

MAY 6, 2020

**Present:**

Mayor Grimshaw, Trustees: Emery, Harter, Hotchkiss and Linerode, John Power, Attorney Mowry (arrived 6:03 pm) and Caroline Hendrick

Mayor Grimshaw called the meeting to order at 6:00 pm.

The Minutes of the Regular Meeting of April 1, 2020 were approved on motion of Trustee Emery, seconded by Trustee Harter, all aye.

The following claims were approved for payment on motion of Trustee Hotchkiss seconded by Trustee Harter, all aye:

General Fund Abstract:

11B: \$9,816.42

12A1: \$2,549.01

12A2: \$21,382.07

Water Fund Abstract:

11B: \$31,570.86

12A1: \$13,261.79

12A2: \$568.37

Sewer Fund Abstract:

11B: \$16,898.85

12A1: \$3,696.59

12A2: \$2,329.10

WWTP Upgrade Project Abstract:

12A2: \$135,040.60

Reports were given by John Power/Village Administrator.

On motion of Trustee Hotchkiss, seconded Trustee Emery, all aye, the fiscal year-end meeting will be held on May 28, 2020 at 2:00 pm at the Village Hall.

On motion of Trustee Hotchkiss, seconded Trustee Emery, all aye, The Town Park Lease agreement was tabled until the fiscal year-end meeting so Trustee Hotchkiss can review.

On motion of Trustee Emery, seconded Trustee Hotchkiss, all aye, the following funds were transferred:

**GENERAL FUND**

From: 1990.4 Contingency \$50.00

To: 4020.4 Registrar \$50.00

On motion of Trustee Hotchkiss, the following SEQR Resolution was passed:

**SEQR Determination**

WHEREAS, the Board of Trustees of the Village of Mexico (the "Village") is considering the planning, design, acquisition and installation of upgrades and improvements to the waste water treatment plant, remote pump stations and collection system manholes, the replacement, rehabilitation or reconstruction of a structure or facility, on the same site, including upgrading buildings to meet building, energy, or fire codes, including the acquisition and installation of a new screw press, all associated materials, electrical, installation, spare parts, start-up and training, the removal of the existing sludge processing equipment (and replacing the function of equipment that had previously been removed), the replacement with new more efficient sludge processing equipment and the acquisition of original furnishings, equipment, machinery or apparatus (the "Project"); and

WHEREAS, the Board wishes to fully comply with its obligations under the State Environmental Quality Review Act ("SEQRA") and the regulations thereunder with respect to the proposed action; and

WHEREAS, the Board has carefully considered the nature and scope of the proposed action;  
and

WHEREAS, upon review of the foregoing, the Board makes the following determinations:

1. The proposed action involves certain rehabilitation, replacement, reconstruction, repairs, and other improvements to its existing facilities, the components of which are more particularly set forth in Schedule "A".
2. The proposed project represents maintenance or repair involving no substantial changes in an existing structure or facility within the meaning of 6 NYCRR § 617.5(c)(1); and the replacement, rehabilitation or reconstruction of a structure or facility in kind within the meaning of 6 NYCRR 617.5(c)(2).
3. The proposed action will in no case have a significant adverse impact based on the environment based on the criteria contained in 6 NYCRR § 617.7(c), and is not otherwise a Type I action as defined by 6 NYCRR § 617.4.
4. The proposed action is a Type II action within the meaning of 6 NYCRR 617.5 and is therefore not subject to review under SEQRA and the regulations thereunder.

NOW THEREFORE BE IT RESOLVED, that the Board finds and concludes that the proposed action is a Type II action within the meaning of 6 NYCRR 617.5 and therefore is not subject to review under SEQRA and the regulations thereunder.

BE IT FURTHER RESOLVED, that this resolution takes effect immediately upon its adoption.

The following **Fourth Supplemental Bond Resolution** was passed on motion of Trustee Emery, seconded Trustee Hotchkiss, all aye:

**FOURTH SUPPLEMENTAL BOND RESOLUTION DATED MAY 6, 2020 OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEXICO AUTHORIZING AN ADDITIONAL NOT TO EXCEED \$500,000.00 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS**

PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE PLANNING, DESIGN, ACQUISITION AND INSTALLATION OF UPGRADES AND IMPROVEMENTS TO THE WASTE WATER TREATMENT PLANT AND RELATED FACILITIES, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AT AN ESTIMATED ADDITIONAL MAXIMUM COST OF \$500,000.00, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, pursuant to a bond resolution duly adopted by the Board of Trustees of the Village of Mexico, Oswego County, New York (the "Village") on July 9, 2013 (the "Original Bond Resolution"), the Board of Trustees of the Village authorized the issuance of not to exceed \$2,716,000.00 aggregate principal amount of serial general obligation bonds pursuant to the Local Finance Law to finance planning, design, acquisition and installation of upgrades and improvements to the waste water treatment plant and related facilities (the "Purpose"), said amount to be offset by any federal, state, county and/or local funds received, at a maximum cost of \$2,716,000.00, the expenditure of such sum for such purpose, the levy of tax in annual installments in payment thereof, and determined other matters in connection therewith; and

WHEREAS, pursuant to a supplemental bond resolution adopted by the Board of Trustees of the Village on May 3, 2017 (the "Supplemental Resolution"), the Board of Trustees of the Village authorized the issuance of an additional not to exceed amount of \$1,173,000, and approved increasing the cost of the Purpose to an aggregate maximum estimated cost of \$3,889,000; and

WHEREAS, pursuant to a second supplemental bond resolution adopted by the Board of Trustees of the Village on May 2, 2018 (the "Second Supplemental Resolution"), the Board of Trustees of the Village authorized the issuance of an additional not to exceed amount of \$798,560, and approved increasing the cost of the Purpose to an aggregate maximum

estimated cost of \$4,687,560; and WHEREAS, pursuant to a third supplemental bond resolution adopted by the Board of Trustees of the

Village on March 6, 2019 (the "Third Supplemental Resolution"), the Board of Trustees of the Village authorized the issuance of an additional not to exceed amount of \$601,000, and approved increasing the cost of the Purpose to an aggregate maximum estimated cost of \$5,288,560; and

WHEREAS, the Village Board of Trustees has determined that the Purpose shall include acquisition and installation of a new screw press, all associated materials, electrical, installation, spare parts, start-up, and the removal of the existing sludge processing equipment (and replacing the function of equipment that had previously been removed) and the replacement with new more efficient sludge processing equipment to the waste water treatment plant and related facilities, that the cost of the Purpose has increased by an additional \$500,000 to an aggregate maximum estimated cost of \$5,788,560; and

WHEREAS, the Village Board of Trustees desires to approve the increase in the maximum cost of the Purpose and authorize the issuance of an additional not to exceed \$500,000 principal amount of serial general obligation bonds to finance the additional cost of the Purpose;

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

Section 1. The Village shall upgrade and improve the waste water treatment plant and related facilities, at a maximum additional cost of \$500,000, as more particularly described in Section 3 hereof.

Section 2. The Village is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the additional aggregate principal amount of not to exceed \$500,000.00

pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution is the planning, design, acquisition and installation of upgrades and improvements to the waste water treatment plant, remote pump stations and collection system manholes, the replacement, rehabilitation or reconstruction of a structure or facility, on the same site, including upgrading buildings to meet building, energy, or fire codes, the acquisition and installation of a new screw press, all associated materials, electrical, installation, spare parts, start-up, and the removal of the existing sludge processing equipment (and replacing the function of equipment that had previously been removed), the replacement with new more efficient sludge processing equipment and the acquisition of original furnishings, equipment, machinery or apparatus.

Section 4. It is hereby determined and declared that (a) the maximum cost of said Purpose, as estimated by the Village Board, is \$5,788,560, (b) \$5,288,560 has heretofore been authorized to be applied to the payment of the cost of said Purpose, and (c) the Village plans to finance the costs of said Purpose entirely from funds raised by the issuance of the bonds and bond anticipation notes issued pursuant to the Original Resolution, the Supplemental Resolution, the Second Supplemental Resolution, the Third Supplemental Resolution and this Fourth Supplemental Resolution (collectively, the "Bond Resolution"), said amount to be offset by any federal, state, county and/or local funds received.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Paragraph 4 of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is forty (40) years. The Bonds are being issued to finance an assessable improvement, the cost of which is chargeable primarily to

benefited real property. The proposed maturity of the Bonds authorized herein will be in excess of five (5) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to further authorize the issuance of the Bonds and to authorize the issuance of bond anticipation notes issued in anticipation of the sale of the Bonds (including renewals thereof) and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level or declining debt service, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Treasurer of the Village, the chief fiscal officer. The Treasurer is hereby authorized to sign and the Village Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Village Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Village. The Treasurer of the Village also shall have the authority to cause the bonds issued pursuant to the Bond Resolution to be issued with substantially level or declining debt service.

Section 7. The faith and credit of the Village, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation 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. There shall be levied annually on all taxable real property in the Village, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable, to the extent the necessary funds are not provided from other sources.

Section 8. This Resolution shall constitute the declaration of the Village's "official intent" to reimburse expenditures authorized by Section 1 with proceeds of the Bonds and notes, as required by United States Treasury Regulation Section 1.150-2.

Section 9. This Resolution (or a summary thereof) shall be published by the Village Clerk together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the official newspapers of the Village. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the 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, or summary thereof, 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 10. This Resolution shall take effect immediately.

The Village Board tabled the discussion in regards to the purchase of the church property on Main Street until there is further discussion.

Mayor Grimshaw informed the board that the Village Elections have been set for September 15, 2020.

Caroline Hendrick questioned the board on what "The Plan" was. Mayor Grimshaw stated it is a detail plan that is being worked on by the Village of Mexico and Town of Mexico so that they can apply for grant money.

Caroline also questioned what was allowed in the village in regards to flags being flown, are political election flags and flags with profanity allowed. Mayor Grimshaw stated that he would discuss the issue with the code enforcement officer and contact the Zoning Board and get back to her.

The meeting adjourned at 6:29 pm on motion of Trustee Hotchkiss, seconded Trustee Emery, all aye.



Respectfully submitted,

Traci Wallace

Village Clerk