

DATE OF MEETING: June 2, 2014
PLACE OF MEETING: Village Hall, Pawling, New York
MEMBERS PRESENT: Mayor Robert Liffland
Trustee Stan Mersand
Trustee John Burweger
Trustee Brian Griffin
Trustee Daniel Peters

The meeting was called to order at 7:00 P.M. with the Pledge of Allegiance.

Mayor Liffland thanked the American Legion for the great job they did on Memorial Day.

**BOND RESOLUTION
(SUBJECT TO PERMISSIVE REFERENDUM)**

At a regular meeting of the Board of Trustees of the Village of Pawling, Dutchess County, New York, held at the Village Hall, 9 Memorial Avenue, in Pawling, New York, in said Village, on the 2nd day of June, 2014, at 7 o'clock P.M., Prevailing Time.

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

PRESENT:
Mayor Robert Liffland
Trustee Daniel Peters
Trustee John Burweger
Trustee Brian Griffin
Trustee Stan Mersand

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

BOND RESOLUTION DATED JUNE 2, 2014.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE CONSTRUCTION OF A NEW WATER TREATMENT PLANT, IN AND FOR THE VILLAGE OF PAWLING, DUTCHESS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$2,847,610 AND AUTHORIZING THE ISSUANCE OF \$2,847,610 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the provisions of the New York State Environmental Quality Review

Act and the regulations of the Department of Environmental Conservation promulgated pursuant thereto; a Full Environmental Assessment Form has been prepared in connection therewith; it has been determined that the capital project will not have a significant effect on the environment; and such Full Environmental Assessment Form and determinations are on file in the Office of the Village Clerk and are available for public inspection; and

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

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 Pawling, Dutchess County, New York, as follows:

Section 1. The construction of a new Water Treatment Plant on a Village-owned site adjacent to the lower Pawling Reservoir, in and for the Village of Pawling, Dutchess County, New York, including original equipment, furnishings, machinery, appurtenances, apparatus, reconstruction of existing water distribution infrastructure, as well as incidental improvements and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$2,847,610.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$2,847,610 of serial bonds of the Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose 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 Village of Pawling, Dutchess 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 other sources, there shall annually be levied on all the taxable real property of said Village, 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 Village Treasurer, 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 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, she 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 Village 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 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 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 Village 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 for said specific object or purpose 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 Village 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 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. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

Mayor Liffland explained that the Resolution had to be approved again due to a problem with the timing of the Public Notice. Trustee Griffin asked why the amount of the bond went from \$2.6 million to \$2.8 million. The Clerk said the Bond Resolution amount was the same amount and that she did not know why the project amount increased. Trustee Griffin stated he still wanted the Board to review the Water Department's sources of revenue and expenditures to see how the bond would be financed before actually borrowing any money. Mayor Liffland agreed with Trustee Griffin and said the Resolution would allow the EFC application to continue down the proper channels while the financing was explored. There was no further discussion.

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

Mayor Robert Liffland	VOTING	Aye
Trustee Daniel Peters	VOTING	Aye
Trustee John Burweger	VOTING	Aye
Trustee Brian Griffin	VOTING	Aye
Trustee Stan Mersand	VOTING	Aye

The resolution was thereupon declared duly adopted.

MOTION by Trustee Burweger to approve the Village Green and Public Assembly Events Policy. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

Mr. Bart Clark of Oakwood Environmental, an engineer for the village working on the MS4 program, went over the MS4 Annual Report.

MOTION by Trustee Peters to approve the Annual MS4 Report. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Griffin to approve the GIS inventory request and letter to Dutchess County Planning to do a GIS inventory of the sidewalks. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Griffin to approve the June 7, 2014 Triathlon with the caveat that the Board consider the policy use form in the future and that there is communication way in advance of the event. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to approve the May bills in the amount of \$69,494.04. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to approve the May 22, 2014 prepaids in the amount of \$199.53. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to approve the Metro North bills in the amount of \$970.78. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to adjourn the meeting at 7:38 P.M. and go into Public Comment. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to open the regular session at 7:43 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to go into Executive Session to discuss Personnel. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to close Executive Session and return to regular session. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to adjourn the meeting at 8:04 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Village Clerk