

Minutes of the Interlaken Village Board of Trustees meeting held on Thursday February 8, 2018 at the Village office meeting room.

The meeting was called to order at 7:00 pm by Mayor Richardson with the Pledge of Allegiance, MEMBERS PRESENT: Mayor Rich Richardson, Trustees, Chris Kempf, Keith Jay, Bill McGuire, Tony Del Plato.

MEMBERS EXCUSED:

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

Public: Chuck Franzese, Chelsea Stirlen, Penny McGill, Jean Jay, Caroline Peterson, Linda Blossom, Lydian Green, Cindy McGlaughlin.

APPROVAL OF MINUTES: A motion was made by Tony Del Plato and seconded by Bill McGuire to approve the January 11 and 18, 2018 Minutes, including an amendment by Bill McGuire asked for change to meeting of the 18<sup>th</sup> way the proposal was presented such that the board was not fully informed.

PUBLIC TO BE HEARD:

Chuck Franzese, Hunt Engineers

## **Village of Interlaken**

Water Tank Repair  
HUNT Project No. 1319-023  
**BOARD MEETING NOTES**  
Thursday, February 8, 2018

### **UPDATE**

- A. Received a very high proposal from Global Contracting approx. \$250,000. Negotiated this to about \$125,000. Both excellent proposals if the Village wants to save the tank long term. Does not include new paint interior and exterior. This would be necessary and be a very high cost due to lead paint on the outside.
- B. Received an email and questionnaire from Layne Christensen. They are very uncomfortable with freezing weather. No proposal.
- C. Asked Silverline Construction to send the Village an invoice for their services. Have not heard back from them.
- D. Excelsior Solutions proposal was rather high to make just one spot repair, \$37,450. In addition, the Village would have to provide the lift. I talked to them about some savings, but they are not comfortable with this as they have not done a potable elevated water tank before.

- E. Received a follow up email from Aquastore, but again just a listing of subcontractors they have used. No pricing or direct references.
- F. Moody Associates original quote for 2 standby 12,000-gallon hydro tanks was \$20,710. I contacted them to only do one 12,000-gallon tank. By email Jeff Perdue offered a savings to \$14,000. Tim and I have a very good working relationship with Jeff Perdue and Moody Assoc, so I am very comfortable with his proposal. He is not concerned about the freezing the way he sets them up. He has included Liability, auto & Workers Comp Insurance; and prevailing wage rates.
- G. Wes received a quote from Finger Lakes Industrial Coatings to perform an underwater inspection with their remote rover is \$2750 for an 8-hour day. They proposed a lift for \$2360 a day or the Village would provide the lift.
- H. Finger Lakes Industrial also had ideas on a product for repairs, but no costing was provided. Finger Lakes has the proper insurances and understands about the prevailing wage rates. Tom Scoles, Seneca Co. Health Dept. referred them as a local contractor, Wes is seeking references.
- I. If the Village has to provide the lift, I estimated 2 days for the lift at \$5000. This is a taller lift than Silverline used that day.
- J. It isn't very feasible to do the steel welded repairs from Friday night February 16 through Saturday night February 24, 2018 while the Elementary School is closed. However, I believe we could do the Rover inspection with Finger Lakes Industrial that week and get a better idea for steel versus their ideas.
- K. We still have the proposal for one (1) steel patch repair by Pittsburgh Tank for \$12,500 with extras for ice, etc. Their proposal is good for 60 days which takes us to March 30, 2018. The Elementary School has another break the week of March 26<sup>th</sup>. This should be better weather for freezing problems and gives us time to set up approvals from DOH and arrange for the standby tank, etc.
- L. Wes did discuss with Tim Steed to not use a standby tank by pumping continuously and using a high elevation hydrant to bleed off. That would keep the booster pump tank almost full. Wes recently had to do this when the water mains broke, but he did have the tank on line if needed also. That is a failsafe, but I recommend we use the one hydro tank for a degree of safety.
- M. **Possibly** Start process to seek funding for replacement in March, 2018.

## PROCEDURAL MATTERS AND FORMS

- A. Action Items needed
  - 1. Village should declare a State of Emergency tonight!
  - 2. Seneca Co. Dept. of Health will issue a request for a schedule for improvements or replacement, but not a Consent Order.
  - 3. I connected Tom Scoles with Mary Chappell, Municipal Solutions to review the benefit in funding scores for actions by the Health Dept.
  - 4. Get proposal from Municipal Solutions and arrange a meeting to review their assistance in gaining funding and moving forward with the Bond Resolution, Bond Anticipation Note, BAN, and ultimately the final project funding.
  - 5. Get material information, confirm all contractors are including Prevailing Wage Rates for NYS, and review specific questions from Village with each vendor.
- B. Funding
  - 1. HUNT will update project total costs from 2013 to make sure we are current.
  - 2. A SEQRA needs to be completed for the total project including the Type II actions.
  - 3. A new Bond Resolution with Estopol will be needed if the costs change.
  - 4. NOTE: The decision to raise water capital rates does not have to be made for up to 5 years once the Bond Anticipation Note (BAN) is obtained. That allows all opportunities for grants, final costs, etc. to be identified and presented to the Village water users.

5. Prepare draft applications for NY Water Grant; EFC DWSRF; USDA Rural Dev.; State and Municipal Assistance (SAM);
6. It is probable that if FL Industrial can perform underwater repairs for \$10,000 or less, and it seems viable with HUNT and the Seneca Co. Health Dept., it would be safe to not proceed with emergency replacement, rather wait for funding round to be awarded.
7. However, if the welded, drained tank approach is selected, it would be more critical to look at expediting at least the tank replacement to avoid more expensive repairs.

**C. Project Design & Advancement *if the Board decides to move forward with tank replacement.***

1. Sign a contract with HUNT for final design.
2. Start survey and design with intent to expedite and submit to the Seneca Co Health Dept. and potential funding agencies for review and approval.
3. May have to use HUNT design fees as Village's share of final financing if funding not in place ahead of time.
4. Prepare bid documents and advertise for bids assuming we have commitments to get funding and can seek reimbursement for completed activities.
5. Must plan on meeting MWBE 30% goals. HUNT will try to absorb all support contracts where we can find MWBE/ Veteran Owned Businesses, as our subcontractors.
6. If the Board decides to move forward with tank replacement before confirming funding, must follow all NYS EFC rules for contract documents in order to be eligible to receive their program funds post contracting.

**D. Certified Payrolls / Wage Rates/ Liability, Auto & Workers Comp Insurance**

1. Needed for all temporary repair and replacement work.

**E. Replacement Project Schedule (Expedited)**

- |                                                                        |            |
|------------------------------------------------------------------------|------------|
| 1. Sign Design Contracts                                               | Mar, 2018  |
| 2. Sign Financial Advisor Contracts (possible sub to HUNT)             | Mar, 2018  |
| 3. Start Design, Archeological, Wetland, subsurface soil, etc. studies | Apr, 2018  |
| 4. Finish Project Design and submit to DOH                             | July, 2018 |
| 5. Obtain property, easements, NYSDOT Permits, misc.                   | Aug, 2018  |
| 6. Received DOH Comments, address comments & get approval              | Sept, 2018 |
| 7. Advertise for Bids                                                  | Oct, 2018  |
| 8. Award contract for construction                                     | Nov, 2018  |
| 9. New Tank on line                                                    | Mar, 2019  |
| 10. Complete Construction                                              | Jun, 2019  |

**F. Next Project Meeting - *TBD***

<b>VILLAGE OF INTERLAKEN</b>		<b>2/8/2018</b>
<b>PRELIMINARY Revised</b>		
<b>ELEVATED TANK REPAIR</b>		
Prepared by:		
<b>Hunt Engineers, Architects, Land Surveyors &amp; Landscape Architect, DPC</b>		
<b>Area</b>	<b>Description</b>	<b>Amount</b>
<b>a</b>	<b>Tank Repair Contractor</b>	<b>\$ 12,500.00</b>
<b>b</b>	<b>Portable Hydro Tanks, 2 ea.</b>	<b>14,000.00</b>
	<b>Moody</b>	<b>Rev'd Proposal</b>

<b>c</b>	<b>Lift &amp; Inspection</b>	<b>Silverline</b>	<b>Est</b>	<b>1,000.00</b>
<b>d</b>	<b>Rover Inspection</b>	<b>FL Industrial</b>	<b>Proposal</b>	<b>2,750.00</b>
<b>e</b>	<b>100 ft Lift Rental, Village</b>		<b>Est</b>	<b>5,000.00</b>
<b>f</b>	<b>Engineering</b>	<b>HUNT</b>	<b>Est</b>	<b>3,000.00</b>
<b>g</b>	<b>Misc chlorine, fuel, fittings, etc</b>	<b>Village</b>	<b>Est</b>	<b>2,000.00</b>
<b>h</b>	<b>Overtime for Staff</b>	<b>Village</b>	<b>Est</b>	<b>800.00</b>
<b>i</b>	<b>Contingency 10%</b>			<b>\$ 4,450.00</b>
	<b>Total Project Costs</b>			<b>\$ 45,500.00</b>

Updated the cost estimate, including the rover, Pittsburg proposal, Moody proposal, rental of the lift, send a contract for Hunt Engineers that can be paid and assorted costs. Then be ready for March work.

Wes to confirm status of lift, bill should be for one day only.

Propose getting rover in and move forward from there.

Tony: Can we get temporary tanks in place? Wes, 3,000 to 5,000 gallons is much less costly than the tanks. Jim B, the hydrants are not being used at this time, use dry wells and tank shuttle if needed.

Can the rover and/or divers send prior video so we can see the clarity of videos.

Pittsburg Tank Co builds tanks, and they know what needs to be done.

Scada, need to consider need for bigger motors to push water.

Need to confirm that all wages are being paid as prevailing wage.

Make sure procurement policy is being followed, in case of reimbursement need.

Use most recent email to be shared with Helming's office. Looking for grant, a one-year loan is also possible.

Question about amount of contingency included in the budget, 10% vs 20%.

Need to review 52-page document on the Safe Routes to Schools, rather than go over it tonight. Recommend using the short list for the Safe Routes to School, get three-page letters and then interview rather than do the Contract requests.

#### COMMITTEE REPORTS:

**Library** Chelsea shared her report. Copy attached.

Wes, Ice buildup on back roof, some water was into the wall

Heat tape on the front and gutter over the door have to be corrected, a man lift will be needed.

There is water dripping over the gutter onto the front deck.

**Fire** report by Jim Borden

Fire protection is being handled, tanker shuttles, T-burg, Lodi, Ovid, move to greater reach if needed. Three ponds in easy distance. Chiefs are aware of policy, will stand until done.

Nine calls in January. Prospect 28-year veteran from Ohio. Inventory on trucks have been in process. Guys doing OSHA and other refreshers.

**Water report given by Wes**

Had a few minor freezes up, and looking for leaks, dug up and turned off Pennysaver. Major leak on Clinton at Prospect, Thanked board for their assistance.

Water tower leak started 26<sup>th</sup>. Leak is in the area of the leg joint.

After the rover study, Bill will research/reach out to epoxy dealers. Has to be NSF certified for drinking water.

When water tank is drained water can't be used for drinking. A boil water state will be in place.

**Sewer**

Bill McGuire: at this time no problems.

Met with Peter Martin, reviewed study, met with Yaws, had to dig out and repair trickling filter. Did building survey at the sewer plant. Could be re-sided. Moisture is taking toll on rafters etc. Concrete top is cracking and deteriorating.

**Streets** Wes:

Snow, slippery and cutting into streets with water breaks.

Took down Christmas decorations,

Equipment issues, see notes.

### **Sidewalk Grant, DOT**

Seven trees and two grinding, extension to April 30<sup>th</sup> to get work done.

Forms that need to be completed, for finalized project.

Work with short list for sidewalk project oversight.

Discussion on drainage issues at Mechanic and Knight Streets.

### **Police**

Leon Anderson presented his monthly report. See attached report.

We thanked them for helping with night of the water break.

**Treasurer** Balances in all accounts were reported.

How easy is it to move funds?

We don't have to pay for dog control as that is in the Town Budget

### **Budget Modification**

Police out of funds 521.10, plus apx \$1600 for the balance of the year.

Overages from SRO training which were covered by Police contractual funds.

There is surplus property that will be placed in auction and funds from this will go into police contractual. Motion by Rich Richardson, second by Tony Del Plato to cover the \$521.10, Tony, Rich, Chris, Keith approved, Bill abstained.

Water Fund, source and supply has been over spent \$762.56 and included anticipated expenses  
Chris moved Rich second, carried.

Library \$30.29 from contingency Rich motion, second by Keith.

### **Approval of bills**

Motion by Bill McGuire, second by Chris Kempf to pay the bills, carried.

### **Old Business:**

Raising penalty requires a Local Law

Finalize Telemetry System: Panelogic Warranty was noted.  
Court Contract update pending receipt of  
Notice to Bidders wording tree removal needs to be shared with board.

**Shared Services Agreement** still working on this with attorney.

**New Business:**

Resolution to declare an emergency situation for the water tower repair motion by Keith Jay second by Tony Del Plato. Carried.

Resolution to approve bonding for \$79,000 for water tower repair and telemetry system from the bank, motion by Tony Del Plato second by Keith Jay. Approved. Initial 3.85%, revised to 3.65% Community Bank. No prepayment penalty. What if we don't spend all of the funds.

- Official resolutions follow at end

Budget workshops Meeting Feb 15<sup>th</sup> 6:00 pm.

News and Notes April edition give information to Diane by 2/24/2018

Parking one side of street (Orchard Catholic Church)

Need to talk to DOT about moving the sign in front of Fitness Center forward.

ADJOURNMENT: A motion was made by Rich Richardson second by Bill McGuire to adjourn the meeting at 8:40 pm. Motion approved unanimously.

Respectfully submitted,  
Diane Bassette Nelson  
Deputy Clerk

**RESOLUTION OF THE VILLAGE OF INTERLAKEN  
TO APPROVE EMERGENCY PURCHASE OF REPLACEMENT COMPONENTS FOR  
VILLAGE WATER SYSTEM**

**WHEREAS**, the village of Interlaken (“Village”) is defined as a municipal corporation and a political subdivision of the State of New York, which is managed by the Board of Trustees (“Board”) or the Village; and,

**WHEREAS**, General Municipal Law §103(1) generally requires that all contracts for public work involving an expenditure of more than thirty-five thousand dollars be awarded to the lowest responsible bidder after advertisement for sealed bids; and,

**WHEREAS**, General Municipal Law §103(4) provides an exception to the requirement for competitive bidding in the event of a true public emergency, arising out of an unforeseen occurrence or condition, causing circumstances affecting public facilities and jeopardizing the life, health, and safety of the citizens of the Village of Interlaken. The sudden and complete failure of certain components in the Village water system now requires the immediate purchase and installation of replacement components and equipment for the Village of Interlaken water tower monitoring and pumping control system which have failed, which cannot be repaired, and which cannot await the competitive bidding process; and,

**WHEREAS**, the failure of the automatic water tower water level monitoring system and automatic pumping controls for the water system poses a life safety hazard to all of the residents of the Village of Interlaken, necessitating immediate replacement of the components and equipment; and,

**WHEREAS**, the Village of Interlaken has sought written estimates for the sale and installation of the required items of water system infrastructure from three (3) companies believed to be capable and responsible venders; and,

**WHEREAS**, the Village of Interlaken has reviewed the written estimates provided by the companies, and has determined that the estimate proposed by Contractor, meets the immediate emergency needs of the Village of Interlaken.

**NOW THEREFORE, BE IT RESOLVED (upon motion made, seconded and discussion held) BY THE BOARD OF TRUSTEES OF THE VILLAGE OF INTERLAKEN, SENECA COUNTY, STATE OF NEW YORK (by a favorable vote of not less than three fifths of such Board), AS FOLLOWS:**

**SECTION 1.** The Village of Interlaken hereby declares a temporary public emergency with respect to the operations of its water tower monitoring and pumping control system, critical components of which have failed and cannot be repaired.



**SECTION 2.** In order to address this public emergency, the Village authorizes the purchase and installation of new replacement water system components, without the need for competitive public bidding, for the sum of up to Thirty- five thousand dollars (\$35,000.00), from Contractor

**SECTION 3.** The purchase and installation of the new water system components shall be made utilizing unrestricted cash on hand or by obtaining authorization to utilize reserve funds, in the amount of up to \$35,000.00 from the Capital Reserve Water fund (subject to permissive referendum), and bonding as appropriate.

**SECTION 4.** The Clerk Treasurer is directed to publish Notice in the official newspaper for the Village containing an abstract of this resolution stating the purpose and effect thereof and indicating that this resolution is subject to a permissive referendum.

**WHEREFORE,** the foregoing Resolution was put to a vote of the members of the Board of Trustees of the Village this 8<sup>th</sup> day of February, 2018, the result of which vote was as follows:

Deputy Mayor Rich Richardson	Aye
Trustee Chris Kempf	Aye
Trustee Keith Jay	Aye
Trustee Bill McGuire	Aye
Trustee Anthony Del Plato	Aye

Dated: February 8, 2018

**ABSTRACT FOR PURCHASE OF REPLACEMENT COMPONENTS FOR VILLAGE  
WATER SYSTEM**

**By resolution dated February 8, 2018, the Board of Trustees of the Village of Interlaken has approved a resolution, subject to permissive referendum, to utilize up to \$35,000.00 from the Capital Reserve Water fund to purchase and install replacement components and equipment for the Village of Interlaken water tower monitoring and pumping control system, which has failed and must be replaced.**

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

**February 8, 2018**

A 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, 8369 Main Street, Interlaken, New York on February 8, 2018, at 7:00 o'clock P.M. (Prevailing Time).

**There were present:** (Board Members)

Richard Richardson, Mayor  
Anthony Del Plato, Trustee  
Keith Jay, Trustee  
Chris Kempf, Trustee  
Bill McGuire, Trustee

**There were Absent:** (Board Members)

**Also Present:**

Nancy Swartwood, Village Clerk/Treasurer

The following resolution was offered by Trustee Anthony Del Plato, who moved its adoption, and second by Keith Jay to wit:

**BOND RESOLUTION OF THE VILLAGE OF INTERLAKEN, SENECA COUNTY, NEW YORK, ADOPTED ON THE 8TH DAY OF FEBRUARY, 2018, AUTHORIZING REPAIRS TO THE WATER TOWER AND THE REPLACEMENT OF THE WATER TOWER TELEMTRY SYSTEM AT AN ESTIMATED MAXIMUM COST OF \$79,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF UP TO \$79,000 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 make repairs to the Water Tower and replace the Water Tower Telemetry System, together with related site improvements, original furnishings, equipment, machinery and apparatus incidental thereto (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 FEBRUARY, 2018 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 construction of repairs to the Water Tower and the replacement of the Water Tower Telemetry System, 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 \$79,000, 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 3.** The plan for the financing of the aforesaid specific object or purpose is by the issuance of up to \$79,000, 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 1 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 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 Water Fund. It is intended that the Village shall then reimburse expenditures from the Water 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.** This Resolution shall become effective immediately. 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 February 8, 2018, the result of which vote was as follows:

**VOTE**

Richard Richardson, Mayor	<u>Aye</u>
Anthony Del Plato, Trustee	<u>Aye</u>
Keith Jay, Trustee	<u>Aye</u>
Chris Kempf, Trustee	<u>Aye</u>
Bill McGuire, Trustee	<u>Aye</u>

**DATED:** February 8, 2018

**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 February 8, 2018, 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>
Annual List to Seneca County Area Shopper	June 20, 2017

**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>	<u>Date given</u>
Village Hall Bulletin Board	2/7/2018
Farmer’s Museum Bulletin Board	2/7/2018
Interlaken Post Office – west wall	2/7/2018
Interlaken Library Bulletin Board	2/7/2018
Village of Interlaken Website	2/7/2018

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the Village of Interlaken, Seneca County, New York, this 8th day of February, 2018.

\_\_\_\_\_  
Nancy Swartwood, Village Clerk

[SEAL]

## **NOTICE OF BOND RESOLUTION**

The resolution, a summary of which is published herewith, was adopted on February 8, 2018. The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Village of Interlaken, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

## **SUMMARY OF BOND RESOLUTION**

A Resolution adopted by the Board of Trustees of the Village of Interlaken, New York (the "Village") on February 8, 2018 authorizes the issuance of bonds to finance repairs to the Village Water Tower and the replacement of the Water Tower Telemetry System, together with related site improvements, original furnishings, equipment, machinery and apparatus incidental thereto at a total estimated sum not to exceed \$79,000 and to expend \$79,000 which is estimated to be the total maximum cost thereof (the "Project"), and to pay for such Project by the levy of a tax in an amount not to exceed \$79,000, 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 \$79,000 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.