

Village of Afton
Board of Trustees Meeting
Jack D. Bolster Community Center, Afton, NY
November 11, 2024

Minutes of the meeting of the Board of Trustees held November 11, 2024, in the Susquehanna Room, 105 Main Street, Afton, NY.

Meeting called to order at 7:00 pm, by Deputy Mayor Trustee D. Lawrence.

Present: Deputy Mayor Trustee D. Lawrence, Trustee Humphrey, Trustee T. Lawrence, Trustee L. Matthews, Clerk/Treasurer Palmatier, DPW Supervisor DeBetta and Officer in Charge Frank Ventura.

Absent: Mayor Dedman and Code Enforcement Officer Butler.

Visitors: April Leggett, Len Carson, John & Judy Hinman and Darren Schultes.

- A motion made by Trustee Humphrey authorizing Clerk/Treasurer to pay the following audited vouchers. Seconded by Trustee T. Lawrence. All in favor motion passed.

General Fund Voucher's # 123 - 146, totaling \$10,926.75.

Water Fund Voucher's # 53 – 59, totaling \$1,956.20.

- Motion to accept previous minutes with no additions or correction made by Trustee T. Lawrence. Seconded by Trustee Humphrey. All in favor, motion passed.

Monthly Report:

- DPW/ Water: Verbal report given by DPW Supervisor DeBetta.
- Police Department. Report distributed, read aloud by Officer in Charge Ventura.
- Code Enforcement: Report distributed.
- Planning Board: Reports distributed for October 7, 2024 and November 4, 2024. Planning Board Chair, April Leggett informed the Village Board of Trustees that the Planning Board is continually reviewing the Strategic and Waterfront Revitalization Plans.
- Finance/Insurance: The Clerk/ Treasurer informed the Village Board of Trustees that the unpaid village taxes were sent back to Chenango County.
- Christmas Parade Committee: Darren Schultes informed the Village Board of Trustees that everything is on track for the Christmas Parade. They have been able to secure a D.J. for the festivities. They have picked out the Christmas trees from both Z's Trees and the Phillips Tree Farm for the placement of trees within the village. The plan is to have the trees set up to begin the decorating process on November 23, 2024. They are still some things to be worked out for the drop cords. Mr. Schultes will be meeting with Sertoma to decide where placements should go.

- 4 Towns Forward: Trustee L. Matthews attended that last meeting. She states that there will be a live auction on Saturday November 16, 2024 to help the Sidney EMT from 5 pm to 9 pm at the Lambrecht Auction location on 171 Delaware Ave. Sidney, NY. Visitor Judy Hinman added that the library will be hosting free classes for area businesses.
- Historian Report: No report.
- Dog Control Officer: - Report distributed.
- Afton Central School – No representative.

Old Business:

- Progress on the 2 Yellow Houses. – Deputy Mayor Trustee D. Lawrence stated that she spoke with Mayor Dedman about the 2 yellow houses. The party involved is still interested in moving forward, Mayor Dedman has come up with a drafted contract for the village attorney's review.
- Water Meter Project Progress. – As per Brendon Becker the Susquehanna River Basin Commission Grant has awarded the village \$400,000.00. The village will need to pay for \$100,000.00 out the Village Water Reserves as a fund match. The village should be able to install water meters to all service locations.
- Discussion on ATV and UTV and Golf Carts. – Remains the same.
- Senior Citizen & Disability Levels – 2025 Assessment Roll from County was tabled last month.
- A motion made by Trustee T. Lawrence to keep the Senior Citizens and Disability Income Levels for the 2025 Assessment Roll from Chenango County as they currently are. Seconded by Trustee Humphrey. All in favor, motion passed.
- Email regarding Hometown Hero's Banners was tabled last month.
- The Village Board of Trustees discussed getting the VFW involved to see if there are any grants available to help with the costs, as well as possibly family members who may be interested in purchasing the flags in honor of their family members who have served. It was decided that Trustee L. Matthews would be the point of contact with the VFW.

New Business:

- Len Carson from DC Marketing spoke with the Village Board of Trustees on the possible placement of a LED sign that could help the village place information out to the public as well as information on the happenings within the community. The placement of the sign would be where the current Afton sign sits within the intersection of Rt. 7 and Rt. 41. The recommendation is a 4' X 6" sign with a stone or brick base. The village would be giving a free graphics slot, the remaining slots would be sold to local businesses and organizations for their advertisement needs. The only cost to the village would be the monthly electric required to run the sign.
- There were many discussions among the Village Board of Trustees on the possibility of the sign and its placement. There is a 10-year contract on the sign agreement. The placement of the sign requires the

approval of the Department of Transportation. It was decided that Deputy Mayor Trustee D. Lawrence would reach out to the DOT with the request for the sign changes. She will also be the point of contact with DC Marketing.

- A motion made by Trustee T. Lawrence to enter into agreement with DC Marketing for a placement of a LED sign with the dimensions of 4' X 6" pending the review of the village attorney. Seconded by Trustee Humphrey. All in favor, motion passed.
- A motion made by Trustee T. Lawrence for a Resolution to repeal the adoption of bond resolutions for September 9, 2019, October 11, 2021 and March 7, 2023 in authorization of improvements to the village sewer system with respect to missing items in connection to with these adoptions. Seconded by Trustee Humphrey. All in favor, motion passed.

Bond Resolution to repeal as follows:

RESOLUTION TO REPEAL BOND RESOLUTIONS

RESOLUTION TO REPEAL BOND RESOLUTIONS OF THE VILLAGE OF AFTON, CHENANGO COUNTY, NEW YORK, AUTHORIZING THE ISSUANCE OF SERIAL BONDS TO FINANCE THE COST OF THE CONSTRUCTION AND IMPROVEMENT OF THE VILLAGE SEWER SYSTEM

WHEREAS, at a meeting of the Board of Trustees (the "Board of Trustees") of the Village of Afton, Chenango County, New York (the "Village"), convened on September 9, 2019, the Board of Trustees, by a favorable vote of not less than two-thirds (2/3) voting strength of all the members of the Board of Trustees, authorized the construction and improvements of the Village of Sewer System (the "Project") at an estimated maximum cost of \$10,700,000 and the issuance of \$2,670,000 serial bonds pursuant to the Local Finance Law and Bond Resolution dated September 9, 2019 (the "Original Bond Resolution"); and

WHEREAS, at a meeting of the Board of Trustees of the Village, convened on October 11, 2021, the Board of Trustees, by a favorable vote of not less than two-thirds (2/3) voting strength of all the members of the Board of Trustees, authorized the increase of the estimated maximum cost at a new estimated maximum cost of \$15,100,000 and the issuance of \$2,670,000 Serial Bonds for the Project pursuant to the Local Finance Law and Bond Resolution dated October 11, 2021 (the "Supplemental Bond Resolution");

WHEREAS, at a meeting of the Board of Trustees of the Village, convened on March 7, 2023, the Board of Trustees, by a favorable vote of not less than two-thirds (2/3) voting strength of all the members of the Board of Trustees, authorized the increase of the estimated maximum cost at a new estimated maximum cost of \$16,600,000 and authorized the issuance of an additional \$13,930,000 Serial Bonds at a new issuance of \$16,600,000 Serial Bonds for the Project pursuant to the Local Finance Law and Bond Resolution dated March 7, 2023 (the "Second Supplemental Bond Resolution");

WHEREAS, The Original Bond Resolution, the Supplemental Bond Resolution and the Second Supplemental Bond Resolution hereinafter referred to as the "Bond Resolutions";

WHEREAS, of the \$16,600,000 in serial bonds authorized to be issued pursuant to the Bond Resolutions, \$16,600,000 has not been issued or encumbered to date; and

WHEREAS, pursuant to the provisions of Section 41.00 of the Local Finance Law, the Board of Trustees is authorized to repeal a bond resolution to the extent indebtedness has not been contracted or encumbrances made thereunder; and

WHEREAS, the Board of Trustees desires to repeal the Bond Resolutions to the extent that indebtedness authorized pursuant thereto has not been contracted or encumbrances made thereunder.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Afton, Chenango County, New York as follows:

Section 1. The Board of Trustees hereby repeals and revokes the Village's authority to issue indebtedness or to make encumbrances under the Bond Resolutions, to the extent that indebtedness authorized pursuant thereto has not been contracted or encumbrances made thereunder.

Section 2. Pursuant to Section 41.00 of the Local Finance Law, the Board of Trustees confirms that \$2,670,000 of the original amount of indebtedness authorized to be issued pursuant to the Original Bond Resolution, that \$2,670,000 of the supplemental amount of indebtedness authorized to be issued pursuant to the Supplemental Bond Resolution, and that \$13,930,000 of the supplemental amount of indebtedness authorized to be issued pursuant to the Second Supplemental Bond Resolution has not been contracted to be issued or made subject to encumbrance and authorization of the Board of Trustees to issue said amount of indebtedness pursuant to the Bond Resolutions is hereby repealed and revoked.

Section 3. This resolution shall take effect immediately upon its adoption.

- A motion made by Trustee T. Lawrence for a Bond Resolution to authorize the undertaking of the construction of improvements to the village's sewer system, including the acquisition of original furnishings, equipment, machinery or apparatus required in connection therewith at an estimated maximum cost of \$16,600,000. Seconded by Trustee Humphrey.

Bond Resolution as follows:

BOND RESOLUTION DATED NOVEMBER 11, 2024

BOND RESOLUTION OF THE VILLAGE OF AFTON, CHENANGO COUNTY, NEW YORK, AUTHORIZING THE ISSUANCE OF \$16,600,000 SERIAL BONDS TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE SEWER SYSTEM.

BE IT RESOLVED by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Afton, Chenango County, New York (the "Village") as follows:

Section 1. The Village is hereby authorized to undertake the construction of improvements to the Village's Sewer System, including the acquisition of original furnishings, equipment, machinery or apparatus required in connection therewith at an estimated maximum cost of \$16,600,000.

Section 2. The plan for financing of such maximum authorized cost shall be by the issuance of \$16,600,000 in serial bonds (the "Bonds") of the Village which are hereby authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law. The maximum maturity of the Bonds shall be in excess of five (5) years measured from the date of the Bonds or from the date of the first bond anticipation note issued in anticipation of the Bonds, whichever date is earlier.

Section 4. Pursuant to Section 107.00(d)(3)(l) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village without legal or constitutional limitation as to rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the 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 bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, 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 Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer of the Village.

Section 8. This resolution is intended to constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this resolution, no moneys 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 9. The Village Treasurer, as Chief Fiscal Officer of the Village, is further authorized to sell all or a portion of the Bonds and any bond anticipation notes issued in anticipation of the Bonds to the New York State Environmental Facilities Corporation (the "EFC") and/or the United States Department of Agriculture, Rural Development ("Rural Development") in the form prescribed in one or

more financing, grant or similar agreements (the "Financing Agreements") between the Village and the EFC and/or Rural Development; to execute and deliver on behalf of the Village one or more Financing Agreements with EFC and/or Rural Development and to execute such other documents, and take such other actions, as are necessary or appropriate to obtain financing from the EFC and/or Rural Development for all or a portion of the costs of the expenditures authorized by this Bond Resolution, and perform the Village's obligations under its Bonds delivered to the EFC and/or Rural Development and the Financing Agreements. The Village Treasurer is further authorized to seek grant funding from the New York State Department of Environmental Development Block Grant Program or such other New York State or Federal Grant Programs deemed appropriate and to execute and deliver on behalf of the Village one or more Financing Agreements with the appropriate entities/agencies and to execute such other documents, and take such other actions, as are necessary or appropriate to obtain financing for all or a portion of the costs of the expenditures authorized by this Bond Resolution.

Section 10. Any federal or New York State grant proceeds received by the Village for the capital purposes described in Section 1 of this Resolution shall be applied to pay the principal of and interest on the Bonds or any bond anticipation notes issued in anticipation of the Bonds.

Section 11. The serial bonds and bond anticipation notes authorized to be issued by this resolution are hereby authorized to be consolidated, at the option of the Village Treasurer, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other bond resolutions previously or hereafter adopted by the Board of Trustees for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolutions. All matters regarding the sale of the bonds, including the dated date of the bonds, the use of electronic bidding, the consolidation of the serial bonds and the bond anticipation notes with other issues of the Village and the serial maturities of the bonds are hereby delegated to the Village Treasurer, the Chief Fiscal Officer of the Village.

Section 12. The Village Treasurer, as Chief Fiscal Officer of the Village, is hereby authorized to file an application with the New York State Treasurer pursuant to Section 124.10 of the Local Finance Law to exclude the proposed indebtedness authorized herein from the constitutional and statutory debt limits of the Village.

Section 13. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the 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 this resolution or a summary hereof 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
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 14. The Village Treasurer, as Chief Fiscal Officer of the Village, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the Village to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 15. In the absence of the Village Treasurer, the Deputy Treasurer of the Village is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this Resolution.

Section 16. This resolution, or a summary of this resolution, shall be published in the official newspapers of the Village for such purpose, together with a notice of the Clerk of the Village in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 17. This resolution is adopted subject to mandatory or permissive referendum in accordance with Section 36.00 of the Local Finance Law. This resolution shall take effect thirty (30) days after its adoption or, if a petition is filed pursuant to Article 5-A of the Village Law, upon the affirmative vote of a majority of the qualified electors of the Village voting on the referendum.

Section 18. The Board of Trustees hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

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

| | <u>Ayes</u> | <u>Noes</u> | <u>Absent</u> |
|-------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| Patrick Dedman, Village Mayor | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Robert Humphrey Jr, Trustee | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Deanna Lawrence, Trustee | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tyler Lawrence, Trustee | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Linda Matthews, Trustee | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The resolution was thereupon declared duly adopted.

- A motion made by Trustee Humphrey to move \$1,535.34, from the Capital Reserves Police Equipment Savings Fund – (A9183) to the General Fund Budget to the following appropriation (A3130.40– Police Grant Expense – for \$1,535.34), due to overages. Seconded by Trustee T. Lawrence. All in favor, motion passed.
- A motion made by Trustee T. Lawrence to close the office on Tuesday, November 12, 2024. Seconded by Trustee L. Matthews. All in favor, motion passed.

Recognition of Visitors:

- Visitors John & Judy Hinman, who are members of the Chamber of Commerce, informed the Village Board of Trustees that they have spoken with Mayor Dedman about wanting to get the municipal parking lot paved for the business owners. They stated that they would like for the village to have their share of ownership of the parking lot paved as well. The village board of trustees stated that it is already in the works for the section that is owned by the village to be paved, that the majority of the parking area is owned by the businesses. Mr. & Mrs. Hinman indicated that they have spoken with the Chenango County Chamber of Commerce as well as Congressmen Marc Molinaro to help find grant funds for this project.

- A motion made by Trustee L. Mathews to adjourn our regular meeting at 8:45 pm. Seconded by Trustee Humphrey. All in favor, motion passed.

Respectfully Submitted,

Ann Palmatier,
Clerk / Treasurer