

Present: Mayor Kenney, Trustees Carpenter, Dill, and Sorochty, Attorney Sansone, Officer Moulton

Excused: Trustee Penna

Absent: none

Public Present: Rochelle Moroz, Sharon Miller

Motion by Trustee Dill and seconded by Trustee Carpenter to begin the board meeting at 7:22 pm and accept the agenda as presented.

Motion carried 4/0/0/ 1 Absent

Motion by Trustee Dill and seconded by Trustee Carpenter to approve minutes of Board Meeting held on 5/13/2014 and 5/28/2014.

Motion carried 3/0/1 Abstain/1 Absent

OLD BUSINESS:

- Water meter rental charge
 - Attorney Sansone will review current Water Regulation and submit findings to Board
- Collections Company – setting limit of when to send to collections.
 - Board will review contract and get their opinions to Attorney Sansone
- Frisbee Terrace
 - Trustee Sorochty brought the Surveyors maps to meeting to discuss with Board and Superintendent Nenni, discussions will continue on the areas that surveyor pointed

DISCUSSION:

- Block party on corner of West Albion & Orchard Street – Harold Daly & Darin Kennedy
 - Attorney Sansone will email Clerk Murray with the RELEASE OF LIABILITY AND ASSUMPTION OF RISK to have organizers of event sign and date.

3. Motion by Trustee _____ and seconded by Trustee _____ to approve voucher summary totals as indicated below:

FUND	PRE-PAID	ABSTRACT	TOTALS
TREASURER' ACCOUNT	\$ 17,339.33	\$ 99,262.28	\$116,601.61
TOTAL			\$ 116,601.61
E (ELECTRIC)	\$ 69,370.09	\$ 62,130.68	\$ 131,500.77
MONTHLY TOTALS			\$ 248,102.38

Motion carried

Motion carried 4/0/0/ 1 Absent

~~Motion by Trustee _____ and seconded by Trustee _____ to approve built and painted chipper box for the Electric department, cost not to exceed \$1,100.00.~~

~~Motion carried _____~~

Motion by Trustee _____ and seconded by Trustee _____ to approve tabled invoice from Fred's Flags for annual maintenance contract, \$1275.00, appropriation A.5110.4

Motion Denied 0/4/1 absent

Motion by Trustee Carpenter and seconded by Trustee Sorochty to approve purchase dielectric rubber boots and FR rain jacket, cost not to exceed \$300.00

Motion carried 4/0/0/ 1 Absent

Motion by Trustee Dill and seconded by Trustee Carpenter to approve Resolution 2014-16

RESOLUTION NO. 2014-16

URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR TO CONTINUE TO ADDRESS UNFUNDED MANDATES THAT USE LOCAL TAX DOLLARS TO FUND STATE AND FEDERAL PROGRAMS AND SERVICES

WHEREAS, many municipalities in New York State face significant fiscal challenges that are amplified by a slow economic recovery and a state imposed restriction on local revenues; and

WHEREAS, in most instances the county fiscal challenges are directly tied to state imposed mandates and reduced state reimbursement; and

WHEREAS, counties play a central role in delivering state services, due to our state mandated role in the administration and financing of a wide variety of state programs; and

WHEREAS, in 2013, the state enacted Medicaid reforms to assume all of the growth in spending from the local taxpayers by 2015; and

WHEREAS, local taxpayers continue to fund \$7.5 billion of Medicaid costs; now be it

RESOLVED, that the Village of Holley strongly encourages the Governor and State Legislature to work to address the underlying causes of fiscal stress facing so many localities; and be it

FURTHER RESOLVED, that the Village of Holley believes the State must work diligently to enact a no new unfunded mandates law and constitutional protections against future unfunded mandates; and be it

FURTHER RESOLVED, that copies of this resolution shall be forwarded to Governor Andrew M. Cuomo, State Senator George Maziarz, Assembly Member Stephen Hawley, Assembly Member Jane Corwin, NYSAC, all Towns and Villages in Orleans County, and all others deemed necessary and proper.

Roll Call:

Kenney – aye, Carpenter-aye, Dill-aye, Penna- absent Sorochty- aye

4 Aye, 0 Nay, 0 Abstain, 1 Absent

Motion carried 4/0/0/ 1 Absent

CERTIFICATE OF CLERK

STATE OF NEW YORK:

COUNTY OF ORLEANS: ss.:

VILLAGE OF HOLLEY:

I, Jane Murray, Village Clerk of the Village of Holley, Orleans County, New York, DO HEREBY CERTIFY that I have compared the foregoing resolution duly adopted by the Village Board of the Village of Holley on the 10th day of June, 2014 with the original thereof now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

Dated: June 10, 2014

Jane Murray, Village Clerk

Motion by Trustee Dill and seconded by Trustee Sorochty to approve Resolution 2014-17 financing of 2012 Chevrolet Caprice PPV from the Town of Greece. Financed through First Niagara Bank.

**RESOLUTION AND
DECLARATION OF OFFICIAL INTENT**

Lessee: Village of Holley

Principal Amount Expected To Be Financed: \$17,000.00 – 2012 Chevrolet Caprice PPV

WHEREAS, the above Lessee is a political subdivision of the state in which Lessee is located (the “State”) and is duly organized and existing pursuant to the Constitution and laws of the State.

WHEREAS, pursuant to applicable law, the governing body of the Lessee (“Governing Body”) is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee.

WHEREAS, the Governing Body hereby finds and determines the execution of one or more lease-purchase agreements (“Equipment Leases”) in the principal amount not exceeding the amount stated above (“Principal Amount”) for the purpose of acquiring the property generally described below (“Property”) and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee.

WHEREAS First Niagara Leasing, Inc. (“Lessor”) is expected to act as the Lessor under the Equipment Leases.

WHEREAS, the Lessee may pay certain capital expenditures in connection with the property prior to its receipt of proceeds of the Equipment Leases (“Lease Purchase Proceeds”) for such expenditures and such expenditures are not expected to exceed the Principal Amount.

WHEREAS, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

NOW, THEREFORE, Be It Resolved by the Governing Body of the Lessee:

Section 1. The Lessee hereby determines that it has critically evaluated the financing alternatives available to it pursuant to 2 NYCRR Section 39.2 and that entering into the Equipment Leases and financing the acquisition of the Property thereby is in the best interests of the Lessee. Such evaluation shall be available as a public record.

The specific reason for such determination is that entering into such Equipment Leases results in a lower overall cost to the Lessee. Execution of the Equipment Leases will not cause the Lessee to be in violation of the limits contained in paragraph c of subdivision 6 of Section 109-b of the General Municipal Law.

Section 2. The Lessee is hereby authorized to acquire and install the Property (the “Project”) and is hereby authorized to finance the Project by entering into the Equipment Leases. Any action taken by the Lessee in connection therewith is hereby ratified and confirmed.

Section 3. Either one of the Board of Trustees **OR** the Clerk Treasurer (each an “Authorized Representative”) acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 4. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 6. The Lessee’s obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee’s obligations under the Equipment Leases shall not constitute general obligations of the lessee or indebtedness under the Constitution or laws of the State.

Section 7. It is hereby determined that the purpose of the Project is an object or purpose described in subdivision 32 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is] (two) years.

Section 8. It is hereby determined the term of the Equipment Leases authorized by this resolution will not be in excess of (two) years

Section 9. The Governmental Body has determined that the Project 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 (“SEQR”) is required.

Section 10. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee’s official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

Section 11. The Authorized Representative 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 Equipment Leases authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code, conditioned upon Attorney approval.

Section 12. This resolution is not subject to any mandatory or permissive referendum pursuant to the Local Finance Law or Section 109-b of the General Municipal Law.

Section 13. This Resolution shall take effect immediately upon its adoption and approval.

Roll Call:

Kenney –aye, Carpenter- aye, Dill- aye, Penna – absent Sorochty- aye

4 Aye, 0 Nay, 0 Abstain, 1 Absent

Motion carried 4/0/0/ 1 Absent

ADOPTED AND APPROVED on this June 10, 2014.

The undersigned **Secretary/Clerk** of the above-named Lessee hereby certifies and attests that (i) the undersigned has access to the official records of the Governing Body of the Lessee, (ii) the foregoing resolutions were duly adopted by the favorable vote of not less than [two-thirds/three-fifths] of all the members of said Governing Body of the Lessee at a [regular/special] meeting of said Governing Body duly called, regularly convened and attended throughout by the requisite quorum of the members thereof , (iii) such resolutions have not been amended or altered and are in full force and effect on the date stated below and (iv) such meeting of the Governing Body relating to the authorization and delivery of the Equipment Lease has been (a) held within the geographic boundaries of the Lessee; (b) open to the public, allowing all people to attend (c) conducted in accordance with internal procedures of the Governing Body and (d) conducted in accordance with the charter of the Lessee, if any, and laws of the State.

Signature of Secretary/Clerk of Lessee

Print Name: _____

Official Title: Village Clerk Treasurer

Date: June 11, 2014

Motion by Trustee Dill and seconded by Trustee Carpenter to approve purchase of Granular Chlorine for WWTP, PO# 0297 for amount not to exceed \$600.00

Motion carried 4/0/0/ 1 Absent

Motion by Trustee Sorochty and seconded by Trustee Carpenter to approve removing liquid sludge from WWTP, hauled by Waste Management, cost not to exceed \$4,000.00

Motion carried 4/0/0/ 1 Absent

~~11. Motion by Trustee _____ and seconded by Trustee _____ to approve spending \$2,000.00 on OSHA approved clothing for the Electric department~~

~~Motion carried _____~~

- Trustee Carpenter gave information to Attorney Sansone regarding OSHA regulations on clothing and statues on current law to review.

Motion by Trustee Sorochty and seconded by Trustee Dill to approve NYS E-Z Pass for Electric Dept. vehicle & DPW vehicle, cost to implement program \$201.00

Motion carried 4/0/0/ 1 Absent

Motion by Trustee Dill and seconded by Trustee Carpenter to approve hiring two (2) part-time seasonal workers for the DPW to maintain grass in the Village of Holley May through October 31st. Hours not to exceed 19.75 per week, hourly wage \$9.00.

Motion carried 4/0/0/1 Absent

Motion by Sorochty and seconded by Trustee Carpenter to approve the purchase two (2) steel trash cans for the Village Square at a cost not to exceed \$1,000.00, Parks department

Motion carried 4/0/0/1 Absent

Motion by Sorochty and seconded by Carpenter to approve the purchase of eighteen (18) – six (6) foot concrete barriers for the Electric department, cost not to exceed \$800.00.

Motion carried 4/0/0/1 Absent

Motion by Trustee Dill and seconded by Trustee Carpenter to hire five (5) Part-time Police Officers for the Village of Holley

Motion carried 4/0/0/1 Absent

Motion by Trustee Dill and seconded by Trustee Carpenter to move into Executive Session at 7:56 p.m.
Motion carried 4/0/0/1 Absent

Motion by Trustee Sorochty and seconded by Trustee Carpenter to close Executive Session at 8:40 p.m.
Motion carried 4/0/0/1 Absent No Action Taken in Executive Session

Motion by Trustee Carpenter and seconded by Trustee Sorochty to adjourn Village of Holley Board of Trustee meeting at 8:41 p.m.
Motion carried 4/0/0/1 Absent

Respectfully submitted by:
Jane Murray
Village Clerk Treasurer