

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY, AUGUST 26, 2019 AT 7:00 P.M. IN THE TOWN OF SHELBY TOWN HALL.

Present: Mayor Michael Sidari
Trustees Owen Toale, Todd Bensley, Marguerite Sherman, Timothy Elliott
Fire Chief Thomas Lupo, Police Chief Chad Kenward, DPW Superintendent Joseph Perry, Code Enforcement Officer Daniel Gardner
Village Attorney Matthew Brooks

Mayor Sidari called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the flag.

The Mayor recognized Mary Lewis from the Medina Business Association. She expressed her disappointment at not having a response from the Village Board members regarding a recent e-mail she sent. Trustee Sherman responded that she had stopped in to Mrs. Lewis's shop to speak with her but she wasn't there. Trustee Elliott said that he had spoken with her regarding her concerns. Mrs. Lewis agreed. The Mayor asked her to call or e-mail to set up a meeting.

The following resolution was offered by Trustee Toale and seconded by Trustee Elliott, to wit;

A BOND RESOLUTION, DATED AUGUST 26, 2019, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA, ORLEANS COUNTY, NEW YORK (THE "VILLAGE") AUTHORIZING THE ACQUISITION OF COMPUTER SYSTEM EQUIPMENT AND SOFTWARE FOR USE BY THE POLICE DEPARTMENT IN THE VILLAGE, AT AN ESTIMATED MAXIMUM COST OF \$50,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

WHEREAS, the Village Board of Trustees has identified a need for the acquisition of computer system equipment and software for use by the police department in the Village;

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Village is hereby authorized to undertake the acquisition of computer system equipment and software for use by the Village including all preliminary costs and necessary equipment, apparatus, warranties and other such costs incidental thereto and in connection with the financing thereof (the "Purpose") The estimated maximum cost of the Purpose is \$50,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds of the Village in an aggregate principal amount not to

exceed \$50,000, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount of obligations to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such purpose is to be paid by the levy and collection of taxes on all the taxable real property in the Village to pay the principal of such bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the Purpose is a class of objects or purposes described in subdivision 32 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is five years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not exceed five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 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 of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form, contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

SECTION 8. 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 purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Village's "official intent" to reimburse

the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 10. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 12. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

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

(b) the provisions of the law which should be complied with at the date of publication of this notice were not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice; or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. The Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of such Local Finance Law, in a newspaper having a general circulation in the Village, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Village, which newspaper shall be designated by the Village Board of Trustees in a separate resolution.

SECTION 15. This Resolution is effective immediately.

* * *

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

AYES: Trustee Owen Toale
Trustee Todd Bensley
Trustee Marguerite Sherman
Trustee Timothy Elliott

NOES:

ABSENT:

The foregoing resolution was thereupon declared duly adopted.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The Mayor is authorized to sign the Inter-Municipal Cooperation Agreement with the Medina Central School District regarding the establishment of a School Resource Officer, in the amount of \$65,000 for the 2019-20 school year and \$70,000 for the 2020-21 school year.

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Toale. The Mayor is authorized to sign an Acknowledgement of GCEDC to re-establish as lead agency to conduct a coordinated review of STAMP project modifications pursuant to SEQRA.

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Bensley. The three clerical employees and all Department Heads, with the exception of newly hired Code Enforcement Officer Gardner, are approved for a salary increase of 2%, effective June 1, 2019,.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Toale. The Clerk-Treasurer is authorized to pay the invoices from Shred-Text for \$75.60 and Stacy Silker for \$180.00, regarding the shredding of Village court files.

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Bensley. The streets on the following route are authorized to be closed for the annual Day of the Dead festivities and parade on Friday, November 1, from 5:30 to 6:30 p.m.

- West Avenue from the Farmer's Market to Pearl Street
- Pearl Street from West Avenue to the YMCA

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The following streets are authorized for closure for the dedication of the Company F Memorial on Saturday, September 7, 2019 from 10:30 a.m. to 12:30 p.m.

- Prospect Avenue from West Center Street to Commercial Street
- Pearl Street from Prospect Avenue to Catherine Street

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Sherman. The following street is authorized for closure to conduct a fire training exhibition sponsored by Lyons Collision on Tuesday, August 27, 2019 from 5:45 p.m. to 10:00 p.m.

- Orient Street from East Center Street to Short Street

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The Medina Central School District is authorized to use Boxwood Cemetery for cross country meets, contingent upon the approval of the Town of Ridgeway and the submission of a certificate of insurance.

All ayes
Motion carried.

A sample Nuisance Law was distributed for the Board's review and comments at the next meeting.

The Clerk reported that there were a total of 32 accounts that had still not replaced their water meters. Twelve accounts needed to be addressed by the Village, 6 were closed accounts and the remaining 14 had services that needed repair. Route 2 accounts not converted have been charged the \$25.00 service charge during two billing quarters, and Routes 1 and 3 have each been billed once.

The Mayor suggested the possibility of Code Enforcement Officer Busch working as a consultant following his retirement to assist the new Code Officer with inspections at the larger ongoing construction projects. The Board will consider the possibility and discuss at the workshop meeting.

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A motion was made by Trustee Bensley and seconded by Trustee Sherman. The bills as presented are approved for payment.

All ayes
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Elliott. The minutes of July 22, 2019 and August 12, 2019 are approved as submitted.

All ayes
Motion carried.

Chief Kenward reported that C & H PC had begun installation of the new computers and server. He also reported that Officer Gross had completed his SRO training and would be ready to fill that position next week and that all officers were receiving training regarding the new Bail Reform Legislation.

Chief Lupo reported that the new suburban had been delivered, was outfitted at Empire Emergency Equipment and is designated Car 88. He also reported that the Scott SCBA have been placed into service. He said that Firefighter MacKenzie has started Paramedic class and Firefighters Simmons and Long are attending Codes classes.

Code Enforcement Officer Gardner reported that he would be attending training classes the rest of the week. He also reported that over one hundred violations had been mailed to homeowners not displaying house numbers.

Superintendent Perry reported that his department had been milling and paving several streets including West Center Street, Ohio Street, Proctor Place, Elm Street, one block of Ohio Street, and a portion of Bates Road. He said that Orleans County would be doing the striping on West Center Street.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The meeting is adjourned at 8:45 p.m.

All ayes
Motion carried.

Respectfully submitted,

Deborah L. Padoleski
Clerk-Treasurer