

Village of Franklinville
September 28, 2020

The Board of Trustees held an informational meeting at 6:30pm to discuss the South Main Street Sewer Main Replacement Project and the North Main Street Water Main Replacement Project. Members present were Mayor Harvey Soulvie, Trustees Ashley Schumaker, Mike Sikora, Steve Pockey and Scott Hillman. Others present were Brad Sick (Larson Design Group), SPW Cary Hatch, and Shawn Jennings.

Mr. Sick went over any questions the board had regarding the projects and said a bid opening was held in the Village of Franklinville office parking lot Thursday September 17, 2020. After reviewing all bids Mr. Sick and SPW Hatch recommend awarding the South Main Street Sewer Main Project to H&K Service Inc. for \$176,400 and awarding the North Main Street Water Main Replacement Project to Fairway Contracting for \$93,468.

The regular meeting of the Board of Trustees began as scheduled at 7:00pm. Additional guests were Janet and John Russell.

Trustee Schumaker moved, 2nd by Trustee Sikora to accept the minutes from the September 14, 2020 meeting. All ayes. Motion carried.

Mr. Sick continued to discuss funding options for the larger water and sewer projects. Trustee Schumaker stated that it is important to educate the public on why these large water and sewer infrastructure projects need to be done and how the Village intends to proceed with seeking funding options which include bonds, BAN's (bond anticipation notes) and grants for the all of the proposed projects. Trustee Pockey said as they continue to move forward with seeking funding for the large projects the board still has the option to not continue with the large projects until sufficient funding can be obtained by the Village.

Trustee Pockey moved, 2nd by Trustee Schumaker to award the South Main Street Sewer Main Project to H&K Service Inc. for \$176,400. All ayes. Motion carried.

Trustee Pockey moved, 2nd by Trustee Sikora to award the North Main Street Water Main Replacement Project to Fairway Contracting for \$93,468. All ayes. Motion carried.

Trustee Hillman moved, 2nd by Trustee Schumaker to accept the following bond resolution:

**BOND RESOLUTION OF THE VILLAGE OF FRANKLINVILLE, NEW YORK, ADOPTED
SEPTEMBER 28, 2020, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS
TO THE VILLAGE WASTEWATER SYSTEM, STATING THE ESTIMATED MAXIMUM
COST THEREOF IS \$6,300,000, APPROPRIATING SAID AMOUNT FOR SUCH
PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL
AMOUNT OF \$6,300,000 TO FINANCE SAID APPROPRIATION
THE BOARD OF TRUSTEES OF THE VILLAGE OF FRANKLINVILLE, IN THE COUNTY OF**

CATTARAUGUS, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Village of Franklinville, in the County of Cattaraugus, New York (herein called the "Village"), is hereby authorized to construct improvements to the Village wastewater system, substantially as described in the Preliminary Engineering Report and Sanitary Sewer Evaluation Study

prepared for the Village by Larson Design Group, dated July 2019. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,300,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$6,300,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Sewer user rates have been imposed by the Village and it is expected that such user rates will continue to be collected, and the amounts derived therefrom shall be budgeted as an offset to the taxes to be levied and collected.

Section 2. Bonds of the Village in the principal amount of \$6,300,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Olean Times Herald*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village.

All ayes. Motion carried.

Trustee Pockey moved, 2nd by Trustee Sikora to accept the following resolution:

**BOND RESOLUTION OF THE VILLAGE OF FRANKLINVILLE, NEW YORK, ADOPTED
SEPTEMBER 28, 2020, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS
TO THE VILLAGE WATER SYSTEM, STATING THE ESTIMATED MAXIMUM COST
THEREOF IS \$6,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF
\$6,000,000 TO FINANCE SAID APPROPRIATION
THE BOARD OF TRUSTEES OF THE VILLAGE OF FRANKLINVILLE, IN THE COUNTY OF
CATTARAUGUS, NEW YORK, HEREBY RESOLVES AS FOLLOWS:**

Section 1. The Village of Franklinville, in the County of Cattaraugus, New York (herein called the "Village"), is hereby authorized to construct improvements to the Village water system, substantially as described in the Water System Study prepared for the Village by Larson Design Group, dated March 2020. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$6,000,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Water meter charges have been imposed by the Village and it is expected that such charges will continue to be collected, and the amounts derived therefrom shall be budgeted as an offset to the taxes to be levied and collected.

Section 2. Bonds of the Village in the principal amount of \$6,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after

the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Olean Times Herald*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village.

All ayes. Motion carried.

Petitions and request from the floor-

Shawn Jennings said that he has seen flags/banners in other communities that honor local veterans and would like to see this in Franklinville. Janet Russell was here to ask the same and promote the project to get veterans honored as well. Trustee Schumaker told them that the village did try to implement the program in 2013, the board at the time also contacted the local VFW and American Legion leaders as well as publicizing in local papers and village office to get the word out to the community but only 3 families signed up. Trustee Pockey said he has seen the flags thinks it is a great idea if we could get the public interested. Trustee Schumaker gave Mrs. Russell a file with the application and notification/advertisement from the 2013 attempt so they can try to get a program going.

Communications-

Trustee Schumaker said the first newsletter has gone out to the public, September/October issue, if anyone has content they would like to have in the November/December please let her know as soon as they can.

The events committee will be doing the trunk-n-treat activity October 24th from 2-4. COVID restrictions will be in place. She went on to say the tree lighting ceremony will go on at some capacity.

Trustee Sikora said they Beautification Committee has planted the fall mums around Park Square.

Trustee Pockey and Trustee Hillman are continuing to get information regarding a "Night Sky" designation in our area.

New Business- Trustee Schumaker moved, 2nd by Trustee Pockey to add "Hometown hero" banners to new business. All ayes. Motion carried.

Trustee Hillman moved, 2nd by Trustee Pockey to accept the bills totaling \$21,126.57 from the General Fund, \$5581.77 from the Water Fund and \$9832.83 from the Sewer Fund. All ayes. Motion carried.

Trustee Schumaker moved, 2nd by Trustee Hillman to adjourn meeting. All ayes. Motion carried.

