. Bolster Community Center, 105 Main Street, Afton, New York 13730.

Dated: April 9, 2018

Ann Palmatier
Village Clerk
Village of Afton

- A motion was made by Trustee Zablocki and Seconded by Trustee Harvey to close the public hearing on the tentative water and general budgets for 2017-2018. All in favor, motion passed.
- A motion was made by Trustee Zablocki and Seconded by Trustee Simonds to approve the water budget for 2017-2018. All in favor, motion passed.
- A motion was made by Trustee Zablocki and Seconded by Trustee Simonds to approve the general budget for 2017-2018. All in favor, motion passed.
- Mr. David Bird informed the Village Board of Trustees that the DPW is planning on fixing sidewalks on Academy Street, Main Street and the stretch of sidewalk near Foster Park.
- Trustee Harvey asked David Bird to see that all the sidewalks and bridge area are clean and cleared for the Memorial Day Parade.

- Trustee Harvey informed the Village Board of Trustees that she has a Memorial Day speaker. This year's speaker will be John Lawrence.
- A motion was made by Trustee Zablocki to adjourn our regular meeting at 8.30 pm and Seconded by Trustee Simonds. All in favor, motion passed.

Respectfully Submitted
Ann Palmatier
Clerk/Treasurer