

The regular Meeting of the Board of Trustees of the Village was held July 16, 2024, at the Attica Municipal Building. The meeting was called to order at 6:02 pm.

Members Present:

The following members were present: Mayor Nathan Montford, Trustees Pam Rudolph, Matthew Sage, Chris Van Son and Hans Walker Jr.

Others Present:

Others Present: Administrator Brenda J Beck, Water Treatment Plant Chief Operator Matt Durfee, Police Chief Dean Hendershott, Waste Water Plant Chief Operator Doug Beitz, Fire Chief Stephan Bove, Assistant Fire Chief Jay Myers, Attica Town Councilman Gary Wysko, Barb Higgins, Nicholas Fodero – Systems Engineer, Matt Simons – LaBella, Ellen Kirch, Steve Schmit.

Minutes and Claims Approved:

Motion was made by Trustee Vanson seconded by Trustee Walker that the minutes of the regular meeting of 06/18/24 be approved as presented.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

Open Public Hearing

Motion was made by Trustee Rudolph seconded Trustee Sage that the Village board opens the public hearing at 6:03 PM regarding the use of Sewer Reserve Funds for the payment of the repairs to Jefferson Street.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

Approve Claims

Motion was made by Trustee Sage seconded Trustee Van Son that the following claims be approved and the Clerk instructed to draw checks therefore:

- General Fund claims in the amount of \$32,09.07 as set forth in Abstract #2
- Water Fund claims in the amount of \$28,476.64 as set forth in Abstract #2
- Sewer Fund claims in the amount of \$12,162.73 as set forth in Abstract #2
- Water Treatment Plant improvement claims in the amount of \$758.66 as set forth in Abstract #2
- Capital I & I Sewer Line Study in the amount of \$677.22 as set forth in Abstract #2
- Capital Pump Station Repairs in the amount of \$47,504.23 as set forth in Abstract #2

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

Committee Report

- Police Chief Hendershott presented the monthly activity report. He reported that the Police Department had no complaints during Attica Days. The only thing he suggested was maybe a First Aid booth, a place for people to sit to eat the food and a port-a-potty.
- Fireman Chief Bove report their monthly activity. That trucks 1, 2, and 5 had updates done on them. Spoke about training and how long it is now.

2024-81 Fireman to Park Cars for the Rodeo

Motion was made by Trustee Van Son and Seconded by Trustee Sage to let the Fireman Park the cars for the Rodeo.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

- Water Treatment Plant Chief Operator Matt Durfee reported on the Costs of putting in a public water station on Exchange Street. This is something we are looking at for next year. He also spoke about a water transmission line which there is a grant, with working the Town of Attica we could receive up to 60% reimbursement. Trustees Van Son and Trustee Walker will be on the Transmission Line Committee.
- Waste Water Treatment Plant Chief Operator Doug Beitz update on how things are running at the plant. Ben Martin will be attending the Lab School in Buffalo.
- Trustee Walker spoke on behalf of DPW Foreman Kazmierczak, that Camp Hard Hat went well, they had brush pick up. Looking at paving streets and fixing up sidewalks.

LIASON

Trustee Walker spoke on behalf of the Town of Attica.

VILLAGE ADMINISTRATOR

Village Administrator Brenda Beck spoke on how well all departments came together to help with the Tornado Warning, and Camp Hard Hat. Have been completing work for the NYS Grant and Pro Housing Community.

Nicholas Fodero spoke about the current technology situations we are in.

Old Business

2024-49 Re-Approve Bond Resolution authorizing general obligation serial bonds to finance sewer system capital improvements within the village.

Motion was made by Trustee Sage seconded by Trustee Van Son that the Village Board approves the bond resolution authorizing general obligation serial bonds to finance sewer system capital improvements within the village.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

BOND RESOLUTION DATED JULY 16, 2024 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ATTICA, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE SEWER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of sewer system capital improvements authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on July 16, 2024, has duly adopted a negative declaration with respect to the type I action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts; now therefor, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ATTICA, NEW YORK (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Attica shall undertake the construction of sewer system improvements, including, without limitation, the sealing of manholes and pipelines through lining and spot reconstruction, which involves inserting a flexible liner into existing piping which is then inflated and cured, as appropriate, and sanitary sewer piping and manholes requiring more extensive work will be traditionally excavated and reconstructed, and the sealing of certain stormwater connections from the sewage collection system through replacement of broken cleanout covers, and rerouting of connections (such as downspouts and foundation drains) from the sanitary sewer to storm drainage such as catch basins and bioswales, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$6,500,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are hereby authorized to be issued to finance said purpose.

Section 2. The estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$6,500,000, and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized, to be offset and reduced dollar for dollar by the amount of grants received, if any.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 4 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) years, (b) the

proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, whether to authorize the receipt of bids in an electronic format, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Attica.

Section 7. The faith and credit of the Village of Attica, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes 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 year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Village Clerk of the Village of Attica together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or 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 (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Village of Attica, pursuant to Section 36.00 of the Local Finance Law.

2024-50 Re-Approve Amending Bond Resolution for WTP Improvement Project.

Motion was made by Trustee Van Son seconded by Trustee Walker that the Village Board approves the Amended Bond Resolution for the WTP Improvement Project.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

SUPPLEMENTAL BOND RESOLUTION DATED July 16, 2024 OF THE BOARD OF TRUSTEES OF THE VILLAGE OF ATTICA, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER IMPROVEMENTS, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, EXPENDITURES FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, pursuant to a bond resolution dated August 2, 2022 (the "Original Bond Resolution") the Board of Trustees of the Village of Attica, New York (hereinafter referred to as the "Village") approved expenditures for, and the issuance and sale of, up to \$11,125,000 aggregate principal amount of general obligation bonds and bond anticipation notes relative to the construction of water improvements;

WHEREAS, actual project costs have proved to be approximately \$4,483,000 higher than the maximum estimated project costs and the Village desires to provide for the financing thereof by supplementing the Original Bond Resolution by the adoption of this Supplemental Bond Resolution;

WHEREAS, the Village, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on August 2, 2022 has duly adopted a negative declaration with respect to the type I action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts, and, on and on September 19, 2023, duly adopted a further negative declaration with respect to the type I action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts; now therefore, be it

RESOLVED BY THE BOARD OF TRUSTEE OF THE VILLAGE OF ATTICA, NEW YORK, by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Village of Attica shall continue to undertake the acquisition and construction of water improvements as set forth in the Original Bond Resolution, and to additionally include, without limitation, the construction and equipping of an approximately 500 SF pumphouse on a portion of Dunbar Road (SBL# 19.-1-58), various site improvements, including driveway modification, fill and grading, relocation of overhead electrical lines, buried piping modifications, septic system replacement, and exterior pump enclosure removal (hereinafter referred to as "purpose"), in an additional amount not to exceed \$4,483,000, and additional general obligation serial bonds in an aggregate principal amount not to exceed \$4,483,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are now hereby authorized to be issued to finance such additional costs of said purpose and said additional amount is hereby appropriated therefor.

Section 2. The aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is now estimated to be \$15,608,000. The plan for financing of said purpose is to provide up to \$11,125,000 of such maximum cost by the issuance of bonds or bond anticipation notes as authorized under the Original Bond Resolution and to provide up to \$4,483,000 of such maximum cost by the issuance of bonds or bond anticipation notes as herein authorized.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations, if any.

Section 5. It is hereby determined and declared that the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Village Treasurer, the Village's chief fiscal officer. The Village Treasurer and the Village Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Village of Attica.

Section 7. The faith and credit of the Village of Attica, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor in the manner provided by law, but if not paid from such source, all the taxable real property within said Village shall be subject to the levy of an *ad valorem* tax, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds and notes. 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 year.

Section 8. After compliance with Section 9 hereof, this resolution, or a summary hereof, shall be published in full by the Village Clerk of the Village of Attica together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or 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 (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Village of Attica, pursuant to Section 36.00 of the Local Finance Law.

New Business

The Reflection Tree in the Village July 21, 1-3 pm. The Rodeo will be August 1, 2, 3 & 4.

2024-76 Approve bank reconciliation report from treasurer for May 2024.

Motion made by Trustee Rudolph seconded by Trustee Sage that the Village approves the bank reconciliation report from the Treasurer for the month ending May 2024.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

2024-77 Approve Brenda Beck to Take the OSC Introduction to Governmental Accounting Course to be held from 09/05/2024 – 09/06/2024.

Motion made by Trustee Van Son and seconded by Trustee Sage that the Village Board approves the \$85.00 for the "OSC Introduction to Governmental Accounting Course."

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

2024-78 Surplus Property of 3,000 Gallon Polly Tank

Motion was made by Trustee Walker seconded by Trustee Sage that the Village Board approves the 3,000 Gallon Polly Tank to listed as surplus as it needs to be removed for the Wyoming County Communications Tower.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

2024-79 Pro Housing Community

Motion made by Trustee Van son seconded by Trustee Sage that the Village Board approves the Village into taking positive steps to adopt the Pro Housing Community.

WHEREAS, the Village of Attica(hereinafter "local Government") believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State's economic growth and community well-being;

WHEREAS, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities.

WHEREAS, we believe that evidence shows that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits, and;

WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant;

NOW, THEREFORE, IT IS HEREBY RESOLVED that Village of Attica, in order to take positive steps to alleviate the housing crisis, adopts the Por Housing Communities pledge, which will have us endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supporting housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporate regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

2024-80 Close Public Hearing

Motion made by Trustee Sage seconded by Trustee Rudolph that the Village board closes the public hearing at 8:08 PM for the purpose of hearing public comments for the Village of Attica's use of Sewer Reserve Funds for the payment of the repairs to Jefferson Street.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

Enter into Executive Session

Motion was made by Trustee Van Son and seconded by Trustee Rudolph to enter into Executive Session at 8:22 P.M.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

End Executive Session and Re-enter regular meeting.

Motion was made by Trustee Van Son seconded by Trustee Sage to end Executive Session and re-enter regular meeting at 9:23 pm.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.

The motion was declared and carried.

2024-82 Hiring of Code Enforcement Officer

Motion was made by Trustee Walker seconded by Trustee Sage to hire Pam Babin as the Code Enforcement Officer.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son - abstained; Walker yes.

The motion was declared and carried.

2024-83 Hiring Provisional Police Officers

Motion was made by Trustee Van Son seconded by Trustee Walker to hire Zackary Laffin, Howard Wilson and Ethan Jennings as Provision Police Officers.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.
The motion was declared and carried.

ADJOURNMENT

Motion was made by Trustee Van Son seconded by Trustee Rudolph that the Board of Trustees adjourns the meeting at 9:28 P.M.

On the call of the roll, the vote was as follows: Rudolph yes; Sage yes; Van Son yes; Walker yes.
The motion was declared and carried.

Brenda J Beck
Administrator, Village of Attica