

VILLAGE OF MOUNT MORRIS
REGULAR BOARD MEETING
July 15, 2024

The Regular Meeting of the Village Board of the Village of Mount Morris, County of Livingston and the State of New York was held at the Village Hall 117 Main Street, Mount Morris, New York on July 15, 2024

PRESENT:

| | |
|------------------|------------------|
| William Manthey | Trustee |
| Kelly Richardson | Trustee |
| Beth Shea | Trustee |
| Tim Bryant | Trustee |
| Lisa Torcello | Clerk/Treasurer |
| David DiMatteo | Village Attorney |

ABSENT: Mayor Joel Mike

ALSO PRESENT: Mark Mullikin, Beverly Sackett, Amanda Coniglio, Grethen Saunders, Cathie Gehrig, Chad Woodworth, Kaylee Leone, Ron Huff, Chris Young, Jennifer Young, and Terry Soto

Deputy Mayor Manthey called the meeting to order and asked everyone to stand for the pledge.

RESOLUTION 99.24

APPROVAL OF ABSTRACT

On a motion from Trustee Bryant second by Trustee Richardson the following resolution was

ADOPTED Ayes 4 Richardson, Manthey, Shea, Bryant

ABSENT 1 Mike

Resolved to approve the following abstract:

ABSTRACT # 2

| | | |
|---------|-------------|-------|
| GENERAL | \$47,693.46 | 28-63 |
| WATER | \$16,743.82 | 17-29 |
| SEWER | \$1250.19 | 15-22 |

ABSTRACT # 3

| | | |
|---------|-------------|------------|
| GENERAL | \$31,248.51 | 53-74 |
| WATER | \$13,061.93 | 32-52 & 58 |
| SEWER | \$12,426.43 | 24-38 & 43 |

ABSTRACT # 4

| | | |
|---------|-------------|---------------|
| GENERAL | \$30,612.64 | 75-93 |
| WATER | \$22,108.69 | 53-57 & 60-66 |
| SEWER | \$3,408.71 | 39-42 & 44-46 |

RESOLUTION 100.24

APPROVAL OF MINUTES

On a motion from Trustee Bryant second by Trustee Richardson the following resolution was

ADOPTED Ayes 4 Richardson, Manthey, Shea, Bryant

ABSENT 1 Mike

Resolve to approve the following minutes for June 17, 2024.

RESOLUTION 101.24

APPROVAL OF REFUND OF UNPAID WATER AND SEWER FROM 2024 VILLAGE TAXES

On a motion from Trustee Bryant second by Trustee Richardson the following resolution was

ADOPTED Ayes 4 Richardson, Manthey, Shea, Bryant

ABSENT 1 Mike

Resolved to approve the refund for tax map number 106.-18-5-38.1 due to error of unpaid water and unpaid sewer for 2024 Village taxes to be corrected this error, as defined by subdivision 2 E of

Section 550 of the Real Property Tax Law is correctable pursuant to Section 556 of the Real Property Tax Law.

RESOLUTION 102.24

APPROVAL OF CARRY OVER VACATION TIME

On a motion from Trustee Bryant second by Trustee Shea the following resolution was

ADOPTED Ayes 4 Richardson, Manthey, Shea, Bryant

ABSENT 1 Mike

On a motion from Trustee Richardson second by Trustee Manthey the following resolution was

Resolve to allow Clerk/Treasurer Torcello to carry over up to forty hours of vacation time on her anniversary date of August 23,2024 per the non-union agreement.

RESOLUTION 103.24

APPROVAL OF INTEREST RATE

On a motion from Trustee Bryant second by Trustee Richardson the following resolution was

ADOPTED Ayes 4 Richardson, Manthey, Shea, Bryant

ABSENT 1 Mike

Resolved to switch all demand accounts over with Five Star Bank to get a high interest rate.

RESOLUTION 104.24

APPROVAL OF NEXBILL PAY WITH CREDIT CARD MACHINE

On a motion from Trustee Richardson second by Trustee Shea the following resolution was

ADOPTED Ayes 4 Richardson, Manthey, Shea, Bryant

ABSENT 1 Mike

Resolved to go with Nexbill pay for the credit card machine pending Mayor Mike to sign the agreement.

RESOLUTION 105.24

APPROVAL OF RESOLUTION OF BOND RESOLUTION

ADOPTED Ayes 4 Richardson, Manthey, Shea, Bryant

ABSENT 1 Mike

At a regular meeting of the Board of Trustees of the Village of Mount Morris, Livingston County, New York, held at the Village Hall, in Mount Morris, New York, in said Village, on the 15th day of July 2024, at 6:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Deputy Mayor Manthey, and upon roll being called, the following were

PRESENT: Trustee Bryant, Trustee Richardson, Trustee Shea & Trustee Manthey

ABSENT: Mayor Joel Mike

The following resolution was offered by Trustee Shea, who moved its adoption, seconded by Trustee Richardson, to-wit:

BOND RESOLUTION DATED JULY 15, 2024.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF AN ADDITIONAL \$155,000 BONDS OF THE VILLAGE OF MOUNT MORRIS, LIVINGSTON COUNTY, NEW YORK, TO PAY A PORTION OF THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO AND RECONSTRUCTION OF THE VILLAGE WATER TREATMENT PLANT, IN AND FOR SAID VILLAGE.

WHEREAS, the capital project hereinafter described has been determined to be a Type II 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, as such, will not have any significant adverse impact on the environment; and

WHEREAS, the Board of Trustees of the Village of Mount Morris, Livingston County, New York, on March 15, 2021, duly adopted a bond resolution authorizing the issuance of \$1,000,000 bonds of said Village to pay the cost of the construction of improvements to and reconstruction of the Village Water Treatment Plant, including original furnishings, equipment, machinery, apparatus, appurtenances, site improvements and incidental improvements and expenses in connection therewith, in and for Village of Mount Morris, Livingston County, New York, and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose is \$1,155,000, an increase of \$155,000 over that previously authorized; and

WHEREAS it is now desired to authorize the issuance of an additional \$155,000 bonds of said Village for such specific object or purpose to pay a portion of the cost thereof; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Mount Morris, Livingston County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the construction of improvements to and reconstruction of the Village Water Treatment Plant, including original furnishings, equipment, machinery, apparatus, appurtenances, site improvements and incidental improvements and expenses in connection therewith, in and for the Village of Mount Morris, Livingston County, New York, there are hereby authorized to be issued an additional \$155,000 bonds of the Village of Mount Morris, Livingston County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be \$1,155,000 which specific object or purpose is hereby authorized at said maximum estimated cost. The plan for the financing of the \$1,155,000 maximum estimated cost thereof is as follows:

- (a) By the issuance of the \$1,000,000 bonds of said Village authorized to be issued pursuant to bond resolution dated March 15, 2021; and
- (b) By issuance of the \$155,000 bonds of said Village herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first obligation issued therefor. 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 Village of Mount Morris, Livingston County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations 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 annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations 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 Village Treasurer, the chief financial officer of such village. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, 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 Village Treasurer, 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 Village, 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 Village Treasurer 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 Treasurer 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 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 bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. 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 Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Village Treasurer 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 specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Village 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 Village Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said Treasurer 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 Village 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. Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This resolution is adopted subject to permissive referendum.

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

Trustee Manthey VOTING Yes

Trustee Richardson VOTING Yes

Trustee Bryant VOTING Yes

Trustee Shea VOTING Yes

VOTING

The resolution was thereupon declared duly adopted.

* * * *

Police Report – given by Assistant Chief Huff

Code & Zoning Report –

Recreation- Trustee Shea stated that 45 kids came in the first week. There is free breakfast and lunch for the kids.

Still working on grants.

Public Comments-

Amanda Coniglio asked if the trustee looked into the email issue that some of theirs got kicked back to her. Trustee Manthey stated that the issue couldn't be discussed in open session.

Grethen Saunders suggested that next time there was an issue with the water that communication to the community is better.

Mrs. Cathy Gehrig wanted to know if the board has been reviewing the village website.

Mrs. Cathy Gehrig suggested to the board that the public and the village attorney should be involved with the new agreement with the Village of Leicester. That this agreement wouldn't be for ten years and that they wouldn't be paying less per quarter than what village residents would be paying per thousand.

With no further business motion by Trustee Richardson second by Trustee Shea to adjourn at 6:30 PM

Lisa J Torcello
Clerk/Treasurer