

Village of Hammondsport
July 24, 2018
Special Board Meeting

The Village of Hammondsport Board of Trustees held a Special Board meeting on Tuesday July 24, 2018 at 4:00 p.m., 18 Water Street, Hammondsport.

PRESENT: Mayor Emery L. Cummings, Jr.
Trustee Stella Pulver
Trustee David Luppino
Trustee Bee Keck

ABSENT: Trustee Anne C. Green

OTHERS PRESENT: Attorney Bill Reed, John & Cathy Hoch, Debra Robbins, Carol Malone, David Kosan, Carla Ridge, Lorraine Manelis, Carole Foster, Bob DeSeyn, Jim Burns, Christine Valkenburg.

Mayor Cummings called the meeting to order at 4:00 p.m. The board discussed Local Law 1 of 2018 Establishing a Sewage Disposal Benefit Area Within the Village of Hammondsport. The board considered adding the Real Estate office at 52 Pulteney Street and deleting the Hammondsport Ambulance, Pulteney Street. All the board members agreed with the adjustment. The Clerk will edit Schedule A and contact Fagan Engineer to edit the map.

Trustee Luppino made a motion seconded by Trustee Pulver, RESOLVED, that the Village Board of Trustees does hereby approve Local Law 1 of 2018, Establishing a Sewage Disposal Benefit Area Within the Village of Hammondsport with the map and Schedule included and showing properties approved by the Village Board.

ROLL CALL VOTE: Mayor Cummings – Aye
Trustee Pulver – Aye
Trustee Luppino – Aye
Trustee Keck – Aye
Trustee Green – Absent

JC Smith from Steuben County IDA was present to discuss the Village Wastewater Treatment Project and the grants that are being applied for. The total project cost is \$1,675,000. The Village Board must adopt a Bond Resolution for the total cost of the project in preparation for the grants. The Board is hopeful that grant money will be received to reduce the project cost. The Bond Resolution is a step in the process of applying for the grants and does not bind the Village for the total cost of the project.

Bond Resolution:

At a special meeting of the Board of Trustees of the Village of Hammondsport, Steuben County, New York, held at the Village Offices in Hammondsport, New York, on the 24th day of July, 2018:

PRESENT: Mayor Emery L. Cummings, Jr.
Trustee Stella Pulver
Trustee David Luppino
Trustee Bee Keck

ABSENT: Trustee Anne C. Green

Trustee Keck presented the following resolution and duly moved that it be adopted and was seconded by Trustee Luppino:

BOND RESOLUTION DATED JULY 24, 2018 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMONDSPORT, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE SEWER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND EXTRACT OF MINUTES OF MEETING OF THE VILLAGE BOARD 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, the Municipal Home Rule Law and a duly enacted local law; and

WHEREAS, pursuant to such laws, the expense of the construction of sewer system improvements hereinafter described shall be assessed and chargeable primarily to benefited real property; and

WHEREAS, the Village, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on June 20, 2018, has duly issued a negative declaration with respect to the type I action and has determined that the implementation of the action as proposed will have no significant impact on the environment; now therefor, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMONDSPORT, 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:

Comment [1]: September 30, 2005

For a negative declaration on an "unlisted action" Need to include date of neg dec, per TRM.

Section 1. The Village of Hammondsport shall undertake the construction of sewer system improvements, to include a wastewater service area in and around the Village's downtown business district, and construction of a wastewater collection and treatment system, wastewater transmission main and a treatment facility to serve identified properties in the wastewater service area, and the acquisition of original furnishings, 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 \$1,675,000 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 \$1,675,000. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes 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 forty (40) 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

Comment [2]: Language:

the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law

"just for EFC" per TRM

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 Hammondsport.

Section 7. The faith and credit of the Village of Hammondsport, 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. Such bonds and notes shall be payable from a levy on real property in such wastewater service area benefited or user charges therefor, in the manner provided by law, but if not paid from such source, 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 applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes. 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. This resolution shall be published in full by the Village Clerk of the Village of Hammondsport 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 shall take effect immediately upon its adoption.

The motion having been duly seconded, it was adopted and the following votes were cast:

<u>AYES</u>	<u>NAYS</u>
4	0

Clerk-Treasurer

