

VILLAGE OF HEUVELTON
Special Board Meeting
October 27, 2021

At 6:00 pm, Mayor Lashua called the meeting to order. Mayor Lashua opened the meeting with the pledge of allegiance. Trustees in attendance were C. Basford; A. Guardino and E. Wood. Also in attendance were S. Thornhill, DANC; K. Feuka, DANC; and I. Yerdon, C2AE.

Sewer/Water Mr. Thornhill, Mr. Feuka and the Board discussed the water project costs and debt impacts. Mr. Yerdon talked about the plans for the water project. Cost of materials have increased, and he described the bidding and scheduling. Documents have been sent to rural development and department of health for acceptance. Much discussion held. Mr. Thornhill, Mr. Feuka, and Mr. Yerdon left at 6:41.

RESOLUTION 21-097 **C2AE AGREEMENT AMENDMENT 7**
Offered by Tr. Guardino, seconded by Tr. Basford. Mayor Lashua and Tr. Wood - Aye
Resolution to accept C2AE Water System Improvement Agreement Amendment 7, to provide additional services for construction of Rensselaer Street water main including design, bidding, construction administration and observation; increasing the amount by \$39,300 for a total agreement amount of \$669,800.

RESOLUTION 21-098 **WATERTOWER AMENDED AND RESTATED BOND RESOLUTION**

Offered by Tr. Wood, seconded by Tr. Basford. Mayor Lashua and Tr. Guardino - Aye
AMENDED AND RESTATED BOND RESOLUTION

At a special meeting of the Board of Trustees of the Village of Heuvelton, 51 State Street, Heuvelton, New York. St. Lawrence County, New York, in said Village on the 27th day of October 2021 at 6:00 p.m., prevailing time.

The meeting was called to order by Mayor Lashua and upon roll being called, the following were:
PRESENT:

Barbara Lashua, Mayor
Gus Guardino, Trustee
Carol Basford, Trustee
Jack Wood, Trustee

ABSENT:

WHEREAS, the Village of Heuvelton has undertaken a Water Project consisting of construction of an additional well, a well pumping control facility, a chlorination system, a water storage tank, upgrade of transmissions system and land acquisition; and

WHEREAS, a Bond Resolutions were adopted on July 25, 2005 as amended on November 12, 2015 as further amended on March 11, 2020, authorizing the issuance of Serial Bonds or a Statutory Installment Bond in the amount of \$1,650,000, \$3,500,000 and \$5,178,000 respectively to pay the cost thereof; and

WHEREAS, the Village completed SEQR for the project and adopted a negative declaration determination of non-significance by resolution dated October 14, 2015; and

WHEREAS, due to pricing, the Village opted to pursue the parts of the project most important to the Village needs; and

WHEREAS, the Village has since been successful in obtaining a Water Infrastructure Improvement Act Grant and wishes to complete the project as originally proposed; and

WHEREAS, due to cost increases and recommendation of the Village Engineers for the project, the Board has determined that the maximum to be expended will need to be raised by \$822,000; and

WHEREAS, it is necessary to Amend the Amended Bond Resolution dated March 11, 2020 to increase the amount to be expended to \$6,000,000; and

Now, Therefore,

The following resolution was offered by Trustee Wood, who moved its adoption, seconded by Trustee Basford, to wit:

AMENDED AND RESTATED BOND RESOLUTION DATED OCTOBER 27, 2021
AN AMENDED BOND RESOLUTION AUTHORIZING CONSTRUCTION OF AN ADDITIONAL WELL, A WELL PUMP CONTROL FACILITY, A CHLORINATION SYSTEM, A WATER STORAGE TANK, UPGRADE OF TRANSMISSIONS SYSTEM AND LAND ACQUISITION AND AUTHORIZING THE ISSUANCE OF A MAXIMUM OF \$6,000,000 IN SERIAL BONDS OR A STATUTORY INSTALLMENT BOND OF SAID VILLAGE AND TO PAY THE COST THEREOF.

RESOLVED, by the Board of Trustees of the Village of Heuvelton, St. Lawrence County, New York, as follows:

Section 1. The foregoing recitations are incorporated herein and made a part hereof as if fully set forth hereafter.

Section 2. The Village is hereby authorized to issue up to \$6,000,000 principal amount of serial bonds or a statutory installment bond of the Village to provide financing for the specific objects or purpose for construction of an additional well, a well pumping control facility, a chlorination system, a water storage tank, upgrade of transmissions system and land acquisition. The maximum estimated cost of such specific objects or purposes as determined by the Village Project Engineers, is \$6,000,000. This is an increase of \$822,000 from the Amended Bond Resolution dated March 11, 2020.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid objects or purposes is forty (40) years, pursuant to subdivision 1 of paragraph a of section 11.00 of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107 of the Local Finance Law.

Section 4. The plan for the financing of such estimated cost for such objects or purposes is by the issuance of serial bonds or a statutory installment bond not exceeding \$6,000,000 as well as grants and low interest loans through the United States Department of Agriculture through its Rural Utility Service, and/or a New York State Water Infrastructure Improvement Act Grant, and/or the New York State Environmental Facilities Corporation and such bonds are hereby authorized to be issued therefore, pursuant to the Local Finance Law, for a period in excess of five (5) years.

Section 5. The faith and credit of said Village of Heuvelton, St. Lawrence, County New York are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be levied on all property of said Village, sufficient to pay the principal of and interest of such bonds as the same become due and payable.

Section 6. Subject to the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes of the issuance and the sale of Serial Bonds or a Statutory Installment Bond herein authorized, including renewal of such notes, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such Notes shall be of such terms, form and contents and shall be sold in such a manner as may be prescribed by said Village Treasurer consistent with the provisions of the Local Finance Law.

Section 7. All other matters, except as provided herein relating to such obligations, including determining whether to issue such obligations having substantially level or declining annual debt service and all matters related thereto, prescribing whether to manual or facsimile signatures shall appear on said obligations, prescribing the method for the recording of ownership of said obligations, appointing the fiscal agent or agents for said obligations, providing for the printing and delivery of said obligations (and if said bond are to be executed in the name of the Village by the facsimile signature of its Village Treasurer), 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 obligations 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 obligations 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 8. 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 Amended and Restated Bond 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
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this Amended and Restated Bond Resolution taking effect, the entirety of the same shall be published in the Watertown Daily Times, the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. This Amended and Restated Bond Resolution is subject to permissive referendum, pursuant to Section 36.00 of the Local Finance Law.

Section 11. This Amended and Restated Bond Resolution shall constitute a statement of official intent for the purposes of Treasury Regulations Section 1.150-2. Other than as specified in this Amended and Restated Bond Resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

The question of the adoption of the foregoing Amended and Restated Bond Resolution was duly put to a vote on roll call, which resulted as follows:

Barbara Lashua, Mayor	yes <u> x </u>	no <u> </u>
Gus Guardino, Trustee	yes <u> x </u>	no <u> </u>
Carol Basford, Trustee	yes <u> x </u>	no <u> </u>
Jack Wood, Trustee	yes <u> x </u>	no <u> </u>

The resolution was thereupon declared duly adopted.

At 6:50 pm, with no further business before the Board, the meeting was adjourned on a motion by Tr. Basford. All were in agreement.

Respectfully submitted,

Rebecca Donnelly
Village Clerk