

**Village Board Meeting Minutes
February 2, 2016**

The Village of Caledonia Board of Trustees held a meeting on Tuesday, February 2, 2016 at 6:30 p.m. at the Village Office.

Members Present: Mayor Debbie Davis, Deputy-Mayor Polly Nothnagle, Trustee Scott DiLiberto and Jerry O'Donoghue. Also present: Water & Street Superintendent Chris Buckley, Police Chief Dan Chapman and Code Enforcement Officer Mike Murphy.
Absent: Trustee Dorothy Grant-Fletcher

A **motion** was made by Deputy-Mayor Nothnagle to approve the January 5, 2016 Board Meeting Minutes; Trustee O'Donoghue seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle & Trustee O'Donoghue

NAY: None

Abstain: Trustee DiLiberto was absent from this meeting.

A **motion** was made by Trustee O'Donoghue to approve a Budget Amendment for \$1,200 for A3089 State Aid Court and A1110.400 Court Contractual; Trustee DiLiberto seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

Trustee DiLiberto offered the following resolution with Trustee O'Donoghue moving for adoption:

WHEREAS, a grant, in the amount of \$1,200, was made available to the Village of Caledonia under the Justice Court Assistance program.

WHEREAS, such grant program funds are to be used for projects designed to provide for new office signage,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is authorized to accept the grant award of \$1,200 and that this resolution shall take effect immediately upon adoption.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

A **motion** was made by Deputy-Mayor Nothnagle to approve Budget Transfers; Trustee O'Donoghue seconded the motion:

A1440.400 Engineering Cont \$4,563/A1990.400 Contingent
A1910.400 Unallocated Insurance \$105.44/A1920.400 Dues
A8020.400 Planning Board \$15.38/A8010.400 Zoning Cont
A8560.100 Shade/Tree Pers \$5,095.29/A5142.100 Snow Pers
F1910.400 Unallocated Insurance \$330.90/F8310.200 Water Equip

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

February 2, 2016

Village of Caledonia

Bills were audited and ordered paid:

Abstract #360-361 Water \$13,056.76

Abstract #516, General \$29,719.36 & Water \$1,500.47

A **motion** was made by Trustee DiLiberto to approve the bills paid; Deputy-Mayor Nothnagle seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

A **motion** was made by Deputy-Mayor Nothnagle to approve Mayor Davis to sign a letter to Steven Geer, owner of 3190 Jane Street, regarding water service; Trustee O'Donoghue seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

Clerk-Treasurer Ann Marie Grattan presented the Clerk Report for January.

Submitted were Budget Status Reports for General, Water and Trust & Agency Funds.

A list of revenues and expenditures was presented along with the Financial Report.

Department Supervisors received their current payroll and contractual expense reports.

A **motion** was made by Trustee DiLiberto to accept the report; Trustee O'Donoghue seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

Water & Street Superintendent Chris Buckley presented the DPW Report for

January. Water testing bacteria samples were negative. Stakeouts were performed and new water meter installation continues. Most of January was spent grounding stumps, tree trimming and removal. The shop and water buildings have been cleaned. Equipment repairs were for the Bobcat Skid steer, F-350 truck #5, Truck #3, water van and bucket truck. A **motion** was made by Deputy-Mayor Nothnagle to accept the report; Trustee DiLiberto seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

Chief Chapman presented the Police Report for January. There were 81 service calls, 64 traffic tickets, five Town of Caledonia assists, one accident report and seven arrests. The two new part-time Police Officers are working shifts individually. Two interns continue to record manage old arrest folders through the data entry project. A **motion** was made by Trustee DiLiberto to accept the report; Deputy-Mayor Nothnagle seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

February 2, 2016

Village of Caledonia

Barry Ganzhorn presented the Park Report for January. Donations to the MacKay Park are being received for the recent passing of Barry's wife. Barry asked that the Village Board recognize Officer Evan Bruckel for his efforts made with Sharon Ganzhorn. Also recognized was the EMT crew. A **motion** was made by Deputy-Mayor Nothnagle to accept the report; Trustee O'Donoghue seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

Mike Murphy presented the Code Enforcement Report for January. Permits were issued for new business signs on State Street and a pellet stove. Three unregistered vehicle violation notices were issued. A **motion** was made by Trustee DiLiberto to accept the report; Deputy-Mayor Nothnagle seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

A new Village Fee Schedule will be presented at the March meeting.

Comprehensive Plan: the following resolution was offered by Trustee DiLiberto with Deputy-Mayor Nothnagle moving for adoption:

VILLAGE OF CALEDONIA

VILLAGE BOARD RESOLUTION TO ADOPT THE COMPREHENSIVE PLAN

WHEREAS,

1. The Caledonia Village Board has, after careful study, considered the proposed document entitled Village and Town of Caledonia Comprehensive Plan Update ("Comprehensive Plan") dated October 2015 that was prepared by the Caledonia Comprehensive Plan Committee and revised based on comments from the public and the Livingston County Planning Board; and
2. The Caledonia Comprehensive Plan Steering Committee conducted a public meeting on the draft Plan on September 23, 2015.
3. The Caledonia Village Board has considered comments made by the public and interested agencies at the Village Board Public Hearing held on December 1, 2015; and
4. The Livingston County Planning Board reviewed the draft Comprehensive Plan at its meeting on January 14, 2016 and recommended "advisory comments."

February 2, 2016

Village of Caledonia

5. The Caledonia Village Board has completed the Environmental Review Record on the adoption and maintenance of said document and issued a "Negative Declaration" of significance on January 5, 2016, pursuant to the State Environmental Quality Review (SEQR) regulations; and
6. The Caledonia Village Board acknowledges that the adoption of said Comprehensive Plan is the beginning of a ten to fifteen year planning program for guiding development, conservation and government services in the Village of Caledonia, New York and, as such, will require periodic maintenance to keep the document viable; and
7. The Caledonia Village Board has carefully considered the impacts associated with the Plan adoption and finds that said Plan constitutes a suitable, logical and timely strategy for the future development of Village of Caledonia; and
8. The Caledonia Village Board acknowledges and hereby gives public notice that official copies of the Comprehensive Plan and all modifications thereof shall be on file in the Offices of the Caledonia Village Clerk;

NOW THEREFORE BE IT RESOLVED, that

1. The document consisting of text, maps and charts entitled Village of Caledonia Comprehensive Plan, is hereby adopted as the Comprehensive Plan for the Village of Caledonia, Livingston County, New York in accordance with Village Law Section 7-722.
2. In order for the Comprehensive Plan to be at all times current with the needs of the community, and to provide appropriate direction to the various municipal boards, agencies and departments of the Village, the Village Planning Board shall annually review the Comprehensive Plan and make recommendations for revisions by the Village Board, as may be deemed necessary, following public review and input. Should the Village Planning Board find that no changes are necessary, this finding shall be reported.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

Refinance of Water Bonds: the following resolution was offered by Trustee O'Donoghue with Trustee DiLiberto moving for adoption:

**VILLAGE OF CALEDONIA
REFUNDING BOND RESOLUTION
PUBLIC IMPROVEMENT REFUNDING BONDS-2016**

February 2, 2016

Village of Caledonia

A RESOLUTION AUTHORIZING REFUNDING BONDS OF THE VILLAGE OF CALEDONIA, LIVINGSTON COUNTY, NEW YORK, IN THE AMOUNT OF UP TO \$305,000 TO CURRENTLY REFUND THE REMAINING OUTSTANDING VILLAGE OF CALEDONIA \$495,000 WATER SYSTEM IMPROVEMENT (SERIAL) BONDS, 2007 AS MORE SPECIFICALLY DESCRIBED HEREIN

WHEREAS, as more specifically described hereinafter the Village of Caledonia in the County of Livingston, State of New York (the "**Village**") issued its \$495,000 Water System Improvement (Serial) Bonds, 2007 dated April 13,2007 (the "**Prior Bonds**"); and

WHEREAS, at the time of the proposed refunding, there will be outstanding principal on the Prior Bonds in the aggregate amount of \$295,000, as set forth on a refunding summary (the "**Refunding Summary**") which is annexed hereto at Exhibit A and fully made a part of this Refunding Resolution; and

WHEREAS, a financial plan for the refunding of the remaining outstanding Prior Bonds (the "**Refunding Plan**") has been prepared and is fully set forth in the Refunding Plan; and

WHEREAS, the Village by its Village Board of Trustees has determined that the Village would realize a net present value debt service savings estimated to be approximately 4.3101 % (the "**Estimated NPV Savings**") by issuing refunding bonds to retire the outstanding Prior Bonds at their earliest permissible redemption date as hereinafter set forth, as required by Section 90.10 of the Local Finance Law; and

WHEREAS, it would in the public interest to refund all or a portion of the Prior Bonds by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

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

Section 1. A series of Refunding Bonds to be identified as the Village of Caledonia Water System Improvement (Serial) Bonds, 2016 in an amount not to exceed \$305,000 (the "Refunding Bonds") is hereby authorized pursuant to Section 90.00 of the New York State Local Finance Law (the "Local Finance Law"), for the object or purpose of refunding all or a portion of the Prior Bonds as further provided hereinafter at Section 12.

Section 2. The Prior Bonds were authorized pursuant to a Bond Resolution adopted by the Village Board of Trustees on September 16, 2003 to finance the construction of a various water system improvements (the "**Water System Improvements**").

February 2, 2016

Village of Caledonia

Section 3. Pursuant to applicable subsections of Local Finance Law ("LFL") Section 11.00 the maximum period of probable usefulness for the Public Improvement at the time the Prior Bonds were issued was not greater than 30 years.

Section 4. It is hereby determined that:

A. The maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by Section 90.10(b)(1) of the Local Finance Law;

B. The last installment of the Refunding Bonds will mature not later than the expiration of the maximum period of probable usefulness of the Public Improvement for which the Prior Bonds were issued, or in the alternative, the weighted average remaining period of probable usefulness of the objects or purposes (or classes of objects or purposes) financed with the Prior Bonds, in accordance with the provisions of Section 90.10(c)(1) of the Local Finance Law; and

C. The estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provision of Section 90.10(b) (2) (a) of the Local Finance Law, is as shown in the Refunding Plan described in Section 5 hereof, and set forth on Exhibit A of this Resolution and the Refunding Bonds are authorized in order to realize a net present value savings of an amount reasonably commensurate with the Estimated NP V Savings.

Section 5. The Refunding Plan shows the sources and amounts of all moneys required to accomplish the 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. The Refunding Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount of not more than \$305,000 and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in Exhibit A.

Section 6. The Refunding Plan calls for the retirement of the Prior Bonds on or after April 1, 2016 (the "**Redemption Date**").

Section 7. The faith and credit of the Village of Caledonia are hereby irrevocably pledged for 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 every year sufficient to pay the principal of and interest on the Refunding Bonds becoming due and payable in such year.

Section 8. All other matters, except as specifically provided herein, relating to the Refunding Bonds by this Refunding Bond Resolution, including the date, denominations, interest rates, maturities and interest payment dates, the manner of execution of the

February 2, 2016

Village of Caledonia

same, 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, as the Chief Fiscal Officer of the Village. The Refunding 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, as required by Section 51.00 of the Local Finance Law, and such additional recitals as the Village Supervisor shall determine to be necessary, consistent with the provisions of the Local Finance Law.

Section 9. The validity of the Refunding Bonds may be contested only if:

- 1) The Refunding Bonds are authorized for an object or purpose for which the 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) The Refunding Bonds are authorized in violation of the provisions of the Constitution of the State of New York.

Section 10. The Village hereby determines that the issuance of the Refunding Bonds is an action that will not have a significant effect on the environment and, therefore no other determinations or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

Section 11. A Notice of Adoption of the Refunding Resolution along with an abstract of this Refunding Resolution shall be published in full in the official newspaper of the Village for such purpose, together with an estoppel notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. The principal amount of the Refunding Bonds, along with moneys which together with the interest earned from the investment of certain proceeds of the Refunding Bonds does not exceed an amount sufficient to pay the sum of (a) the principal amount of the Prior Bonds, which is outstanding as of the date of issue of the Refunding Bonds, (b) the aggregate amount of unmatured interest payable on the Prior Bonds to, and including, either the date or dates such bonds mature or, if such bonds are to be called for redemption prior to their maturities, the date or dates set for such redemption in accordance with the refunding financial plan, (c) redemption premiums, if any, payable on the Prior Bonds as of such redemption date or dates, (d) costs and expenses incidental to the issuance of the Refunding Bonds, including Bond Counsel fees, the development of the refunding financial plan, fees and costs of the Financial Advisor of the Village, and of executing and performing the terms and conditions of the escrow contract and all fees

February 2, 2016

Village of Caledonia

and charges of the escrow holder, and (e) the premium or premiums of any municipal bond insurance or other form of credit enhancement facility or facilities for the Bonds or any portion thereof.

Section 13. The proposed maturity dates of the Refunding Bonds will not extend beyond the final maturity date of the Prior Bonds, as more particularly set forth in the Refunding Plan.

Section 14. The Village Treasurer, as the Chief Fiscal Officer of the Village, shall file with the Village Board of Trustees a certificate, which shall be final and conclusive upon all parties, setting forth the present value of the total debt service savings to the issuer resulting from the issuance of the Refunding Bonds computed in accordance with the provisions of § 90.10(b)(2)(a) of the Local Finance Law, except that the actual amount, rather than an estimate, of the amount of accrued interest to be paid on such bonds shall be used in determining the effective interest cost thereof.

Section 15. The Village elects to call in and redeem the Prior Bonds for payment prior to the date of their maturity on the Redemption Dates set forth in Section 6 of this Resolution. The escrow holder as appointed by the Village Treasurer pursuant to Section 16 of this Resolution 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 by Section 53.00(a) of the Local Finance Law.

Section 16. If an escrow holder is required, the Village Treasurer as the Chief Fiscal Officer of the Village, is hereby delegated the duty to contract on behalf of the Village with a bank or trust company located and authorized to do business in the State of New York for the purpose of having such bank or trust company act as the escrow holder of the proceeds, inclusive of any premium, from the sale of such Refunding Bonds, together with all income derived from the investment of such proceeds, and any other moneys to be provided by such issuer to effectuate the refunding financial plan.

Section 17. This Resolution shall take effect immediately upon its adoption by the Village Board of Trustees.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

A motion was made by Trustee O'Donoghue to schedule Budget Workshops for February 21, March 13 and March 20, 2016 at 9 a.m.; Trust DiLiberto seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

February 2, 2016

Village of Caledonia

Local Law #1-2016: a **motion** was made by Trustee O'Donoghue to hold a Public Hearing on Tuesday, March 1, 2016 at 6:30 p.m. regarding a property tax levy local law; Trustee DiLiberto seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

There being no further business, a motion to adjourn was made at 8:00 p.m. by Trustee O'Donoghue; Deputy-Mayor Nothnagle seconded the motion.

AYE: Mayor Davis, Deputy-Mayor Nothnagle, Trustee DiLiberto & O'Donoghue

NAY: None

Ann Marie Grattan
Village Clerk-Treasurer