

**Town of Sennett Board Meeting
August 21, 2018**

Minutes of the Town of Sennett Town Board held on Tuesday August 21, 2018 at 6:00 PM at the Sennett Town Office Building,

Members Present: Peter Adams, Supervisor
Jerold Eades, Councilman
Edward Rizzo, Councilman
Richard Gagliardi, Councilman
Cheri Major, Bookkeeper
Richard Andino, Attorney

Meeting opened with the pledge to the flag.

The minutes of the previous meeting are approved on a motion made by Councilman Eades, seconded by Councilman Jeffers, 5 ayes 0 nays, carried.

Budget workshops will be held soon by department.

Old Business: CH4 project SEQRA was reviewed and a negative declaration was determined at the last Water Workshop on August 6, 2018.

A RESOLUTION TO REFER THE SROKA PDD MODIFICATION APPLICATION PACKAGE FOR 2682 TURNPIKE ROAD TO THE TOWN OF SENNETT PLANNING BOARD PURSUANT TO ARTICLE IV OF THE TOWN OF SENNETT ZONING LAW

Councilman Eades introduced the following motion, which was seconded by Councilman Gagliardi to wit:

WHEREAS, on or about May 23, 2011, the Town Board of the Town of Sennett adopted Ordinance #2 of 2011 Creating the Sroka Planned Development District ("Sroka PDD") on a parcel containing approximately 13 acres, located at 2682 Turnpike Road; and

WHEREAS, the approved uses within the Sroka PDD included Construction Vehicle Sales/Service; Concrete Pumping Equipment Service; Fabrication and Sales of Truck Equipment; Truck Repair and Sales and/or Rental; and

WHEREAS, on or about July 13, 2018 the Town received an application to amend the Sroka PDD to allow for a new use, specifically Convenience Store w/Gas Pumps; and

WHEREAS, said application materials consist of a Sroka PDD Modification Application Package dated July 11, 2018 which sets forth information related to the (1) Project Description; (2) Type of Development; (3) Staging of Development; (4) Natural Site; (5) Site Planning and Design; (6) Transportation and Traffic; (7) General Market Information; (8) Projected Fiscal Impact on the Town; (9) Utilities and Related Services; (10) General Effects of Development on Neighborhood and Community Appearance and Land Use; (11) Relationship of PDD to Development Policies; (12) Development, Operation and Maintenance of Open Space and Common Properties; and (13) Developer Competence; and

WHEREAS, the Application Package also included numerous appendices including (1) Town Board Resolution dated May 10, 2011; (2) PDD Boundary Plan (Sheet SP-1); (3) Adjacent Property Owners; (4) Conceptual Site Plan (Sheet CP-1); and (5) Transportation materials including a Traffic Impact Study, prepared by GTS Consulting dated August 2017 and Correspondence from the NYSDOT; and

WHEREAS, a Full Environmental Assessment Form, Part 1, dated July 11, 2018 was also submitted; and

WHEREAS, on or about August 13, 2018 the Applicant submitted a revised Site Plan Drawing (SP-1) dated August 10, 2018 and a revised Full EAF, Part 1, dated August 10, 2018; and

WHEREAS, pursuant to Section 403 (“Application Procedures for PDD Approval”) of the Town of Sennett Zoning Law, upon receipt of a complete PDD application, the Town Board is required to refer the application to the Town of Sennett Planning Board for the purpose of review and recommendations; NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 403 of the Town of Sennett Zoning Law, the Town Board of the Town of Sennett hereby refers the Sroka PDD Modification Application Package, as amended, to the Town of Sennett Planning Board for review and recommendations; and be it further

RESOLVED, that in accordance with Section 403 of the Town of Sennett Zoning Law, the Planning Board shall have sixty-two (62) days from its next regularly scheduled meeting within which to submit a report and recommendation to the Town Board.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Peter Adams	Supervisor	Voted	Yes
Rick Gagliardi	Councilman	Voted	Yes
Jerrold Eades	Councilman	Voted	Yes

James Jeffers	Councilman	Voted	Yes
Edward Rizzo	Councilman	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

New Business: Supervisor Adams discusses a drop-in sales tax - at the moment we believe that we will make what we budgeted.

Supervisor Adams met on August 7th with Dan Barber regarding the Tompkins County Health Care Consortium. Basically, it is a pool of insured. We believe that we can keep our same coverage at a less cost. We are looking to keep same coverage or better for a better price. Excellus bronze up 12% for 2019; the increase for consortium is going to be 5%. The Consortium has been in business for nine years, so they have a track record. Any questions from the Board? Councilman Jeffers makes a motion to move our insurance coverage to the Tompkins County Health Care Consortium, Excellus Platinum, seconded by Councilman Rizzo. Roll Call vote: Councilman Eades yes, Councilman Gagliardi yes, Councilman Rizzo yes, Councilman Jeffers yes, Supervisor Adams yes, carried. Supervisor Adams also states that the town has sent in all necessary paperwork for a grant for the park.

Department Reports: The Highway Department reports: Chip sealed Swamp, Parcell, Centre Street, Cherry Street, Baker and Nelson Roads with assistance from Throop, Brutus, Aurelius, Mentz and Fleming; Sent trucks to Conquest; mowed the park; Dan Short attended a class in Moravia about invasive plants on roadsides; ditched and installed pipe on Calemad Drive; mowed roadsides; cut brush, new catch basin on Depot and Countyline Roads; picked up brush; sent trucks to various towns for assistance; patched some roads, mowed retention ponds in Quincy Hill; dug out catch basins; dug out old cross culverts; vehicles repairs. Got a quote on an F450 truck. The Water and Sewer Department reports: WD#3 fire hydrants are being serviced by checking for proper operation of guard valves as well as greasing hydrant and caps, spent time working with Paul Chatfield on the water project, Installed a new curb stop and meter pit, met with new owners of the 84 Lumber property, turned on water for them and have been working with their sprinkler system company giving them water flow and pressure information, did a new water service tap for the Village of Weedsport, van was serviced, did monthly water operation reports and gave to DOH by the 10th, and did monthly and quarterly water samples. The Town Clerk reports \$1,138.80 for July. Judge Timian reports \$3,699.00 for July. Judge Riley reports \$2,744.00 for July. The Court Clerk's report is read and reviewed by the board. The CEO's report is also read and reviewed by the board.

A motion is made by Councilman Jeffers to open the Public to be Heard, seconded by Supervisor Adams, 5 ayes 0 nays, carried. There was a question about using the park for a birthday party do they need a permit? No and yes, we have liability insurance. A motion is made by Supervisor Adams to close the Public to be Heard, seconded by Councilman Jeffers, 5 ayes 0 nays, carried.

A motion is made by Councilman Jeffers to pay abstract in the total amount of \$205,028.90, seconded by Councilman Eades. Roll Call vote: Councilman Eades yes, Councilman Gagliardi yes, Councilman Rizzo yes, Councilman Jeffers yes, Supervisor Adams yes, carried.

Water District #1 and #3 Public Hearing is opened at 7:00 PM on a motion made by Councilman Eades, seconded by Councilman Jeffers, 5 ayes 0 nays, carried.

Engineer Paul Chatfield does a presentation for those in attendance. Letters of support are read by board members.

Floor open for questions:

#1 Mike O'Neill, 26 Hockeborn Avenue, Asking about old tank and lead paint and when bidding out; what type of tank; it will be elevated either by legs or riser; he thinks the town is making good decision about this and get serious; he also thinks there may be federal funding available covering some costs of the tank

#2 Steve Johnson, 7181 Grant Avenue Road. Will residents be forced to attach to system? Will all residents have to pay for debt service? Yes, they will but just for debt service. Water tower higher? Yes, and how will cost be billed? On taxes.

#3 John O'Connell, 8061 Jericho Road. Asking about other costs, what about mixing system, concerned about size of the main going down Jericho Road, concerned about fire flow. Concerned: John thinks his figures are good, there is no right away to tank according to DOT - additional costs to put grounds back to normal. How much water are we buying? He also does think the information as to the number of breaks we have had is correct.

#4 Tim O'Connell, 8041 Jericho Road. Is there enough backflow from Brutus for us to use? (re: fire) Should we approach this and find out if we could do it. (He wants town to check into letting Brutus back flowing to us instead of us building a new tank).

Farmland exempt? Yes.

#5 Mike O'Connell, 8019 Jericho Road. Concerned about the pressure and flow.

#6 Michele Williams, 8135 Jericho Road. Wanting to know if her lawn will be torn up. She already is hooked up to our service. Doug Williams - asking about driveways being torn up and yes, they will be repaired.

Someone else asks if the Town has access to the water tower.

Mike O'Connell / Tim O'Connell: Can flow test be ruined if there is a leak??

A motion is made by Councilman Jeffers to close the Public Hearing, seconded by Councilman Rizzo, 5 ayes 0 nays, carried.

A motion is made by Councilman Jeffers to authorize the Supervisor to enter into an agreement with LaBella Associates to work on the grants for the WD#1 and WD#3 at a cost not to exceed \$20,000.00, seconded by Councilman Rizzo. Roll Call vote: Councilman Eades yes, Councilman Gagliardi yes, Councilman Rizzo yes, Councilman Jeffers yes, Supervisor Adams yes, carried.

TOWN OF SENNETT TOWN BOARD RESOLUTION

The following resolution was offered by Councilman Eades, who moved its adoption, and seconded by Councilman Jeffers, to wit:

RESOLVED, that the Supervisor of the Town of Sennett, Cayuga County, New York, is hereby authorized as the official representative of the Town to execute and submit the application for grant assistance to the New York State Environmental Facilities Corporation (EFC) under the NYS Water Infrastructure Improvement Act (WIIA) Grant Program and loan funding through the Drinking Water Revolving Loan Fund (DWSRF) for improvements to the Town's water system with a total cost of \$2,969,000 and is hereby directed and authorized to act in connection with the submission of these applications and to provide such additional information and to execute such documents as may be required in connection with the receipt, use and disbursement of said grant funds.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call the vote was as follows:

Jerrold Eades	Councilman	Voted	Yes
Edward Rizzo	Councilman	Voted	Yes
James Jeffers	Councilman	Voted	Yes
Richard Gagliardi	Councilman	Voted	Yes
Peter Adams	Supervisor	Voted	Yes

A motion is made by Councilman Eades to authorize the Supervisor to enter into an agreement with Costello, Cooney & Fearon PLLC to offer legal services pertaining to the grants for the WD#1 and WD#3 projects, seconded by Councilman Gagliardi. Roll Call vote: Councilman Eades yes, Councilman Gagliardi yes, Councilman Rizzo yes, Councilman Jeffers yes, Supervisor Adams yes, carried.

PRESENT:

Peter Adams (Motion) _____

Supervisor

Edward Rizzo _____

Councilman

James Jeffers (Second) _____

Councilman

Richard Gagliardi _____

Councilman

Jerrold Eades _____

Councilman

<p>In the Matter of The Joint Increase and Improvement of the Facilities of the Water District No. 1 and Water District No. 3, each in the Town of Sennett, Cayuga County, New York</p>	<p>PUBLIC INTEREST ORDER</p>
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WHEREAS, the Town Board of the Town of Sennett, Cayuga County, New York, has duly caused to be prepared, by competent engineers duly licensed by the State of New York, a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed joint increase and improvement of the facilities of the Water District No. 1 and Water District No. 3, each in the Town of Sennett, Cayuga County, New York (together, the "Districts"), consisting of the construction of a new water storage tank at the site of the existing water tank, and construction and reconstruction of certain water mains on Healey, Mutton Hill and County House Roads, together with original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$2,238,000; and

WHEREAS, it was expected that the apportionment of such cost between the Districts shall be as follows: Water District No. 1: 30% (\$671,400) and Water District No. 3: 70% (\$1,566,000); and

WHEREAS, such cost shall be annually apportioned among such Districts by said Town Board, and the amounts so apportioned shall be annually apportioned and assessed upon the several lots and parcels of land within each said District in the manner provided by law, in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due; and

WHEREAS, the capital project hereinafter described has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, it has been determined will not result in any significant adverse environmental impact and SEQRA compliance materials are on file in the Office of the Town Clerk where they may be inspected during regular office hours; and

WHEREAS, at a meeting of said Town Board duly called and held on August 6, 2018, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the joint increase and improvement of facilities of the Water District No. 1 and Water District No. 3 in said Town at an aggregate maximum estimated cost of \$2,238,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Auburn, New York, in said Town, on August 21, 2018, at 6:00 o'clock P.M., Prevailing Time; and

WHEREAS, said notice of said public hearing was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of Sennett, Cayuga County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the joint increase and improvement of the facilities of the Water District No. 1 and Water District No. 3, each in the Town of Sennett, Cayuga County, New York, consisting of the construction of a new water storage tank at the site of the existing water tank, and construction and reconstruction of certain water mains on Healey, Mutton Hill and County House Roads, together with original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated

cost of \$2,238,000, allocated as follows: Water District No. 1: 30% (\$671,400) and Water District No. 3: 70% (\$1,566,000).

Section 2. This Order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

<u>Peter Adams</u>	VOTING	<u>YES</u>
<u>Edward Rizzo</u>	VOTING	<u>YES</u>
<u>James Jeffers</u>	VOTING	<u>YES</u>
<u>Richard Gagliardi</u>	VOTING	<u>YES</u>
<u>Jerrold Eades</u>	VOTING	<u>YES</u>

The Order was thereupon declared duly adopted.

PRESENT:

Peter Adams (Motion)

Supervisor

Edward Rizzo

Councilman

James Jeffers (Second)

Councilman

Richard Gagliardi

Councilman

Jerrold Eades

Councilman

In the Matter of The Increase and Improvement of Facilities of Water District No. 3 in the Town of Sennett, Cayuga County, New York	PUBLIC INTEREST ORDER
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WHEREAS, the Town Board of the Town of Sennett, Cayuga County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of Water District No. 3, in the Town of Sennett, Cayuga County, New York, consisting of the construction and reconstruction of water mains on Grant, Jericho and Depot Roads, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$731,000 and

WHEREAS, the capital project hereinafter described has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, it has been determined will not result in any significant adverse environmental impact and SEQRA compliance materials are on file in the Office of the Town Clerk where they may be inspected during regular office hours; and

WHEREAS, at a meeting of said Town Board duly called and held on August 6, 2018, an Order was duly adopted by it and entered in the minutes specifying that said Town Board would meet to consider the increase and improvement of facilities of Water District No. 3 in said Town at a maximum estimated cost of \$731,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Auburn, New York, in said Town, on August 21, 2018, at 7:00 o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard;

NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of Sennett, Cayuga County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of Water District No. 3, in the Town of Sennett, Cayuga County, New York, consisting of the construction and reconstruction of water mains on Grant, Jericho and Depot Roads, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$731,000.

Section 2. This Order shall take effect immediately.

The question of the adoption of the foregoing Order was duly put to a vote on roll, which resulted as follows:

<u>Peter Adams</u>	VOTING	<u>YES</u>
<u>Edward Rizzo</u>	VOTING	<u>YES</u>
<u>James Jeffers</u>	VOTING	<u>YES</u>
<u>Richard Gagliardi</u>	VOTING	<u>YES</u>
<u>Jerrold Eades</u>	VOTING	<u>YES</u>

The Order was thereupon declared duly adopted.

BOND RESOLUTION

The following resolution was offered by Councilman Eades who moved its adoption, seconded by Councilman Gagliardi to-wit:

BOND RESOLUTION DATED AUGUST 21, 2018.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,238,000 SERIAL BONDS OF THE TOWN OF SENNETT, CAYUGA COUNTY, NEW YORK, TO PAY THE COST OF THE JOINT INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE WATER DISTRICT NO. 1 AND WATER DISTRICT NO. 3, EACH IN THE TOWN OF SENNETT, CAYUGA COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to jointly improve the facilities of the Water District No. 1 and Water District No. 3, each in the Town of Sennett, Cayuga County, New York, at a maximum estimated cost of \$2,238,000; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Sennett, Cayuga County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the joint increase and improvement of the Water District No. 1 and Water District No. 3, each in the Town of Sennett, Cayuga County, New York, consisting of the construction of a new water storage tank at the site of the existing water tank, and construction and reconstruction of certain water mains on Healey, Mutton Hill and County House Roads, together with original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$2,238,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$2,238,000, which class of objects or purposes is hereby authorized at said maximum estimated cost, and that the

plan for the financing thereof is by the issuance of the \$2,238,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Sennett, Cayuga 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. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Water District No. 1 and said Water District No. 3, in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also

the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. 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 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. 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 Town 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 such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this 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.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town

Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Peter Adams	VOTING	YES
Edward Rizzo	VOTING	YES
James Jeffers	VOTING	YES
Richard Gagliardi	VOTING	YES
Jerrold Eades	VOTING	YES

The resolution was thereupon declared duly adopted.

BOND RESOLUTION

At a regular meeting of the Town Board of the Town of Sennett, Cayuga County, New York, held at the Town Hall, in Auburn, New York, in said Town, on the 21st day of August 2018, at 6:00 o'clock P.M., Prevailing Time.

The following resolution was offered by Councilman Eades who moved its adoption, seconded by Councilman Rizzo to-wit:

BOND RESOLUTION DATED AUGUST 21, 2018.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$731,000 BONDS OF THE TOWN OF SENNETT, CAYUGA COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION AND RECONSTRUCTION OF WATER MAINS OF WATER DISTRICT NO. 3, IN THE TOWN OF SENNETT, CAYUGA COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of Water District No. 3, in the Town of Sennett, Cayuga County, New York, at a maximum estimated cost of \$731,000; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Sennett, Cayuga County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the increase and improvement of Water District No. 3, in the Town of Sennett, Cayuga County, New York, consisting of the construction and reconstruction of water mains on Grant, Jericho and Depot Roads, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$731,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$731,000, which class of objects or purposes is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is by the issuance of the \$731,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Sennett, Cayuga 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. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Water District No. 3 in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State

Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. 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 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. 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 Town 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 such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this 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.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Peter Adams	VOTING	YES
Edward Rizzo	VOTING	YES
James Jeffers	VOTING	YES
Richard Gagliardi	VOTING	YES
Jerrold Eades	VOTING	YES

The resolution was thereupon declared duly adopted.

The meeting is adjourned.