

MINUTES OF THE REGULAR TOWN BOARD MEETING
Tuesday, April 14, 2020
AT 7:00 PM

RESOLVED BY THE TOWN BOARD OF THE TOWN OF NUNDA, NEW YORK (hereinafter referred to as the “Town”), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Nunda shall undertake certain capital improvements consisting of the acquisition and construction of a new Highway Garage, Salt Barn and Cold Storage Building on Town-owned property at Hay Road in Nunda, New York, various site and other incidental improvements in connection therewith and the acquisition of original furnishings, equipment, machinery or apparatus that may be required in connection therewith for such construction and Town use (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount not to exceed \$2,300,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose, and such amount is hereby appropriated therefor.

Section 2. The estimated maximum aggregate cost of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$2,300,000. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized, to be offset and reduced dollar for dollar by the amount of grants received, presently expected to be \$500,000, and by any other available funds of the Town, presently expected to be up to approximately \$200,000.

Section 3. It is hereby determined and declared that (a) such buildings shall be class “A” buildings as defined in Subdivision 11 of Paragraph a of Section 11.00 of the Local Finance Law, and said purpose is one of the class of objects or purposes described in Subdivision 11 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of ad valorem taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

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Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Nunda.

Section 7. The faith and credit of the Town of Nunda, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and 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.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Town Clerk of the Town of Nunda together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or 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 (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Town of Nunda, pursuant to Section 35.00 of the Local Finance Law.

The Motion having been duly seconded, it was adopted and the following votes were cast:

Supervisor, Merilee Walker	aye
Councilperson, Martha Blair	aye
Councilperson, Michael Hillier	aye
Councilperson, James Forrester	aye
Councilperson, Randall Morris	aye

Resolution No. 5 of 2020

ii.) *Bid Authorization.*

WHEREAS, the Town Board of Nunda (hereinafter referred to as the Town Board) is intending to construct a new Highway Facility on property owned by the Town located on the north side of Hay Road which is approximately 250 feet west of Mt. Morris Nunda Road in the Town of Nunda, New York.

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WHEREAS, the project includes the construction of a pre-engineered metal building which will be approximately 11,500 square feet. The building includes vehicle storage garage areas (six bays), an administrative area, shop and storage areas. The garage building is Type II construction; as the building structure and elements are noncombustible. Also, incorporated into the project is a Salt/Sand Storage Barns, Cold Storage, Fuel Station, site work and utility extensions.

WHEREAS, the project will be publicly bid in accordance with Town on Nunda Procurement Policy and New York State requirements. Four (4) prime contractors are needed to complete the project which includes: General Construction, Electrical, Mechanical (HVAC) and Plumbing. Site work, water and sewer utility extensions, Salt/Sand Storage, Cold Storage and the Fuel station will be completed by the Town Highway Department.

NOW, THEREFORE BE IT RESOLVED that the Town Board authorize the project to be placed out to bid upon completion of Contract Documents as prepared by MRB Group. Once Contract Documents are completed an advertisement will be prepared and will need to be published in the official Town paper of the Town of Nunda to notify interested parties that the Town is soliciting bids for the project.

Motion made by James Forrester, seconded by Martha Blair. The motion having been duly seconded, it was adopted and the following votes were cast:

Supervisor, Merilee Walker	Aye
Councilperson, Martha Blair	Aye
Councilperson, Michael Hillier	Aye
Councilperson, James Forrester	Aye
Councilperson, Randall Morris	Aye

Resolution No. 6 of 2020

iii.) SEQR Resolution - Designating Lead Agency

Whereas, the Town of Nunda Town Board (hereinafter referred to as Town Board) has on Tuesday, February 11, 2020 declared its intent to be designated the Lead Agency for the Town of Nunda Highway Garage Project under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

Whereas, the Town Board has provided written notices to this effect to the involved and interested agencies; and

Whereas, the Town Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under SEQR Regulations; and

Whereas, the Town Board has previously determined that it is the most appropriate agency to ensure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

Now, therefore be it resolved that the Town Board does hereby designate itself as the lead agency for the Action identified above herein;

Motion made by Mike Hillier, seconded by Martha Blair. The motion having been duly seconded, it was adopted and the following votes were cast:

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Supervisor, Merilee Walker	Aye
Councilperson, Martha Blair	Aye
Councilperson, Michael Hillier	Aye
Councilperson, James Forrester	Aye
Councilperson, Randall Morris	Aye

Resolution No. 7 of 2020

iv.) SEQR Resolution – Determination of Environmental Significance

Whereas, the Town of Nunda Town Board (hereinafter referred to as Town Board) has determined the above referenced Action to be an Unlisted Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

Whereas, the Town Board has reviewed and accepted the completed Short Environmental Assessment Form Parts 1, 2 and 3 on the Action prepared by the MRB Group; and

Whereas, the Town Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

Whereas, the Town Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

Whereas, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Short Environmental Assessment for Parts 1, 2 and 3.

Now therefore be it resolved, that said Action will not result in any significant adverse environmental impacts based on the review of the Short Environmental Assessment Form; and

Be it finally resolved that the Town Board does hereby make a Determination of Non-Significance on said Action, and the Supervisor is hereby directed issue the Negative Declaration as evidence of the Town Board determination of environmental non-significance.

Motion made by Randy Morris, seconded by Mike Hillier. The motion having been duly seconded, it was adopted and the following votes were cast:

Supervisor, Merilee Walker	Aye
Councilperson, Martha Blair	Aye
Councilperson, Michael Hillier	Aye
Councilperson, James Forrester	Aye
Councilperson, Randall Morris	Aye

AUDIT BILLS

There was a motion to approve the Audited Abstracts for the month of April 2020. These abstracts include;

- *General Fund* Claim number, 65-84, in the amount of \$12,977.35, as set forth in abstract No. G-4, dated 04/14/2020. Voucher No. 65 was classified as a prepay in the amount of \$360.00.
- *Highway Fund* Claim number, 59-81, in the amount of \$59,987.12, as set forth in abstract No. H-4, dated 04/14/2020.
- *Police Fund* Claim number, 18-28, in the amount of \$4,199.27 as set forth in abstract No. P-4, dated 04/14/2020. Vouchers 18-19 were classified as prepaids in the amount of \$1,962.67.

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- *Capital Project* Claim number, 34-5, in the amount of \$16,903.90, as set forth in abstract No. C-4, dated 04/14/2020.

Motion was made to approve the audited abstracts. Motion was made by Mike Hillier, seconded by Randy Morris
The motion having been duly seconded, it was adopted and the following votes were cast:

Supervisor, Merilee Walker	Aye
Councilperson, Martha Blair	Aye
Councilperson, Michael Hillier	Aye
Councilperson, James Forrester	Aye
Councilperson, Randall Morris	Aye

ADJOURNMENT

Being that there was no further business, there was a motion to adjourn.

Motion was made by Jim Forrester, seconded by Mike Hillier and carried 5-0.

The meeting adjourned at 7:30 PM.

RESPECTFULLY SUBMITTED,

CHEYENNE DEMARCO
NUNDA TOWN CLERK