

Village of Fleischmanns

Special Meeting

June 30, 2016

The Village of Fleischmanns Board of Trustees held a Special Meeting on Thursday, June 30, 2016 at 2:00 p.m. at the Skene Memorial Library. Present were: Mayor Donald E. Kearney, Deputy Mayor Harriet L. Grossman, Ben Fenton, & Fred Woller. Village Trustee David Yates was absent.

Snack Shack/Short Environment Assessment Form

Motion made by Donald E. Kearney to classify the replacement of a concession stand building that was destroyed during the 2011 flood at the municipal Village Park located off Wagner Avenue, in the Village of Fleischmanns, Delaware County, New York as an “unlisted” action. Motion seconded by Harriet L. Grossman. Donald E. Kearney-Aye. Harriet L. Grossman-Aye. Ben Fenton-Aye. Fred Woller-Aye. David Yates-Absent. Motion so carried.

Resolution

Title: Issuance of a Negative Declaration Under the State Environmental Quality Review Act for the Development of a Village Park Concession Building

At the Village Board Meeting
Of the Village of Fleischmanns, New York
Held at the Skene Memorial Library on
Thursday, June 30, 2016 and

Upon motion made by Harriet L. Grossman and seconded by Fred Woller, the following resolution was duly adopted:

Whereas, the Village of Fleischmanns incurred heavy flood damages to the municipal park located off Wagner Avenue, including the loss of the structure used for event concessions; and

Whereas, the Village Park is used for many community/area events and provides an important community resource; and

Whereas, the Village has applied for Catskill Watershed Corporation funding to assist in the construction of a new concession building; and

Whereas, the Village of Fleischmanns Board has prepared an Environmental Assessment Form as per 6 NYCRR Part 617 State Environmental Quality Review (SEQR) for the funding and construction of a new concession building at the Wagner Park site; and

Whereas, the Village of Fleischmanns Board has determined this action to be unlisted; and

Whereas, the Village of Fleischmanns Board has evaluated all potential adverse environmental impacts;

Now, Therefore, Be It Resolved that the Village of Fleischmanns Board issues a negative declaration for the funding and construction of a new concession building at the Wagner Park site.

Lorraine De Marfio
Village Clerk
Village of Fleischmanns

June 30, 2016

State of New York)
)ss:
County of Delaware)

I, Lorraine De Marfio, Village Clerk of the Village of Fleischmanns, New York, do hereby certify that the foregoing is a true and correct transcript of a resolution adopted by the Board of Trustees of the Village

of Fleischmanns, New York on June 30, 2016 and the whole thereof.

Lorraine De Marfio, Village Clerk
Village of Fleischmanns

Motion made by Harriet L. Grossman to approve the above resolution. Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. Donald E. Kearney-Aye. Ben Fenton-Aye. David Yates-Absent. Motion so carried.

**Bond Resolution Authorizing the Replacement of
the Concession Stand Building in the Village
Park that was destroyed during the 2011 Flood**

At the Village Board Meeting
Of the Village of Fleischmanns, New York
Held at the Skene Memorial Library on
Thursday, June 30, 2016 and
Upon motion made by Fred Woller and seconded by Ben Fenton, the following resolution was duly adopted:

BOND RESOLUTION DATED JUNE 30, 2016

A RESOLUTION AUTHORIZING THE REPLACEMENT OF THE CONCESSION BUILDING IN THE VILLAGE PARK THAT WAS DESTROYED DURING THE 2011 FLOOD. STRUCTURE WILL BE APPROXIMATELY 400 SQUARE FEET (20X20) AND WILL INCLUDE FLOOD-PROOFING MEASURES, ELECTRICAL WORK, ENGINEERING EXPENSES, AND RELATED EQUIPMENT, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$500,000.00 (FIVE HUNDRED THOUSAND DOLLARS) OF THE VILLAGE OF FLEISCHMANNS, DELAWARE COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE OF FLEISCHMANNS MAYOR.

BE IT RESOLVED, by the Board of Trustees of the Village of Fleischmanns, Delaware County, New York the Village by the favorable vote of not less than two-thirds of all the members of the Board as follows:

SECTION 1. The specific purpose of constructing the concession building in the Village Park that was destroyed during the 2011 flood, along with electrical costs, engineering costs and related equipment to be financed pursuant to this resolution. The maximum cost of said purpose will not exceed \$500,000.00 (Five Hundred Thousand Dollars).

SECTION 2. The Board of Trustees plan to finance the maximum estimated cost of said purpose by the issuance of serial bonds in an amount not to exceed \$500,000.00 (Five Hundred Thousand Dollars) of said Village, hereby authorized to be issued therefore pursuant to the Local Finance Law.

SECTION 3. It is hereby determined that the Village of Fleischmanns will replace the concession building in the Village Park that was destroyed during the 2011 flood. The structure will be approximately 400 square feet and will include flood-proofing measures, and include costs for construction, electrical work, engineering costs and related equipment, is an object or purpose described in subdivision [28] of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen (15) years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five' years.

SECTION 6. The faith and credit of said Village 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. 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 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village of Fleischmanns Mayor, the chief fiscal officer of the Village.

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse such expenditure with the proceeds of the bonds or bond anticipation notes authorized by Section 2 of this resolution. This resolution shall constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 9. The Village Mayor 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 bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Village Mayor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c 12-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village of Fleischmanns hereby determines that the replacement of the concession building in the Village Park that was destroyed during the 2011 flood, electrical costs, engineering costs and related equipment 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 12. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) (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
- (2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 13. The Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in the official newspaper or newspapers of the Village.

SECTION 14. This resolution is not subject to permissive referendum pursuant to Section 35.00 b. (1) of the Local Finance Law and shall take effect immediately.

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

Fred Woller	Voting	Aye
Ben Fenton	Voting	Aye
Donald E. Kearney	Voting	Aye
Harriet L. Grossman	Voting	Aye

David Yates - Absent

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Fleischmanns, New York hereinafter called the "Village" and the custodian of the records of the Village, including the minutes of the proceedings of the Board of Trustees; and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Board of Trustees held on the 30th day of June 2016, and entitled:

A RESOLUTION AUTHORIZING THE CONSTRUCTION, ELECTRICAL COSTS, ENGINEERING COSTS, AND RELATED EQUIPMENT, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$500,000.00 OF THE VILLAGE OF FLEISCHMANNS, DELAWARE COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE MAYOR.

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board of Trustees was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village of Fleischmanns and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 30th day of June, 2016.

(SEAL)

Lorraine De Marfio
Village Clerk

Repaving/Main Street

Motion made by Mayor Donald E. Kearney to authorize the Highway Superintendent, Fred Woller, to pursue making arrangements to do repaving on Main Street from Bridge Street to the Fleischmanns Vol. Department's Fire House. Motion seconded by Harriet L. Grossman. Donald E. Kearney-Aye. Harriet L. Grossman-Aye. Ben Fenton-Aye. Fred Woller-Aye. David Yates-Absent. Motion so carried.

Adjourn

Motion made by Harriet L. Grossman to adjourn. Motion seconded by Fred Woller. Harriet L. Grossman-Aye. Fred Woller-Aye. Donald E. Kearney-Aye. Ben Fenton-Aye. David Yates-Absent. Motion so carried.