

Minutes of the Interlaken Village Board of Trustees meeting held on Thursday May 8, 2014 at the Village Hall on Main Street, Interlaken, NY.

MEMBERS PRESENT: Mayor Bill Larsen; Trustees: Chris Kempf, Barbara Stewart, Mike Covert and Kelly VanRiper.

MEMBERS EXCUSED: Ray Langlois DPW Supervisor

OTHERS PRESENT: Nancy Swartwood, Clerk/Treasurer, Leon Anderson, Chief of Police; Diane Bassette Nelson Deputy Clerk; Aneta Glover, reporter; and Christopher Nelson 2<sup>nd</sup> Assistant Chief IFD.

The meeting was called to order at 7:00 pm by Mayor Bill Larsen with the Pledge of Allegiance.

APPROVAL OF MINUTES: A motion was made by Barb Stewart and seconded by Chris Kempf to approve the minutes of the April 10, 2014 meeting. Motion approved unanimously.

PUBLIC TO BE HEARD: Diane spoke on behalf of Interlaken Grange, the Memorial Day honors ceremony will be Monday, May 26<sup>th</sup> at 9:00 am. Senator Mike Noz is the speaker.

#### COMMITTEE REPORTS:

**A Fire** Several burn down training with Ovid. Five members participated in the Got Big Water training this past Friday and Saturday in Lodi. They were trying for 500 gallons per minute to provide time for a two mile radius evacuation.

Beginning Tuesday May 13<sup>th</sup> a two month training for pump operation on the trucks. There is no truck driving involved, to allow for more people to be trained.

New truck, waiting for additional information and hope to move forward again.

#### **B Water**

Ray is at a water tower meeting in the mid-west. We are doing ok on the current situation.

Adding a sur-charge to the quarterly billing. It can be done, must be noted that it is for a specific project. \$25 per quarter per billing for the water bills.

DOT is helping with winter road repair.

**C Library** Amy Sabol is doing a good job with program planning.

Working on the summer program.

Michelle is getting acquainted with the librry and the public.

**D Sewer** Final paperwork submitted and awaiting results around August 1<sup>st</sup>.

E **Streets:** York rake is working out very well.

Still having some street light issues.

DOT repaving Main Street and will be working around Olde Home Day.

Dumpster Day is this Saturday, no mattresses, or tires.

F **Police** Leon submitted a written report to the board outlining activities for the month of April 2014

Leon thanked the fire department for the assistance with the missing person earlier this week.

Leon will not have to be at town court, for now.

G **Treasurer: See attached**

Jeff Burns had to help the utility billing program. He also identified additional computer issues dealing with security and current operating systems. The cost of a new computer and the installation will be approximately \$1,000.

APPROVAL OF BILLS: A motion was made by Kelly VanRiper seconded by Mike Covert to approve the bills as read. Motion approved unanimously.

OLD BUSINESS:

Dumpster Day May 10

Water/sewer relevy sent to Seneca Co Real Property 4/29/2014

Bond Resolutions:

The following resolution was offered by Trustee Barbara Stewart, who moved its adoption, and second by Kelly VanRiper to wit:

**BOND RESOLUTION OF THE VILLAGE OF INTERLAKEN, SENECA COUNTY, NEW YORK, ADOPTED ON THE 8TH DAY OF MAY 2014, AUTHORIZING THE RECONSTRUCTION OF A VILLAGE WATER PUMP AT AN ESTIMATED MAXIMUM COST OF \$17,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF UP TO \$17,000 OF BOND ANTICIPATION NOTES AND SERIAL BONDS OF THE VILLAGE TO PAY THE COST THEREOF**

**WHEREAS**, the Board of Trustees of the Village has determined that it is desirable for the Village to reconstruct the Water Department's water pump (the "Project"); and

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

**NOW, THEREFORE BE IT RESOLVED THIS 8TH DAY MAY, 2014 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.** 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) has reviewed the above-referenced action and hereby determines that the Project is a Type II Action under SEQRA which requires no further environmental review.

**Section 2.** The reconstruction of the Water Department pump together with related original furnishings, equipment, machinery and apparatus incidental thereto, all as required for the purpose for which such pump is to be used, at a maximum estimated cost of \$17,000, is hereby approved.

**Section 3.** The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$17,000, 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 4.** 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 5.** 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.

**Section 6.** 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.

**Section 7.** 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 8.** The following additional matters are hereby determined and declared:

- (a) Pursuant to paragraph 4 of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is thirty 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 not exceed five (5) years.

**Section 9.** 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 2 of this resolution. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 2 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 10.** The bonds authorized herein 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 11.** 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 12.** 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 13.** The law firm of Trespasz & Marquardt, LLP is hereby appointed bond counsel to the Village in relation to the issuance of any bonds or notes issued for the Project.

- Section 14.** 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 15.** The Village Clerk shall cause the publishing and posting of a notice (attached as NOTICE I) 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 May 8, 2014, the result of which vote was as follows:

**VOTE**

Bill Larsen, Mayor  
Kelly Van Riper  
Chris Kempf  
Barb Stewart  
Mike Covert

**DATED:** May 8, 2014

Bond Resolution: Dump Truck Motion by Chris Kempf second by Mike Covert to approve Carried.

**BOND RESOLUTION OF THE VILLAGE OF INTERLAKEN, SENECA COUNTY, NEW YORK, ADOPTED ON THE 8TH DAY OF MAY 2014, AUTHORIZING THE ACQUISITION OF A NEW DUMP TRUCK AT AN ESTIMATED MAXIMUM COST OF \$44,104.55, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF UP TO \$44,104.55 OF BOND ANTICIPATION NOTES AND SERIAL BONDS OF THE VILLAGE TO PAY THE COST THEREOF**

**WHEREAS**, the Board of Trustees of the Village has determined that it is desirable for the Village to acquire an new dump truck to replace its existing 2004 truck (the "Project"); and

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

**NOW, THEREFORE BE IT RESOLVED THIS 8TH DAY MAY, 2014 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.** 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) has reviewed the above-referenced action and hereby determines that the Project is a Type II Action under SEQRA which requires no further environmental review.

**Section 2.** The acquisition of a new dump truck together with related original furnishings, equipment, machinery and apparatus incidental thereto, all as required for the purpose for which such dump truck is to be used, at a maximum estimated cost of \$44,104.55, is hereby approved.

**Section 3.** The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$44,104.55, 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 4.** 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 5.** 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.

**Section 6.** 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.

**Section 7.** 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 8.** The following additional matters are hereby determined and declared:

- (d) Pursuant to paragraph 28 of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is five years; and
- (e) 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
- (f) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

**Section 9.** 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 2 of this resolution. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 2 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 10.** The bonds authorized herein 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 11.** 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 12.** 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 13.** The law firm of Trespasz & Marquardt, LLP is hereby appointed bond counsel to the Village in relation to the issuance of any bonds or notes issued for the Project.

**Section 14.** The validity of such bonds and bond anticipation notes may be contested only if:

- (4) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- (5) 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
- (6) Such obligations are authorized in violation of the provisions of the Constitution.

**Section 15.** The Village Clerk shall cause the publishing and posting of a notice (attached as NOTICE I) 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 May 8, 2014, the result of which vote was as follows:

**VOTE**

Bill Larsen, Mayor  
Kelly Van Riper  
Chris Kempf  
Barb Stewart  
Mike Covert

Summer Rec Director Update: Kristen \_\_\_\_\_ has resigned suggested Terra \_\_\_\_\_, there are ads in the paper with applications due by May 15<sup>th</sup>. Discussion of hourly for the director

The Town Hall board has announcement

Arbor Day tree has been ordered. Need final approvals for placement. Hopefully within the next two weeks, flowering pear tree.

**NEW BUSINESS:**

Schedule Year end Meeting for the 29<sup>th</sup> at 6:00 pm All bills are due by the 22<sup>nd</sup>.

CD Renewals will be done on the 30<sup>th</sup>

Resolution Historical Society Sidewalk Summer Events Motion by Chris Kempf second by Barb Steward to allow the Historical Society to use the library lawn area and to close Railroad Ave for the noted events.

The Village is a Partner with the Finger Lakes Tourism Program, Diane has drafted a flyer.

Approval to participate and share the costs. Need volunteers to attend May 21<sup>st</sup>.

Time Warner Cable Draft Franchise Agreement/ Resolution Public Hearing will be June 19<sup>th</sup>.

Water Connection applications we have received an application for water hook-up by the new owner of the Usher property. Need more information from Ray. This property is part of the original transmission line, it does not apply to the properties north of that property.

Board moved into exec session

Next meeting will be June 19<sup>th</sup> to allow board members to prepare for Olde Home Day on June 14<sup>th</sup>.

**ADJOURNMENT:** A motion was made by Kelly VanRiper and seconded by Mike Covert to adjourn the meeting at 8:15 pm. Motion approved unanimously.

Respectfully submitted,

Diane Bassette Nelson

Deputy Clerk