

**PUBLIC HEARING and SPECIAL MEETING
TOWN OF GENOA**

June 23, 2017

A Public Hearing of the Town Board of Genoa, Cayuga County, State of New York was held at the Town Hall, 1000 Bartnick Road, Genoa NY on June 23, 2017

Present Lorie Sellen-Gross, Supervisor
 Cheryl Shields, Board Member (absent)
 Don Slocum, Board Member
 Brandon White, Board Member
 Al Armstrong, Board Member
 Sue Moss, Clerk

The Public Hearing was called to order at 8:10 a.m. by Supervisor Lorie Sellen-Gross with the Pledge of Allegiance to the Flag.

The purpose of this Public Hearing is to hear public comment upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of the Genoa-King Ferry Water District, in said Town, consisting of several capital improvement projects to update and protect the existing ground water wells, to provide for treatment upgrades, to provide for metering and pump station upgrades, to upgrade electrical systems and distribution telemetry and efficiencies, to make infrastructure reconstruction and upgrades, and replace obsolete equipment and parts nearing or past the end of their useful life, and to upgrade water lines and install hydrants along SR 90, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith at a maximum estimated cost of \$1,782,041.

It is noted that there were no visitors in attendance at this meeting.

RESOLUTION 70-2017 PUBLIC HEARING CLOSED AT 8:35 AM

On a motion of Councilperson Slocum, seconded by Councilperson White, the following resolution was

ADOPTED Ayes 4 Sellen-Gross, Slocum, Armstrong, White
 Nays 0

Resolved that the Public hearing be closed at 8:35a.m. as there were no visitors, therefore, no comments.

The Special Meeting was opened at this time.

RESOLUTION 71-2017 SUPPORT OF FINANCIAL ASSISTANCE APPLICATION THROUGH THE 2017 NYS ENVIRONMENTAL FACILITIES CORPORATION WATER INFRASTRUCTURE IMPROVEMENT ACT PROGRAM, AND AUTHORIZING TOWN SUPERVISOR TO EXECUTE AND MANAGE SAME

The following Resolutions were duly presented for consideration by the Town Board:

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WHEREAS, the Town of Genoa proposes to undertake Water District Extension & Improvements consisting of improvements to the existing municipal water system serving the hamlets of Genoa and King Ferry in order to eliminate health and safety issues, and comply with regulatory standards to include: extension of the well casings aboveground to meet regulatory standards, relocation of residential septic systems that are within the 200 ft. buffer for public water supply wells, improvements within the treatment building to consist of installing new meters, valves, electrical equipment, pump and telemetry controls, increasing chlorine disinfection and contact time improvements, upgrading the treatment building security, replacing/repairing critical sections of the levee that protects the Town's well field and treatment building, improvements to the water storage tanks and altitude valve, renovations to the pressure reducing valve vault, extension of water mains, and installing hydrant units along the transmission line between the two hamlets (hereinafter collectively called the "Project"); and

WHEREAS, the Town of Genoa is seeking financial assistance through the 2017 NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act Program; and WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT:

RESOLVED that the Town Supervisor of Genoa has been authorized to submit an application for grant funding under the NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act Program on behalf of the Town of Genoa; and

RESOLVED that the Town Supervisor of Genoa is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Town of Genoa's obligations under the Water Infrastructure Improvement Act Grant Agreement; and

RESOLVED that the Town Supervisor of Genoa is authorized to execute expenditures for the Town of Genoa's Water District Extension & Improvements Project under the NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act Program on behalf of the Town of Genoa.

The question of adoption of such proposed Resolution was duly motioned by Councilperson Slocum, duly seconded by Councilperson White, and put to a roll call vote with the following results:

Supervisor Lorie Sellen-Gross - aye
Councilperson Albert J. Armstrong, Jr. - aye
Councilperson Cheryl Shields - absent
Councilperson Donald Slocum - aye
Councilperson Brandon White - aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 23, 2017.

RESOLUTION 72-2017 AUTHORIZING THE ISSUANCE OF \$1,782,041 BONDS OF THE TOWN OF GENOA, CAYUGA COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE GENOA-KING FERRY WATER DISTRICT, IN THE TOWN OF GENOA, CAYUGA COUNTY, NEW YORK

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of the Genoa-King Ferry Water District, in the Town of Genoa, Cayuga County, New York, at a maximum estimated cost of \$1,782,041; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse effects on the environment; and

WHEREAS, it is now desired to authorize such capital project and it's financing; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Genoa, Cayuga County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the increase and improvement of the Genoa-King Ferry Water District, in the Town of Genoa, Cayuga County, New York, consisting of several capital improvement projects to update and protect the existing ground water wells, to provide for treatment upgrades, to provide for metering and pump station upgrades, to upgrade electrical systems and distribution telemetry and efficiencies, to make infrastructure reconstruction and upgrades, and replace obsolete equipment and parts nearing or past the end of their useful life, and to upgrade water lines and install hydrants along SR 90, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$1,782,041 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$1,782,041, which class of objects or purposes is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is by the issuance of the \$1,782,041 bonds of said Town authorized to be issued pursuant to this bond resolution; **PROVIDED, HOWEVER**, that to the extent that any grants-in-aid are received for such specific object or purpose or the Town Board shall appropriate other monies of the Town therefore, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Genoa, Cayuga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds 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 bonds becoming due and payable in such year. To the extent not paid from monies raised from said the Genoa-King Ferry Water District in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) 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 days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of adoption of such proposed Resolution was duly motioned by Councilperson White, duly seconded by Councilperson Slocum, and put to a roll call vote with the following results:

- Supervisor Lorie Sellen-Gross - aye
- Councilperson Albert J. Armstrong, Jr. - aye
- Councilperson Cheryl Shields - absent
- Councilperson Donald Slocum - aye
- Councilperson Brandon White - aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 23, 2017.

RESOLUTION 73-2017

In the Matter of The Increase and Improvement of Facilities of The Genoa-King Ferry Water District in the Town of Genoa, Cayuga County, New York	PUBLIC INTEREST ORDER
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WHEREAS, the Town Board of the Town of Genoa, Cayuga County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Genoa-King Ferry Water District, in the Town of Genoa, Cayuga County, New York (the "Genoa-King Ferry Water District"), consisting of several capital improvement projects to update and protect the existing ground water wells, to provide for treatment upgrades, to provide for metering and pump station upgrades, to upgrade electrical systems and distribution telemetry and efficiencies, to make infrastructure reconstruction and upgrades, and replace obsolete equipment and parts nearing or past the end of their useful life, and to upgrade water lines and install hydrants along SR 90, including original furnishings, equipment, machinery, apparatus,

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appurtenances and incidental improvements and expenses in connection therewith at a maximum estimated cost of \$1,782,041; and

WHEREAS, at a meeting of said Town Board duly called and held on June 12, 2017, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of The Genoa-King Ferry Water District in said Town at a maximum estimated cost of \$1,782,041, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Genoa, New York, in said Town, on June 23, 2017, at 8:00 o'clock A.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Genoa, Cayuga County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of the Genoa-King Ferry Water District, in the Town of Genoa, Cayuga County, New York, consisting of several capital improvement projects to update and protect the existing ground water wells, to provide for treatment upgrades, to provide for metering and pump station upgrades, to upgrade electrical systems and distribution telemetry and efficiencies, to make infrastructure reconstruction and upgrades, and replace obsolete equipment and parts nearing or past the end of their useful life, and to upgrade water lines and install hydrants along SR 90, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith at a maximum estimated cost of \$1,782,041; and

Section 2. This Order shall take effect immediately.

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

Lorie Sellen-Gross VOTING aye
Albert Armstrong VOTING aye
Brandon White VOTING aye
Donald Slocum VOTING aye

The Order was thereupon declared duly adopted.

With no further business, on a motion of Supervisor Sellen-Gross, seconded by Board member Slocum, the special meeting was adjourned at 8:50 a.m. Carried unanimously.

Susan B. Moss, Town Clerk