

**VILLAGE OF FAYETTEVILLE
BOARD OF TRUSTEES
2/9/16**

Minutes of the Village of Fayetteville Board of Trustees meeting held Tuesday, February 9, 2016 at 6:00pm.

PRESENT:

Mayor Olson	Clerk Corsette
Trustee Kinsella	Attorney Spencer
Trustee Small	Chief Hildreth
Trustee Randall	Tony Corasaniti

Mayor Olson called the meeting to order at 6:00pm in the Board Room of the Fayetteville Village Hall.

Mayor Olson led those present in a recitation of the Pledge of Allegiance.

MINUTES JANUARY 25, 2016

Trustee Small made a motion to accept the minutes of the January 25, 2016 meeting. Trustee Randall seconded the motion and it was carried by a unanimous vote.

ABSTRACT #16

Trustee Kinsella made a motion to approve Abstract #16 in the amount of \$161,510.27. Trustee Small seconded the motion and it was carried by unanimous vote.

CHAPEL STREET PARKING SIGNAGE

The board discussed the parking restrictions along Chapel Street.

Trustee Small made a motion to authorize Superintendent Massett to change the Parking Signs along the first block of Chapel Street to allow parking on Saturdays, Sundays and Holidays. Trustee Randall seconded the motion and it was carried by unanimous vote.

LOCAL LAW UPDATE- TOWNHOUSES

Trustee Kinsella made a motion to hold a Public Hearing on February 22, 2016 at or around 6:00pm to hear comment on the proposed Local Law to amend Chapter 187 to include Townhouses. Trustee Randall seconded the motion and it was carried by unanimous vote.

DUPLICATE STREET LIGHTS – MECHANIC ST. & BROOKLEA DRIVE

Trustee Kinsella made a motion to request National Grid to remove the overhead Street Lights from Pole Numbers 5 and 3.1 on Mechanic Street and Brooklea Drive. These lights are no longer needed since the Village installed the decorative street lights last fall. Trustee Randall seconded the motion and it was carried by unanimous vote.

TREE COMMISSION APPOINTMENT

Trustee Small made a motion to accept the appointment of Cookie Hanes to the Fayetteville Tree Commission to fill the remainder of the term vacated by Kristen Pechacek. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to accept the appointment of Randi Archambo as an Associate Member of the Fayetteville Tree Commission to fill the remainder of the one (1) year term that expires March 31, 2016. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

DPW VEHICLE REPLACEMENT

Trustee Small made a motion to authorize Superintendent Massett to purchase two (2) new 2016 Pick-up Trucks under National Joint Powers Alliance Contract 102811 for a cost not to exceed \$40,000 each. These vehicles will replace the 2006 Truck and the 2003 F-450. Trustee Randall seconded the motion and it was carried by unanimous decision.

DPW PROJECT UPDATES-

Superintendent Massett provided the following update

1. Still waiting for Army Corps of engineers to give us the ok in the wet land area on East side of the Ledyard Canal.
2. New Refuse Truck: Put in service 2/8/16. International with red cab and body. Old refuse truck will pick up recycling.
3. Radar sign: Elm St. Report
4. Beard Pond: Waiting on Ice
5. Brookside: Large Willow tree removed that fell over in wind storm last week.

6. Brookside slip lining Sewers: Started video sewer lines in the area.
7. Old refuse and bucket truck will be put up for auction next week.
8. Recycling OCRRA: Waste Management will wave a \$15/ Ton charge if we sign a two year contract with them to bring are recycling to their facility. Waiting on the contract.

FIRE DEPARTMENT APPLICATIONS

Trustee Kinsella made a motion to accept the application for membership to the Fayetteville Fire Department from Derrick Lee. Trustee Randall seconded the motion and it was carried by unanimous vote.

LADDER TRUCK REPAIRS-

Chief Hildreth explained to the board that the Ladder Truck will be going in for warranty work and while the truck is out of service he would like to get the body painted and restriped. The cost is \$22,375.

Trustee Kinsella made a motion to authorize Chief Hildreth to have the additional work done to the Ladder Truck which will include painting and restriping for a cost not to exceed \$22,375. Trustee Randall seconded the motion and it was carried by unanimous vote.

NEW HIRE FIREFIGHTER/PARAMEDIC

Chief Hildreth recommended that the board hire James Bergman, who currently works Full-time with the Tully Fire Department and Part-time with the Dewitt Fire Department, to fill the vacancy left by Michael Dixon.

Trustee Small made a motion to hire James Bergman as a Full-time Firefighter/Paramedic as a probationary employee and to pay him the salary as prescribed in the Town of Manlius Professional Fire Fighters Association Contract with a probationary period of 52 weeks. Trustee Kinsella seconded the motion and it was carried by unanimous vote.

MEMORANDUM OF UNDERSTANDING – VILLAGE OF MANLIUS

Trustee Small made a motion to authorize Mayor Olson to sign the Memorandum of Understanding between the Village of Fayetteville and the Village of Manlius allowing the Village of Manlius to borrow certain pieces of Firefighting or Emergency Equipment from the Fayetteville Fire Department when deemed necessary and appropriate by the Fire Chief. Trustee Randall seconded the motion and it was carried by unanimous vote.

REFUNDING BOND RESOLUTION

Trustee Kinsella made a motion that the Village Board of Trustees will be the Lead Agency for purposes of SEQR for the uncoordinated review as it relates to the issuance of a Refunding Serial Bond. Trustee Small seconded the motion and it was carried by unanimous vote.

Trustee Kinsella made a motion that there were no adverse Environmental Impacts associated with the issuance of a Refunding Bond and that made a Negative Declaration. Trustee Randall seconded the motion and it was carried by unanimous vote.

Trustee Small made a motion to adopt the following Resolution. Trustee Randall seconded the motion and it was carried by unanimous vote:

REFUNDING BOND RESOLUTION, DATED FEBRUARY 9, 2016.

RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE VILLAGE OF FAYETTEVILLE, ONONDAGA COUNTY, NEW YORK, AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

WHEREAS, the Village of Fayetteville, Onondaga County, New York (the “Village”) has outstanding \$3,930,000 of Public Improvement (Serial) Bonds dated June 15, 2010 originally issued in the amount of \$6,450,000 (the “Refunded Bonds”) and

WHEREAS, it would be in the public interest to refund all of the outstanding principal balance of the Refunded Bonds, or a portion thereof, by the issuance of refunding bonds pursuant to the Local Finance Law; and

WHEREAS, the Village of Fayetteville has the opportunity to refund, pursuant to the Local Finance Law, said outstanding principal balance of the Refunded Bonds; and

WHEREAS, such refunding will result in present value savings in debt service per the Local Finance Law;

NOW, THEREFORE, BE IT

RESOLVED, by the Village of Fayetteville, Onondaga County, New York, as follows:

Section 1. For the object or purpose of refunding the outstanding principal balance of the Refunded Bonds, or such portion thereof as the Chief Fiscal Officer shall determine to be in the best financial interests of the Village, including providing

moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date on which the Refunded Bonds are to be called prior to their respective maturities, and (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including, without limitation, the development of the Refunding Financial Plan as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the Escrow Contract, as hereinafter defined, and fees and charges of the Escrow Holder, as hereinafter defined and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the Refunding Bonds herein authorized to be issued there are hereby authorized to be issued not exceeding \$4,170,000 refunding bonds of the Village pursuant to the provisions of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of the Refunding Bonds actually to be issued will be approximately \$3,930,000 as provided in Section 4 hereof. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the Village pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 9 hereof relating to approval by the State Comptroller.

Section 2. (a) The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Village shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the Village of Fayetteville by lot in any customary manner of selection as determined by the Village. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date and as otherwise applicable and provided in Securities and Exchange Commission Release No. 34-23856, as the same may be amended from time to time. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

(b) The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (the "DTC"), which will act as securities depository for the bonds in accordance with the "Book-Entry-Only System" of DTC. In the event that either DTC shall discontinue the Book-Entry-Only System or the Village shall terminate its participation in such Book-Entry-Only System, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to The Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the Village Treasurer, as Fiscal Agent, as hereinafter provided).

(c) In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the Village maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the Village providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the Village Treasurer, as fiscal agent of the Village for the Refunding Bonds (collectively, the "Fiscal Agent").

(d) Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

(e) Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

(f) The Village Treasurer, as chief fiscal officer of the Village is hereby authorized to enter into an agreement or agreements, if appropriate, containing such terms and conditions as she shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said Village, to perform the services described

in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the Village, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form.

(g) The Village Treasurer is hereby further delegated all powers of this Village with respect to any agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

(h) The Refunding Bonds shall be executed in the name of the Village by the manual or facsimile signature of the Village Treasurer, and a facsimile of its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain all recitals required by the Local Finance Law, including, but not limited to, the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and the recital that they are issued pursuant to Chapter 33-a of the Consolidated Laws of New York, 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 Village Treasurer shall determine. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed any applicable limitations imposed by the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the respective Refunded Bonds, for each of the objects or purposes for which such respective Refunded Bonds were issued is as shown upon Exhibit A;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of each of the objects or purposes for which said respective Refunded Bonds were issued in accordance with the provisions of the Local Finance Law; and

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, if any, computed in accordance with the provisions of the Local Finance Law, with regard to each of the Refunded Bonds, is as shown in the "Refunding Financial Plan" described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the “Refunding Financial Plan”), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit B attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in a single series in the approximate principal amount of \$3,930,000, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit B attached hereto and made a part of this resolution. This Board of Trustees recognizes that the Refunding Bonds may be issued in series and for only one or more of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the Village will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit B. The Village Treasurer is hereby authorized and directed to determine which of the Refunded Bonds will be refunded and at what time, the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of the Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the Village Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of the Local Finance Law, to the extent applicable. The Village Treasurer shall file copies of all certificates determining the details of the Refunding Bonds and, if required, the final Refunding Financial Plan with the Village not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The Village Treasurer is hereby authorized to enter into an escrow contract or contracts (collectively the “Escrow Contract”), if needed, with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said Treasurer shall designate (collectively the “Escrow Holder”) for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in the Local Finance Law, to the extent applicable.

Section 6. The faith and credit of said Village, is hereby irrevocably pledged to the payment of the principal of and interest on the Refunding 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.

There shall be annually levied on all the taxable real property in said Village tax sufficient to pay the principal of an interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest, if any, on the Refunding Bonds shall be paid to the Village to be expended to pay interest on the Refunding Bonds on the first interest payment date established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Village irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the Village shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an “arbitrage bond” as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of the Local Finance Law, in the event such bonds are refunded, the Village hereby elects to call in and redeem each Respective Series of Refunded Bonds which the Village Treasurer shall determine to be refunded in accordance with the provisions of Section 4 hereof and with regard to which the right of early redemption exists. The sum to be paid therefore on such redemption date shall be the par value thereof plus any redemption premium, and the accrued interest to such redemption date. The Escrow Agent for the Refunded Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the Village in the manner and within the times provided in the Refunded Bonds Certificate. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to cause notice thereof to be given shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with any applicable publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at private sale to such underwriter (“Underwriter”) and for such purchase price as shall be determined by the Village Treasurer, plus accrued interest, if any, from the date of the Refunding Bonds to the date

of delivery of and payment for the Refunding Bonds, subject to the approval of the terms and conditions of such sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law. The Village Treasurer is hereby authorized to execute and deliver a purchase contract or similar agreement for the Refunding Bonds in the name and on behalf of the Village providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter.

Section 11. The Village Treasurer and all other officers, employees and agents of the Village are hereby authorized and directed for and on behalf of the Village to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Village Treasurer, as chief fiscal officer of the Village, and all powers necessary to accomplish the issuance thereof are hereby delegated to the said Village Treasurer.

Section 13. The validity of the Refunding Bonds may be contested only if:

(a) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

(b) 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

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

Section 14. The law firm of Mackenzie Hughes, LLP is appointed bond counsel for the Refunding Bonds; and Fiscal Advisors and Marketing Inc. is appointed Financial Advisor for the refunding.

Section 15. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said Village, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

VILLAGE PURCHASE OF PROPERTY

Mayor Olson discussed the idea of the Village purchasing the property at 100 Mill Street. Mayor Olson would like to have an appraiser provide the Village with a report detailing the property value before there is any further consideration. The cost of the appraisal would be \$1,500.

Trustee Small made a motion to authorize Mayor Olson to hire a Real Estate Appraiser to appraise the property at 100 Mill Street for a fee not to exceed \$1,500. Trustee Randall seconded the motion and it was carried by unanimous vote.

ROUNDTABLE

Trustee Randall informed the board that he will be updating the Pandemic Plan. Once the update is complete he will distribute a copy to the essential personnel.

Trustee Randall will be advertising for bids the new carpet for the Justice Court.

Trustee Randall has been working with the USDA and the Deer Committee and the Deer Culling is still a work in process. There will be more information available at the next meeting.

Trustee Kinsella requested that the Village sponsor a performance of Romeo and Juliet by Redhouse Theater on Saturday July 16th for a cost of \$500. This performance will be sponsored by the Fayetteville Recreation, Inc and will be held in Beard Park.

Trustee Small received a quote from DeBrucque Greenhouses, Inc. for the planting and watering of the flower pots.

Trustee Small made a motion to accept the quote from DeBrucque Greenhouses, Inc. to fill water and maintain 67 flower pots for a fee not to exceed \$26,130. Trustee Randall seconded the motion and it was carried by unanimous vote.

Mayor Olson reminded the Board Members that there will be a Consensus Meeting at the Salina Civic Center on Wednesday February 17th at 6:00pm.

Trustee Randall made a motion to adjourn the meeting at 6:55pm. Trustee Small seconded the motion and it was carried by unanimous vote.

Respectfully submitted,

Lorie Corsette, Village Clerk