

MINUTES OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY AUGUST 14, 2023, AT 7:00 P.M. IN THE SENIOR CITIZENS CENTER.

Present: Mayor Michael Sidari

Trustees Marguerite Sherman, Jessica Marciano, and Diana Baker

Fire Chief Matthew Jackson, Police Chief Todd Draper and Superintendent of Public Works Jason Watts

Attorney Matthew Brooks

Excused: Trustee Timothy Elliott

Mayor Sidari called the meeting to order at 7:00 p.m.

Mayor Sidari stated that the resolution for the purchase of the Pierce Enforcer 100-Foot HD Aerial Platform Quint Ladder Truck needed to be amended, noting the optional cost savings.

A motion was made by Trustee Marciano, seconded by Trustee Baker. The resolution passed at the June 26, 2023, authorizing the Mayor to sign the purchase agreement from Churchville Fire Equipment for the purchase price of \$1,698,995.00 is rescinded.

All ayes  
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Marciano. The Board amends the prior resolution for the purchase of a new ladder truck as follows: Mayor Sidari is authorized to sign the purchase agreement from Churchville Fire Equipment, for the purchase of a Pierce Enforcer 100-Foot- HD Aerial Platform Quint Ladder Truck for the purchase price of \$1,726,779.00 with an optional cost savings of \$18,945.00 if the chassis is paid approximately ninety days prior to apparatus completion and a cost savings of \$8,839.00 for the aerial device if it is paid approximately sixty days prior to apparatus completion.

All ayes  
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Baker.

A BOND RESOLUTION, DATED AUGUST 14, 2023 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA, ORLEANS COUNTY, NEW YORK (THE "VILLAGE") AUTHORIZING THE ACQUISITION OF POLICE VEHICLES FOR USE BY THE VILLAGE, AT AN ESTIMATED

MAXIMUM COST OF \$165,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$165,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID 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 of the Village of Medina, in the County of Orleans, New York (the "Village") has identified a need for the acquisition of police vehicles for use by 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 police vehicles for use by the Village including any preliminary costs and costs incidental thereto and in connection with the financing thereof (the "Purpose"). The estimated maximum cost of the Purpose is \$165,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost such objects or purposes by the issuance of serial bonds of the Village in an aggregate principal amount not to exceed \$165,000, 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 acquisition 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 77 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such acquisition is three 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 and contents and details 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 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 this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Village's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. 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 11. 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 12. The Village Treasurer is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Village officials and the Village's municipal advisor), to approve any related notice of redemption, and to take such actions and execute

such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Village Clerk.

SECTION 13. 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”) are required.

SECTION 14. 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 15. 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 16. 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 and hereby designated as the official newspaper of the Village for such publication.

SECTION 17. This resolution is effective immediately.

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

AYES:	Mayor Michael Sidari	Trustee Marguerite Sherman
	Trustee Jessica Marciano	Trustee Diana Baker

NOES:

ABSENT: Trustee Timothy Elliott

The foregoing resolution was thereupon declared duly adopted.

A motion was made by Trustee Sherman and seconded by Trustee Marciano. Mayor Sidari is authorized to sign the Inter-Municipal Cooperation Agreement with the Medina Central School District, with the clarification that the Village of Medina will provide two School Resource Officers, the first commencing on September 5, 2023 and the second in November 2023.

All ayes  
Motion carried.

Mayor Sidari said that he had received a request from BMP America, requesting to place a hiring sign in front of their business along Route 31A.

A motion was made by Trustee Marciano and seconded by Trustee Baker. BMP is allowed to place a temporary hiring sign in front of their business on Route 31A, under the same conditions as approved prior by the Board.

All ayes  
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Marciano. Superintendent Watts is authorized to sign the agreement with Nu Flow Reline Repair Renew to be able to televise the sewer line running from the Print Shop to the Clip Joint at a cost of \$1,875.00.

All ayes  
Motion carried.

A motion was made by Trustee Baker and seconded by Trustee Sherman. Fire Chief Jackson is authorized to send an invitation requesting a Congressional Ride-A-Long.

All ayes  
Motion carried.

Mayor Sidari said he had received an email from The Community Foundation. The matter was tabled.

Trustee Marciano said she had researched the application process for reserving a municipal park. Trustee Marciano distributed applications from other local municipal parks for Board consideration. The matter was tabled.

Mayor Sidari said with the purchase of a new ladder truck, an addition is needed. The engineer report prepared by Barton and Loguidice had previously been distributed to the

Board for review. Mayor Sidari spoke with Tom Bivens who stated the Village should add an additional fifteen percent to the estimated cost listed in the engineer report as costs continue to increase.

A motion was made Trustee Marciano and seconded by Trustee Baker. Clerk-Treasurer Burgess is authorized to request Bond Counsel to prepare a bond resolution for the purpose of a new addition to the Fire Department, at a cost of \$5,600,000.00.

All ayes  
Motion carried.

Fire Chief Jackson said his department participated in National Night Out and Family Fun Day. He said they also would be participating at the School Summer Program, Middle School Welcome Back Picnic, and the Farmers Market.

Police Chief Draper said it had been busy with National Night Out and the bidding process. He thanked the National Night Out Committee and the volunteers for their hard work. He invited the Board to attend the graduation ceremony for the new recruits which would be held on August 25, 2023. He asked the Board permission to submit a letter of intent to the dealerships he had obtained quotes from, for the purchase of two new police vehicles. Mayor Sidari said he was authorized to send a letter of intent.

Superintendent Watts said his department had started clearing the land at Gulf Street Park for the installation of the new disc golf course. He said they continued to work on the list of leaks and that three have been repaired.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The meeting is moved into executive session at 7:33 p.m. to discuss pending litigation.

All ayes  
Motion carried.

A motion was made by Trustee Sherman and seconded by Trustee Baker. The meeting is reconvened at 7:40 p.m.

All ayes  
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The following resolution passed at the July 24, 2023, meeting is rescinded: authorizing Clerk-Treasurer to pay Officer Gregory Fraser his share of the FICA wages from the fourth quarter of 2021 in the amount of \$1,166.30. Upon Officer Fraser signing a letter that will be submitted to Internal Revenue Service, stating that Officer Fraser has not claimed or will not claim a refund or credit of the amount of Social Security and Medicare taxes paid by Officer Gregory Fraser for the salary received while on 207-C for the first, second and third quarter of 2022, Officer Gregory Fraser will receive his share of the FICA wages from the year 2022 in the amount of \$3,165.14. By receiving these amounts in advance, any interest received by the Internal Revenue Service will not be paid to Officer Fraser.

All ayes

Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Baker. The Board amends the prior resolution regarding reimbursement of FICA taxes to Officer Gregory Fraser as follows: the Clerk-Treasurer is authorized to pay Officer Gregory Fraser his share of the FICA wages from the fourth quarter of 2021 in the amount of \$1,166.30. Upon Officer Fraser signing a letter that will be submitted to Internal Revenue Service, stating that Officer Fraser has not claimed or will not claim a refund or credit of the amount of Social Security and Medicare taxes paid by Officer Gregory Fraser for the salary received while on 207-C for the first, second and third quarter of 2022, Officer Gregory Fraser will receive his share of the FICA wages from the year 2022 in the amount of \$3,167.79. Officer Fraser's portion of the interest will be reimbursed once it is determined by the Internal Revenue Service and received by the Village.

All ayes  
Motion carried.

A motion was made by Trustee Marciano and seconded by Trustee Sherman.  
The meeting is adjourned at 7:45 p.m.

All ayes  
Motion carried.

Respectfully submitted,

Jada A. Burgess  
Clerk-Treasurer