

Minutes of the Interlaken Village Board of Trustees meeting held on Thursday June 16, 2016 at the Village Hall on Main Street, Interlaken, NY. The meeting date was changed, as many members of the board were involved with preparing for Olde Home Day.

MEMBERS PRESENT: Chris Kempf, Rich Richardson, Keith Jay, Bill Maguire

MEMBERS EXCUSED:

OTHERS PRESENT: Nancy Swartwood, Clerk Treasurer, Leon Anderson, Chief of Police; Aneta Glover, reporter; Jim Borden, Fire Chief; Wes Ahouse DPW Supervisor, Diane Bassette Nelson, Deputy Clerk

Public Peter Martin, Representative from Hunt Engineers, Chuck Bosman, Marcia and Arthur Taylor, new residents in the VanBenschoten home on North Main Street; Linda Blossom, Christina Cook & Barry Ford, Tammy and Mike Reynolds, Tony De Plato,

Deputy Mayor Rich Richardson called the meeting to order at 7:00 pm, with the Pledge of Allegiance with the same people noted above.

APPROVAL OF MINUTES: A motion was made by Bill McGuire and seconded by Keith Jay to approve the minutes of the May 12 and May 26, 2016 meetings. Motion approved unanimously.

PUBLIC TO BE HEARD

Mike Reynolds talked about the possibility of grant assistance for considering consolidation of office space. Is the village still interested, and if so need to have the two boards meet to discuss. Board feels it is worth talking about. Grant due date end of July. Meet on Thursday, June 30th, Mike will let the board know; 6:00 pm at the Town Hall.

Marcia Taylor they have put in an application for village water. Rich explained that they would be responsible for putting in a line to a pit. Need to confirm there are no legal problems. Motion by Chris Kempf, second by Keith Jay that we will move forward with the new water line. Carried.

Peter Martin gave a brief overview on the SEQRA, and bond resolution for the new water tank, requirements include the SEQRA and the bond resolution. The village is the lead agency, and is in agreement with the environmental review. No significant finding of environmental issues.

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
RESOLUTION REGARDING
VILLAGE OF INTERLAKEN
WATER STORAGE TANK REPLACEMENT PROJECT**

WHEREAS, the Village of Interlaken is considering undertaking replacement of the existing water storage tank with replacement of a suitably sized water storage tank to meet water demands within the system, extending watermain to the proposed tank location, and upon completion of the proposed tank, the existing tank shall be taken out of service and deconstructed (collectively, the “Project”); and

WHEREAS, the Village is obligated under SEQRA and corresponding regulations to review the Project, and if necessary, undertake a review of the potential environmental impacts associated with the Project before undertaking the same; and

WHEREAS, based upon an examination of 6 NYCRR § 617.4 and § 617.5, the Village preliminarily classified the Project as an Unlisted Action. The Village’s consultants prepared a Long Environmental Assessment Form for the Project, and pursuant to 6 NYCRR § 617.6(b)(3), coordinated review was undertaken by the Village. The Environmental Assessment Form was circulated to involved agencies, the New York State Department of Transportation and Seneca County Department of Health, and no objections were received regarding the Village serving as lead agency.

NOW THEREFORE, BE IT:

RESOLVED, that the Village Board hereby makes the following findings:

The Project consists of constructing a new water storage tank suitably sized to meet water demands within the system, extending watermain to the proposed tank location, and upon completion of the proposed tank, the existing tank shall be taken out of service and deconstructed.

IT IS FURTHER RESOLVED, that:

The Village Board hereby designates itself lead agency pursuant to 6 NYCRR § 617.6(b)(2) and § 617.6(b)(3) with respect to the Project.

IT IS FURTHER RESOLVED, that:

Based upon an examination of the components of the Project, the Full Environmental Assessment Form, and the criteria contained in 6 NYCRR § 617.7(c), and based upon its knowledge of the areas including and surrounding the Project site, and discussions with professionals retained by the Village, the Village Board, as lead agency, hereby makes the following determinations with respect to the Project pursuant to SEQRA:

A. The Project constitutes an “Unlisted Action.”

- B. Based upon review by the Village Board of the Long Environmental Assessment Form, any input provided by other involved agencies, and other necessary criteria set forth in SEQRA, the Village Board hereby finds and determines that the Project will result in no significant impacts and, therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.

- C. A copy of this resolution, together with notice of negative declaration, shall be placed on file in the office of the Village Clerk where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places, and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

Motion by Keith Jay to accept resolution, Seconded by William McGuire

R Richardson, Deputy Mayor	Aye
C Kempf, Trustee	Aye
W McGuire, Trustee	Aye
K Jay, Trustee	Aye

June 16, 2016

Nancy Swartwood
Village Clerk-Treasurer

**VILLAGE OF INTERLAKEN
SENECA COUNTY, NEW YORK**

June 16, 2016

The regular meeting of the Board of Trustees of the Village of Interlaken, in the County of Seneca, New York was held at the Village Offices, Interlaken, New York on June 16, 2016, at 7:30 o'clock P.M. (Prevailing Time).

There were present: (Board Members)

Deputy Mayor Rich Richardson
Trustee Chris Kempf
Trustee Keith Jay
Trustee Bill McGuire

There were absent: (Board Members)

Also present:

Nancy Swartwood, Village Clerk/Treasurer

The following resolution was offered by Chris Kempf, who moved its adoption, and second by Bill McGuire to wit:

BOND RESOLUTION OF THE VILLAGE OF INTERLAKEN, SENECA COUNTY, NEW YORK, ADOPTED ON THE 16TH DAY OF JUNE, 2016, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE WASTEWATER TREATMENT PLANT AT AN ESTIMATED MAXIMUM COST OF \$1,809,500, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF UP TO \$1,809,500 BOND ANTICIPATION NOTES AND SERIAL BONDS OF THE VILLAGE TO PAY THE COST OF THE PROJECT

WHEREAS, the Board of Trustees of the Village has determined that it is desirable for the Village to construct a new water storage tank, including the installation of approximately 4,000 linear feet of related water-main and the demolition of the existing water storage tank, together with related site improvements, original furnishings, equipment, machinery and apparatus incidental thereto (the "Project"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), the Village is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Village and the approval of this resolution constitutes such an action; and the Village as "lead agency" (as defined by SEQRA) reviewed the above-referenced Project and has determined under SEQRA that the Project is an Unlisted Action and, with Hunt Engineers, its engineer for the Project, has prepared and reviewed a short environmental assessment form and by resolution adopted June 16, 2016 has determined that the Project will not result in any significant adverse environmental impacts and the Village will therefore file a negative declaration to that effect; and

WHEREAS, the Board of Trustees now desires to authorize the Project and the financing of the cost thereof.

NOW, THEREFORE BE IT RESOLVED THIS 16TH DAY OF JUNE, 2016 BY THE BOARD OF TRUSTEES OF THE VILLAGE OF INTERLAKEN, SENECA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Board), AS FOLLOWS:

Section 1. The construction of a new water storage tank, including the installation of approximately 4,000 linear feet of related water-main and the demolition of the existing water storage tank, together with related site improvements, original furnishings, equipment, machinery and apparatus incidental thereto (the "Project"), all as required for the purpose for which such improvements are to be used, at a maximum estimated cost of \$1,809,500, including all legal and professional costs, equipment, machinery and other necessary appurtenances and all other necessary costs incidental to such work, which is estimated to be the total cost thereof, is hereby approved.

Section 2. The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$1,809,500, or such lesser amount as may be necessary, of serial bonds or any bond anticipation notes, including renewals of such notes, in anticipation of the issuance and sale of the bonds of said Village, hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay interest on said obligations.

Section 3. The full faith and credit of the Village is hereby irrevocably pledged for the payment of the principal of and interest on the 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 obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law.

Section 4. Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such bonds or notes shall be of such 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. The bonds and notes authorized hereby may be issued to the United States Department of Agriculture, Office of Rural Development, or any of its related offices or agencies, the New York State Environmental Facilities Corporation under any of its revolving fund programs or any purchaser in accordance with the provisions of the Local Finance Law.

Section 5. The Village Treasurer is hereby further authorized, at her sole discretion, to execute all agreements and instruments in order to effect the financing or refinancing of the specific object or purpose described in Section 2 hereof, or a portion thereof, by a bond, and/or note issue of said Village. The Village Treasurer is hereby further authorized, at her sole discretion, to execute a project finance and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State

Environmental Facilities Corporation and/or the United States Department of Agriculture – Rural Development, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of the Village in the event of the sale of same to the New York State Environmental Facilities Corporation or to such other entity as may be designated by the United States Department of Agriculture – Rural Development.

Section 6. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and/or notes without resorting to further action of this Board of Trustees.

Section 7. The following additional matters are hereby determined and declared:

- (a) Pursuant to subparagraph (a)4 of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is forty (40) years; and
- (b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law for the capital purposes described in Section 1 of this resolution. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Village’s General Fund. It is intended that the Village shall then reimburse expenditures from the General Fund with the proceeds of the bonds and bond anticipation notes authorized by this resolution and that the interest payable on the bonds and any bond anticipation notes issued in anticipation of such bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the Village’s “official intent” within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures authorized by this resolution with the proceeds of the bonds and bond anticipation notes authorized herein. Other than as specified in this resolution, no monies are reasonably expected to be, received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Interlaken, Seneca County, New York, by the manual or facsimile signature of the Village Treasurer and a facsimile of its corporate seal shall be imprinted or

impressed thereon and maybe attested to by the manual or facsimile signature of the Village Clerk.

Section 10. The Village hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the Village will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds with a schedule of substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Village by the facsimile signature of its Village Treasurer, providing for the manual countersignature of a fiscal agent or of a designated Official of the Village), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 12. The law firm of Trespasz & Marquardt, LLP is hereby appointed bond counsel to the Village in relation to the issuance of the obligations authorized herein.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations 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 this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This resolution shall be subject to permissive referendum and a summary hereof shall be published by the Village Clerk as provided by Village Law Section 9-900. This Resolution shall become effective 30 days after its adoption. Following such effective date, in the event that no petition for a referendum was timely submitted and filed, the Village Clerk shall cause the publishing and posting of a notice in substantially the form provided in Section 81.00 of the Local Finance Law together with a summary of this Bond Resolution.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the Board of Trustees of the Village this 16th day of June, 2016, the result of which vote was as follows:

	<u>VOTE</u>
Deputy Mayor Rich Richardson	Aye
Trustee Chris Kempf	Aye
Trustee Keith Jay	Aye
Trustee Bill McGuire	Aye

DATED: June 16, 2016

CERTIFICATE

I, the undersigned Village Clerk of the Village of Interlaken, Seneca County, State of New York, **HEREBY CERTIFY:**

That I have compared the annexed extract of the minutes of a meeting of the Board of Trustees of said Village including the resolution contained therein, held on June 16, 2016, with the original thereof on file in my office, and that the same is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board of Trustees had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law) proper notice was given relative to said meeting and said meeting was open to the general public.

I FURTHER CERTIFY, that, **PRIOR** to the time of said meeting I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
Finger Lakes Community Newspaper	5/11/16
Seneca Co. Area Shopper	5/25/16

I FURTHER CERTIFY that **PRIOR** to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

<u>Designated Location(s) of Posted Notice</u>	
Village Hall Bulletin Board	Interlaken Public Library
Farmers Museum Bulletin Board	Interlaken Community Bank
US Post Office Bulletin Board	Quick Shoppe Gas Station
All posted on 6/15/2016	

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Interlaken, Seneca County, New York, this 16 day of June, 2016.

Nancy Swartwood, Village Clerk

**[This Notice should be published once immediately after the forgoing resolution is adopted.
Please send Ted Trespasz a copy of the affidavit/proof of publication]**

NOTICE OF BOND RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

The resolution, a summary of which is published herewith, was adopted on June 16, 2016 and is subject to permissive referendum in accordance with Section 9-900 of the Village Law.

Nancy Swartwood, Village Clerk

SUMMARY OF BOND RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

A Resolution adopted by the Board of Trustees of the Village of Interlaken, Seneca County, New York (the "Village") on June 16, 2016 authorizes the issuance of bonds and other obligations to finance the cost of constructing a new water storage tank, including the installation of approximately 4,000 linear feet of related water-main and the demolition of the existing water storage tank, together with related site improvements, original furnishings, equipment, machinery and apparatus incidental thereto at a total estimated sum not to exceed \$1,809,500 and to expend a total maximum estimated sum of \$1,809,500 which is estimated to be the total maximum cost thereof (the "Project"), and to pay for such Project by the levy of a tax for the foregoing object or purpose in an amount not to exceed \$1,809,500, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the Board of Trustees and that in anticipation of the collection of such tax, bonds and notes of the Village are hereby authorized to be issued at one time, or from time to time, in the principal amount not to exceed \$1,809,500 and a tax is authorized to pay the interest on said obligations when due. Under the Local Finance Law, the Project has a period of probable usefulness of forty (40) years.

Grant application is due by Monday and Hunts will be submitting that. Rich signed the necessary forms.

Gary Herrala, of Prospect Street, sent a letter regarding the sidewalk proposed for the east side of Prospect Street as part of the Safe Routes to School Grant. Board is agreement that this can be incorporated into the grant plans.

COMMITTEE REPORTS:

A **Fire** Jim Air Pack testing is upcoming, car show is August 14th

Accident on Olde Home Day at the corner of Powell Road at County Road 141, may need to consider other signage, or other.

Jim Wyckoff sent an accident and sickness policy recommendation for the volunteers.

The liability policy is going to one insurance company, the accident/sickness policy with the other company. Motion by Bill McGuire, second by Keith Jay, carried to approve this recommendation.

Truck maintenance will be starting

Rich thanked the department for the use of the tables and chairs.

B Water report given by Rich Richardson

All that Rich had has been noted above.

Pump failure on pump 1, running on pump 2; chlorine residuals are fluctuating. Recommending getting a price on a new pump.

Library Wes repaired lights, and is working on the items noted in the safety report. Emergency light batteries can be purchased at Friedman Electric in Ithaca.

Sewer

Next week on Wednesday, they will be working on the system behind Glass Magnolia. Time about two days, borrowed trench boxes. This will be applied as in kind on the sewer grant.

Streets

Flag are up, spoke with the county; they will be putting us on the list. If no action by July 12th Wes will get prices directly, he is looking at Clinton and Lakeview Streets.

There is a guardrail and culvert on Lakeview that need attention. This could be covered by CHIPs as well. Lots of option.

The tree is in, the grate is in place; the new demo saw is in.

Josh has been here twice working on the 4300 tractor (hydro leak).

Weed eater has been serviced, had a plugged muffler. We will need a new one sooner rather than later.

Police

Leon shared his monthly report.

The school does want to renew the 30 hour per week contract for the next school year.

Letter to NYS Troopers & Seneca County Sherriff for assistance with Olde Home Day.

Recommending Officer Josh Pinnett as a part-time officer, as needed, not set hours. The original recommendation came from Bill McGuire. Motion by Chris Kempf second by Bill McGuire that pending an acceptable background check Josh Pinnett will be offered the part-time position, carried.

Treasurer Balances in all accounts were reported.

Approval of bills

Motion by Keith Jay, second by Bill McGuire to pay the bills, carried.

Old Business:

Taxes were mailed on May 28th.

Public notice wording for quarterly \$10 surcharge on water bills to be used for the water tower project. Effective July 2016 billing cycle.

New Business:

Motion by Chris Kempf, second by Keith Jay; to move the funds into the Reserve Accounts as noted in the proposal prepared by Nancy; and Motion by Keith Jay, seconded by Bill McGuire for the budget modifications (for the new fire proof cabinet for the clerk's office, and other capital reserve items), carried. Bill noted that the police funds noted for personnel are only a buffer, not for extra people.

Nancy asked for approval for the online option for residents to pay their water and sewer bills, she noted the fees we will pay, and that the customers will have to pay a charge for the service. The bill will have to be paid in full by the customer, no partial payments.

We are in need of a Mayor for the Village; Rich would like to recommend Barb Stewart for the position for the remainder of Bill's term. Bill feels there should be applications to see if anyone else is interested. Letters of interest to be received by the next meeting.

Bill McGuire brought up the need for an attorney. Can we get letters of interest from experienced attorneys, which can be reviewed, then move into interviews.

July meeting will be July 21st.

Crossing guard's hours need to be adjusted to accommodate the students who arrive for the free breakfast.

ADJOURNMENT: A motion was made by Keith Jay and seconded by Bill McGuire to adjourn the meeting at 8:08 pm. Motion approved unanimously.

Respectfully Submitted,
Diane Bassette Nelson
Deputy Clerk