

**VILLAGE OF COHOCTON
MONTHLY MEETING
March 22, 2017**

The monthly meeting of the Cohocton Village Board of Trustees was held on Wednesday, March 22, 2017, at 7:00 pm, in the Village Office, 17 South Main Street, Cohocton.

Present were: Mayor Thomas Cox. Trustees: Sandra Azzi, Janice Sahrle and Wendell Freelove. Trustee Kathryn Gray was absent. Also present were: Village Clerk-Treasurer Katherine Wise, Code Enforcement Officer Chuck Cagle, Fire Chief Bill Waggoner, Street/Water Supervisor Justin Coats, Sarah Gaylord, Town Councilman Cheryl Deusenbery and John Kuehn from Sprague Insurance.

Mayor Cox called the meeting to order at 7:00 pm.

Mayor Cox led the pledge to the flag.

Minutes

A motion was made by Trustee Sahrle, seconded by Trustee Azzi, to approve the February 15, 2017 meeting minutes as presented. The motion carried 4-0.

A motion was made by Trustee Azzi, seconded by Trustee Freelove, to approve the February 28, 2017 budget workshop minutes as presented. The motion carried 4-0.

A motion was made by Trustee Freelove, seconded by Trustee Azzi, to approve the March 8, 2017 budget work shop minutes as presented. The motion carried 4-0.

Reports

Chuck Cagle reviewed the Code Enforcement Officer monthly report.

Bill Waggoner reviewed the fire department monthly report.

The Board reviewed the street and water report, the annual inspection report from the NYS Department of Health and the Annual water report. The Mayor welcomed Justin Coats as the new Street/Water Supervisor.

The Board reviewed the Assessor's report.

The Board reviewed the Planning Board minutes.

The Board reviewed the annual Historian's report.

A motion was made by Trustee Freelove, seconded by Trustee Sahrle, to accept the monthly reports as presented. The motion carried 4-0.

John Keuhne from Sprague Insurance was present and reviewed the 2017-2018 insurance policies.

Correspondence

A correspondence was received from Jerry Hopper and is on file in the Village Office.

The annual service contract was received from Casella. The Board request more quotes for dumpster service.

Public Comment

There was no public comment.

Audit

A motion was made by Trustee Azzi, seconded by Trustee Freelove authorizing the Clerk-Treasurer to pay the abstracts as audited:

General Fund:	Vouchers 190-2015 totaling \$11,357.63
Water Fund:	Voucher 61-70 totaling \$7498.26

The motion carried 4-0.

A motion was made by Trustee Azzi, seconded by Trustee Freelove to approve the following line item transfers to the 2016-2017 budget:

General Fund:

\$1063 from A1990.4 (cont act) to A3410.44 (fd bldg. mntc)
\$103 from A3410.45 (fd gas/diesel) to A3410.49 (misc training)
\$41 from A5110.46 (cell phone) to A5132.45 (gar misc)

The motion carried 4-0.

A motion was made by Trustee Azzi, seconded by Trustee Freelove to approve the February 2017 books. The motion carried 4-0.

Old Business

The audit of the Village's 2015-2016 books was tabled until next month's meeting.

New Business

A motion was made by Trustee Sahrle, seconded by Trustee Azzi to approve the spring 2017 newsletter. The motion carried 4-0.

A motion was made by Trustee Freelove, seconded by Trustee Azzi to hold the annual organizational meeting and 2017-2018 Budget hearing on April 19, 2017 at 6:30 pm with the regular Board meeting to follow. The motion carried 4-0.

BOND RESOLUTION 2017 MINI PUMPER

At a regular meeting of the Board of Trustees of the Village of Cohocton, Steuben County, New York, held at the Village Office, 17 South Main Street, Cohocton, New York, 14826, on March 22, 2017.

PRESENT: Mayor Thomas Cox
Trustee Sandra Azzi
Trustee Wendell Freelove-
Trustee Janice Sahrle

ABSENT: Trustee Kathryn Gray

The following resolution was offered by Trustee Wendell Freelove, who moved its adoption, seconded by Mayor Thomas Cox, to-wit:

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF COHOCTON, STEUBEN COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE ACQUISITION OF ONE MINI-PUMPER FIRE TRUCK AND RELATED APPARATUS; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$200,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$200,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION

WHEREAS, the Board of Trustees (the "Board") the Village of Cohocton, Steuben County, New York (the "Village") proposes to authorize the issuance of \$200,000 in serial bonds of the Village to finance the acquisition of one mini-pumper fire truck, and related apparatus to be used in connection therewith, including costs incidental to the financing of the foregoing (the "Project"), at an estimated maximum cost of \$219,000; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Village's serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees (the "Board of Trustees") of the Village of Cohocton, Steuben County, New York (the "Issuer" or the "Village") (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Village is hereby authorized to undertake the acquisition of one mini-pumper fire truck, and related apparatus to be used in connection therewith, including costs incidental to the financing of the foregoing. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$219,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the expenditure of \$19,000 in current funds of the Village, (ii) the issuance of up to \$200,000 in serial bonds of the Village authorized to be issued pursuant to this resolution, or bond anticipation notes issued in anticipation of such serial bonds, and (iii) the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 2. Serial bonds of the Village in the principal amount of \$200,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned specific object or purpose.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned specific object or purpose is twenty (20) years, pursuant to subdivision 27. of paragraph a. of Section 11.00 of the Law.

SECTION 4. 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 Law, for the capital purposes described in this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village subject to applicable statutory limits, if any. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Village Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village (the "Village Treasurer"). Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for any of the other objects or purposes authorized by this resolution and/or with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The Village Treasurer is hereby 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, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes 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 10. The Board of Trustees hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Board of Trustees as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. In accordance with Section 36.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Nine of the Village Law of the State of New York (the "Village Law"). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board of Trustees, to post and publish and post a notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

SECTION 13. In accordance with the Village Law, this resolution will take effect thirty (30) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) of the qualified electors of the Village, as shown on the Village's register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed, a proposition for approval of this resolution shall be submitted at a regular election held not less than ten (10) and not more than sixty (60) days after the filing of such petition.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (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 the publication of such 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

- (c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 15. As soon as reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

The following vote was taken and recorded in the public or open session of said meeting:

	<u>AYE</u>	<u>NAY</u>
Mayor Thomas Cox	X	
Trustee Sandra Azzi	X	
Trustee Wendell Freelove	X	
Trustee Janice Sahrle	X	

Trustee Kathryn Gray was absent.

Date: March 22, 2017

A motion was made by Trustee Sahrle, seconded by Trustee Azzi to set June 10, 2017 as the water shut off date. The motion carried 4-0.

Board Concerns

Trustee Azzi recommended that the Board raise the CVAS fire contract to \$1000 for the rent of the fire hall.

A motion to adjourn was made by Trustee Sahrle, seconded by Trustee Frelove, the meeting was adjourned at 8:17 pm.

Katherine M Wise
Village Clerk-Treasurer

Prepared: March 28, 2017