

RESOLUTION ADOPTED

Marybeth Murphy addressed the Board. She thanked Kim Sheridan-Dugmore for her help in attempting to get the streetlights turned on. She mentioned that she hoped to get the roads and the deeds resolved at tonight's meeting. Ms. Murphy also noted that Amedore has not contacted any of the residents about signing the revised deeds.

REPORTS

DPW-Superintendent Stevenson

- Water and sewer are both good
- Lead and copper results were all good and individual results were given to the participants
- Noted some road issues at Griffin's Ridge that would have to get resolved before paving.
- Salt barn construction underway – dug up a barrel of crack sealer that will need proper disposal
- Trucks ready for winter season
- Dog waste stations to be installed
- Quotes for basketball and tennis courts are all close in price

RESOLUTION No. 81 OF 2017

BE IT RESOLVED that the Round Lake Village Board of Trustees accepts the quote from D&R Paving to repave the basketball court for \$4,250 out of Parkland funds **RESOLVED** by Trustee Nellissen **SECONDED** by Trustee Block.

Trustee Nellissen – aye
Trustee Putman – aye
Mayor Bergin – aye

Trustee Block – aye
Trustee Parker – aye

RESOLUTION ADOPTED

Animal Control

No calls

Fire Chief Mazza

- 31 calls in September
- Recent silo fire on Sweet Rd and Eastline Rd. – called in Queensbury to assist
- Fire prevention month
- Presented rendering of new firehouse design
- Discussed the building schedule – to start 3/2018

Code Enforcement

CEO Sheridan – absent, no report

Veterans Committee

Victor Isca noted that the Veteran’s Day ceremony would be at 11am on Saturday November 11, 2017 and asked to use the Community Room as a reception area and a backup location in case of rain. The Board gave their permission.

Treasurer

Mayor Bergin read Robyn Shaffer’s treasurer’s report (in her absence) – see attached.

WRLIS

Diane Marchand mentioned WRLIS wrote a check to the Village for 40% of the Markets at Round Lake 2017 net profits.

OLD BUSINESS

Victorian Landings

Mayor Bergin stated the roads in Victorian Landings are in good shape. Superintendent Stevenson did note a small sinkhole that would have to be fixed. The Mayor brought up the topic of the unsigned deeds and Attorney Peterson mentioned that Amedore’s attorney (Ianiello Anderson) wrote the Village a letter stating we did not have the authority to withhold CO’s and building permits over lack of signed and corrected deeds. Mr. Peterson stated the Village withdrew the letter. Discussion ensued and Mr. Peterson noted he would send a new letter to Ianiello Anderson requesting the 7 homeowners who had not signed the corrected deeds because of incorrect language be issued a revised deed removing said language so they could sign and so the issue could be resolved.

MOTION BY Trustee Parker to request Attorney Peterson contact Amedore’s attorney, Ianiello Anderson, regarding the Victorian Landings deeds. **SECONDED BY** Trustee Putman

Trustee Nellissen - abstain

Trustee Putman – aye

Mayor Bergin - aye

Trustee Block – aye

Trustee Parker – aye

MOTION APPROVED

Water Project Grant

The Mayor noted that the New York State has approved the Village to be reimbursed up to \$711,000 (60% of the proposed water improvement budget of \$1,185,000). Mayor Bergin proposed holding a workshop meeting with Lamont Engineers to determine the Village’s next steps.

Salt Barn

Mayor Bergin mentioned that the state grant would most likely cover the entire \$130K for the project.

RESOLUTION No. 82 OF 2017

WHEREAS, the Village Board determined that the new salt storage structure project is an Unlisted Action under the State Environmental Quality Review Act ("SEQRA"), was designated as Lead Agency under SEQRA, prepared Parts 1, 2 and 3 of a Short Environmental Assessment Form and adopted a SEQRA Negative Declaration for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ROUND LAKE, SARATOGA COUNTY, NEW YORK, AS FOLLOWS:

Section 1. The salt storage structure project described in the Proposal submitted by Lamont Engineers, P.C. (the "Proposal") is hereby authorized and approved. The specific object or purpose for which the obligations authorized by this Resolution (the "Bond Resolution") are to be issued is construction of a 30' x 27' wooden salt storage structure on a concrete foundation and push wall, including related preliminary and incidental costs (the "Project"), and such specific object or purpose is hereby authorized at a maximum estimated cost of One Hundred Thirty-five Thousand and 00/100 Dollars (\$135,000.00).

Section 2. The plan for the financing of such maximum estimated cost is issuance of up to \$135,000 in serial bonds and/or bond anticipation notes of said Village, hereby authorized to be issued pursuant to the Local Finance Law. The Village intends to submit applications for grants and/or low interest loans from the Dormitory Authority of the State of New York (DASNY) and/or other funding sources and, to the extent that any such moneys are received, may apply such funds to the payment of principal and interest on the bonds or bond anticipation notes. The proceeds of the bonds or bond anticipation notes may be used to reimburse expenditures paid by the Village from other funds or otherwise on or after the date of adoption of this Bond Resolution. Pursuant to Local Finance Law Section 107.00(d) (9), a down payment from current funds is not required.

Section 3. The Village Board anticipates that the Village may pay certain capital expenditures in connection with the Project prior to the receipt of the proceeds of the Bonds. The Village Board hereby declares its official intent to use Bond proceeds to reimburse the Village for such Project expenditures. This section of the Resolution is adopted solely for the purpose of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations and does not bind the Village to make any expenditure, incur any indebtedness or proceed with the acquisition, construction and installation of the Project.

Section 4. It is hereby determined that the period of probable usefulness of the specific object or purpose is fifteen (15) years, pursuant to Section 11.00(a)(11)(c) of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five (5) years.

Section 5. The faith and credit of the Village of Round Lake, Saratoga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as they 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

years. There shall annually be levied on all the taxable real property in the Village a tax sufficient to pay the principal of and interest on such obligations as they become due and payable.

Section 6. For the purpose of paying the cost of the Project, there are hereby authorized to be issued serial bonds of the Village up to a maximum amount of \$135,000, the maximum maturity of which shall not exceed the fifteen (15) year period of probable usefulness set forth above and which shall mature on or before such date as measured from the date of the bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier. The bonds may be issued in the form of a statutory installment bond.

Section 7. There are hereby authorized to be issued bond anticipation notes for the specific object or purpose in an amount up to but not exceeding the \$135,000 maximum amount of serial bonds authorized to be issued, in anticipation of the issuance and sale of the serial bonds authorized, including renewals of such bond anticipation notes.

Section 8. Any bond anticipation notes shall be payable from the proceeds derived from the sale of the bonds or otherwise redeemed in the manner provided by Section 23.00 of the Local Finance Law. The faith and credit of the Village are hereby irrevocably pledged for the payment of the bond anticipation notes and the interest on them.

Section 9. There are no bond anticipation notes outstanding which have been previously issued in anticipation of the sale of these bonds. Neither are the bond anticipation notes hereby authorized renewal notes. These bond anticipation notes will not be issued in anticipation of bonds for an assessable improvement. These notes shall mature at such time as the Village may determine and may be renewed from time to time, provided that in no event shall such notes or renewals extend more than one (1) year beyond the original date of issue except as permitted in the Local Finance Law.

Section 10. Subject to the terms and conditions of this Resolution and of the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this Resolution and the renewal of these notes, and the power to prescribe the terms, form and contents of the serial bonds and bond anticipation notes and the power to sell and deliver the serial bonds and bond anticipation notes issued in anticipation of the issuance of the bonds is hereby delegated to the Village Treasurer, the Chief Fiscal Officer of the Village. The Village Treasurer is hereby authorized to sign any serial bonds and bond anticipation notes issued in anticipation of the issuance of the serial bonds and bond anticipation notes issued pursuant to this Resolution by manual or facsimile signature, and the Village Clerk is hereby authorized to affix or impress or imprint a facsimile of the seal of the Village to any of the serial bonds or bond anticipation notes and to attest such seal by manual or facsimile signature. If executed by facsimile signature, such obligation shall be authenticated by the manual countersignature of the Village Treasurer or a designated fiscal agent. The Village Treasurer, as Chief Fiscal Officer of the Village, is authorized to execute and deliver any documents and to take such other action as may be necessary and proper to carry out the intent of the provisions of this Resolution.

Section 11. The exact date of issuance of the bonds and/or notes and the exact date upon which they shall become due and payable shall be fixed and determined by the Chief Fiscal

Officer, provided, however, that the maturity of the notes or renewals shall not exceed one (1) year from the date of issue except as permitted by the Local Finance Law.

Section 12. The Chief Fiscal Officer shall prepare the bonds and/or notes and sell them at public or private sale and in accordance with the provisions of the Local Finance Law including, but not limited to, the provisions of Section 169.00, if applicable, and at such sale shall determine the interest rate to be borne by such bonds and/or notes, and whether fixed or variable. The Village Board authorizes the Chief Fiscal Officer to establish substantially level annual debt service or a declining annual balance for the repayment of such Bonds if the Chief Fiscal Officer believes it is in the best interests of the Village. The Village Board authorizes the Chief Fiscal Officer to issue such serial bonds in the form of a statutory installment bond.

Section 13. If issued, the bonds and/or notes shall be in registered form, and shall bear interest at the determined rate.

Section 14. The Chief Fiscal Officer shall deliver the bonds and/or notes to the purchaser only against a certified check or other immediately available funds. The proceeds of the sale of the bonds and/or notes shall be deposited and/or invested as required by Section 165.00 of the Local Finance Law, and the power to invest the proceeds of sale is hereby delegated to the Chief Fiscal Officer and the power to invest in any instruments described in Section 165.00 is expressly granted.

Section 15. To the extent that it is permitted to do so under the Internal Revenue Code of 1986, as amended to the date hereof (the "Code"), the Village Board hereby designates the bonds and/or notes as "qualified tax-exempt obligations" under Section 265(b)(3) of the Code. The Village Board hereby covenants that, to the extent permitted under the Code in effect as of the date of issuance of any bonds and/or notes, it will (i) take all actions on its part necessary to cause interest on the bonds and/or notes to be excluded from gross income for purposes of Federal income taxes and (ii) refrain from taking any action which would cause interest on the bonds and/or notes to be included in gross income for purposes of Federal income taxes.

Section 16. Miller, Mannix, Schachner & Hafner, LLC, Glens Falls, New York, is hereby designated bond counsel.

Section 17. This Resolution is subject to permissive referendum pursuant to Article 9 of New York Village Law and Section 36.00 of New York Local Finance Law, and shall not take effect until such time as provided. The Village Clerk is hereby authorized and directed to post and publish the notice required for Resolutions subject to permissive referendum.

Section 18. The validity of these serial bonds and bond anticipation notes may be contested only if:

- (A) These obligations are authorized for an object or purpose for which the 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 (20) days after the date of such publication, or
- (C) Such obligations are authorized in violation of the provisions of the State Constitution.

Section 19. This Resolution or a summary thereof shall be published in *The Daily Gazette*, which has been designated as the official newspaper of the Village, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 20. This Resolution shall take effect immediately, except as provided by Village Law Article 9 relating to permissive referendum requirements.

RESOLVED by Trustee Nellissen **SECONDED** by Trustee Putman.

Trustee Nellissen - aye

Trustee Block – aye

Trustee Putman – aye

Trustee Parker – aye

Mayor Bergin - aye

RESOLUTION ADOPTED

DPW Landscaping

Mayor Bergin compared the quotes the Village received for the landscaping work at the DPW.

RESOLUTION No. 83 OF 2017

BE IT RESOLVED that the Village Board approves the bid from Brookside Nursery for \$4,387.62 to be taken out of Parkland funds for the landscaping at the DPW **RESOLVED by** Trustee Block **SECONDED by** Trustee Putman.

Trustee Nellissen - aye

Trustee Block – aye

Trustee Putman – aye

Trustee Parker – aye

Mayor Bergin – aye

RESOLUTION ADOPTED

NEW BUSINESS

Speed humps

Kim Sheridan-Dugmore addressed the topic of adding speed humps in the Village. See attached letter. The idea was well received and it was suggested by the Board to speak with Lamont Engineers and get a ballpark estimate on costs. Attorney Peterson noted that he would draft a proposed local law to further discuss the matter.

BAS proposal

Mayor Bergin addressed the BAS proposal for upgraded email backup services for the Village office. Trustee Nellissen stated that the proposal was not complete and asked to table the discussion until next month.

Terrorism insurance

Mayor Bergin addressed the annual terrorism insurance proposal from Adirondack Trust.

RESOLUTION No. 84 OF 2017

BE IT RESOLVED that the Village Board chooses not to take out terrorism insurance for 2017-18 **RESOLVED by** Trustee Nellissen **SECONDED by** Trustee Block.

Trustee Nellissen - aye
Trustee Putman – aye
Mayor Bergin – aye

Trustee Block – aye
Trustee Parker – aye

RESOLUTION ADOPTED

Global Foundries/Town of Malta grant

Lydia Hoffman discussed her application for a grant for the Auditorium. She stated she met with a contractor and was getting a quote on hardscaping the pathway at the main entry door. She proposed breaking the project down into phases and noted she would request \$5,000 this year.

APPROVAL OF MINUTES

RESOLUTION No. 85 OF 2017

BE IT RESOLVED that the Meeting Minutes from 9/20/17 are approved **RESOLVED by** Trustee Nellissen **SECONDED by** Trustee Block.

Trustee Nellissen - aye
Trustee Putman – aye
Mayor Bergin – aye

Trustee Block – aye
Trustee Parker – aye

RESOLUTION ADOPTED

ATTORNEY

Nothing for this meeting

VILLAGE TRUSTEES

Trustee Nellissen questioned whether permits or COs were issued to Victorian Landings residents after the last month’s Board meeting when they resolved to not allow that to happen.

APPROVAL OF ABSTRACTS

RESOLUTION No. 86 OF 2017

BE IT RESOLVED that the Round Lake Village Board of Trustees authorize payment of the October abstract in the amount of \$52,426.06 and September prepaids \$10,047.23, but rejects voucher #100792 as it was incorrectly filled out **RESOLVED by** Trustee Nellissen, **SECONDED by** Trustee Parker

Trustee Nellissen – aye
Trustee Putman – aye
Mayor Bergin - aye

Trustee Block - aye
Trustee Parker - aye

RESOLUTION APPROVED

PUBLIC COMMENT/PRESENTATION PERIOD

Danielle Rigney addressed the Board and asked about the speed humps being a permanent feature. Superintendent Stevenson stated he would like to discuss that with Lamont Engineers.

Scott Rigney addressed the Board about the county parking lot at the Zim Smith trail and whether they would be coming to our meeting to discuss the expansion. He also asked about the haunted house at the Auditorium.

Diane Marchand addressed the Board and questioned whether the addition of a grate on Victorian Blvd and whether Amedore would be responsive in three years' time when it comes to assessing it. Attorney Peterson noted that Farone Amedore would provide the Village with a letter of credit for three years. Ms. Marchand also asked if the Village could add a bench on Victorian Blvd by the Village sign. Superintendent Stevenson said he would check the Village right of way noting that once we take the road, the Village would own that area.

ADJOURN MEETING

MOTION by Trustee Block to adjourn the meeting at 9pm.

MEETING ADJOURNED

Respectfully submitted,

Kim Sheridan-Dugmore
Village Clerk