

MINUTES OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY SEPTEMBER 11, 2023, AT 7:00 P.M. IN THE SENIOR CITIZENS CENTER.

Present: Mayor Michael Sidari

Trustees Marguerite Sherman, Timothy Elliott, Jessica Marciano, and Diana Baker

Police Chief Todd Draper, Code Enforcement Officer Daniel Gardner, and Superintendent of Public Works Jason Watts

Excused: Attorney Matthew Brooks

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

Mayor Sidari said he had received a request to hold the annual Operation Honor 5K race on November 11, 2023, at 11:00 a.m.

Mayor Sidari said that Code Enforcement Gardner had received an email from Buffalo Solar about placing solar panels on part to the Pickle Factory roof. Currently the Village Code only addresses smaller residential solar projects, not commercial buildings. Code Enforcement Gardner said this is scheduled to be discussed at the next Planning Board meeting. A public hearing would also need to be held to change the local law. The Board discussed a fee schedule. The matter was tabled for further review.

Mayor Sidari read a letter of resignation received from Police Officer Clayton Smith.

A motion was made by Trustee Elliott and seconded by Trustee Sherman. The resignation of Police Officer Clayton Smith, effective September 14, 2023, is accepted with regret.

All ayes  
Motion carried.

Mayor Sidari said that there was water leaking in City Hall on the Police Department side and requested that Superintendent Watts repair the leaks.

Trustee Baker requested that the Board schedule an annual tour of downtown businesses as well as industrial businesses. Mayor Sidari suggested that she obtain contacts from Code Enforcement Gardner.

The application for use of park facilities was tabled until Attorney Brooks could be present.

The Board had discussed sending a final notice to the remaining water accounts that had not transitioned to the radio read meters.

A motion was made by Trustee Elliott and seconded by Trustee Marciano. The Clerk-Treasurer's office is authorized to send a final notice to the remaining three water accounts that do not have a Badger radio read meter installed, advising if the meter is not replaced by October 31, 2023, water service would be discontinued.

All ayes  
Motion carried.

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

**WHEREAS**, the Village of Medina proposes a Fire Station Addition and Renovation Project, 600 Main Street, Medina, New York; and

**WHEREAS**, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law, the Medina Village Board has reviewed the project and has established itself as SEQR Lead Agency.

**NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

The Medina Village Board, in accordance with the State Environmental Quality Review Act (SEQRA) has determined that the Fire Station Addition and Renovation Project will not adversely affect the natural resources of the State and/or the health, safety, and welfare of the public and is consistent with social and economic considerations and, therefore, issues the attached SEQRA Negative Declaration in accordance with Section 617.7 of the SEQRA regulations; and

**BE IT FURTHER RESOLVED**, that the Mayor is authorized to sign the Full Environmental Assessment Form (FEAF Parts 1, 2 &3), which will act as the Negative Declaration.

All ayes  
Motion carried.

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

**A BOND RESOLUTION, DATED SEPTEMBER 11, 2023, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA, ORLEANS COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE FIRE DEPARTMENT BUILDING, AT AN**

**ESTIMATED MAXIMUM COST OF \$5,758,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,758,000 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 of the Village of Medina, in the County of Orleans, New York (the "Village") desires to undertake the reconstruction of and construction of improvements to the Village Fire Department Building; and

NOW THEREFORE,

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

SECTION 1. The Village is hereby authorized to undertake the reconstruction of and construction of improvements to the Village's Fire Department building generally consisting of, but not limited to, the construction of a new addition that will provide a new public entrance, space for a radio room, laundry room, EMS room, restroom facilities, decontamination room, gear storage space, mechanical room, tool storage and two new apparatus bays, along with the reconstruction of the existing building to house Village ambulances, the installation of a new exterior cladding system, concrete improvements and the installation of a new emergency generator, as well as other improvements as more fully identified in (or contemplated by) a report prepared by Barton & Loguidice, D.P.C. in connection with such project, and including all preliminary work and necessary equipment, materials and related site work, and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$5,758,000.

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 \$5,758,000 hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such improvements 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 said 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 12(a)(2) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is 15 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 be in excess of 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 has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary.

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 as of 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. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 17. If no petitions are filed in the permissive referendum period, 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 said 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.

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

AYES:	Trustee Sherman	Trustee Baker
	Trustee Elliott	Trustee Marciano
	Mayor Sidari	

The foregoing resolution was thereupon declared duly adopted.

Mayor Sidari said he had received a request from Cal Tuohey about creating Buddy Benches in the Village. As Mr. Tuohey was not present, the matter was tabled.

Code Enforcement Gardner said he was working with Vivus Technologies on an addition to their building on Mahar Street.

Superintendent of Public Works Watts said his department was working on hauling fill in to place in the ice-skating rink as this would be the site of the new basketball courts. He said they were working on the chapel at Boxwood Cemetery. He was waiting to hear on the next step relative to the disc golf course.

A motion was made by Trustee Elliott and seconded by Trustee Sherman. Operation Honor may hold their annual 5K race on November 11, 2023, at 11:00 a.m.

All ayes  
Motion carried.

A motion was made by Trustee Baker and seconded by Trustee Sherman. The meeting is adjourned at 8:01 p.m.

All ayes  
Motion carried.

Respectfully submitted,

Jada A. Burgess  
Clerk-Treasurer

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