

The regular monthly meeting for the Town of Constable was held on February 13, 2020 at 7:00 pm. Members present were Councilman Leahy, Patterson, and Wilson, Councilwoman Lemire, Supervisor Onufer, Town Clerk Prue, Code Officer Halley and Highway Superintendent Martin.

Guests present were Ted Robideau, Land Fill Rep., Pat Maguire, Sid G. Spear, Dalton Patterson, Tech Support, Constable Fire Dept. Reps. Darren FeFee and Kirk Marlowe and Brandon McDonough, Telegram.

A motion was made by Councilman Patterson and seconded by Councilwoman Lemire to accept the January 09, 2020 Re-Organizational minutes, motion carried.

A motion was made by Councilman Leahy and seconded by Councilman Wilson to accept the January 09, 2020 Regular meeting minutes, motion carried.

Pat Maguire from Sid G. Spear (NYMIR) presented the 03/01/2020 – 03/01/2021 Insurance proposal for the board's approval. He reported that there is a 4.8% increase and this attributed to the cost of equipment at the garage.

FIRE DEPT.

Kirk and Darren presented their 2019 budget vs actual expenses. This was discussed by the board and they thanked Kirk and Darren for bringing this in. Supervisor Onufer presented them with the Town's check which represents our share of their 2020 budget.

LANDFILL

Supervisor Onufer reported receipt of a check from the F.C.S.W.M.A. in the amount of \$13,554.35 which is for the time period of October, November and December 2019.

Ted gave his quarterly report and said that Todd is doing a great job and Jill is no longer employed at the landfill. The lawsuit on Cell 5 has been settled and Cell 6 is under construction.

CODE OFFICER

Code Officer Halley gave his report for 01/06/2020 – 02/10/2020.

He also reported that there was nothing new to report on OYA or Helios.

A motion was made by Councilman Wilson and seconded by Councilman Leahy to accept the Code Officer's report, motion carried.

Highway

Highway Superintendent Martin gave his fuel usage report for January.

A motion was made by Councilman Patterson and seconded by Councilman Wilson to accept Highway Superintendent Martin's monthly report for January, motion carried.

Highway Superintendent Martin reported that the new truck has been received. Supervisor Onufer reported the financing will be thru Rural Development. \$159,000.00 loan for 15 years at 2.75% interest with a \$50,000.00 grant from Rural Development.

BOND RESOLUTION NEW TRUCK

Bond Resolution #3-2020 dated February 13, 2020. Authorizing the issuance of serial bonds and notes in anticipation of the issuance thereof and/or statutory installment bonds and notes in anticipation of the issuance. Thereof, of the Town of Constable, NY, in the County of Franklin. Pursuant to the provisions of the local finance law of the State of New York and pursuant to the provisions of the Town Law of the State of New York in an amount not to exceed \$231,300.00 for purpose of financing the cost of purchasing one new 2020

International HX620 tandem axle snow plow dump truck with extended warranty for the Township, the total cost of which is not to exceed the sum of \$231,300.00.

WHEREAS, the Town Board of the Town of Constable, County of Franklin, New York, has heretofore at this meeting adopted a resolution authorizing the issuance of obligations of the Town of Constable, New York, in the County of Franklin, in the sum of Two Hundred Thirty-One Thousand Three Hundred and 00/00 Dollars (\$231,300.00) for the purpose of financing the cost of purchasing one new 2020 International HX620 tandem axle snow plow dump truck with extended warranty for the Township, the total cost of which is not to exceed the sum of Two Hundred Thirty-One Thousand Three Hundred and 00/00 Dollars (\$231,300.00); and

WHEREAS, no other outstanding obligation of the Town of Constable, New York, have been previously issued by the Township for or with respect to such purpose; and

WHEREAS, the Town Board of the Town of Constable, New York, now desires to provide for the issuance of obligations of the Town of Constable, New York, now desires to provide for other matters with respect to such purpose;

BE IT; THIS 13th DAY OF February, 2020

RESOLVED, by the Town of Constable, County of Franklin, New York, as follows:

Section #1: The Town of Constable, in the County of Franklin, New York, shall issue its serial bonds or statutory installment bonds of the aggregate principal amount not to exceed the sum of Two Hundred Thirty-One Thousand Three Hundred and 00/00 Dollars (\$231,300.00), and notes in the anticipation of the issuance thereof, pursuant to the Local Finance Law of the State of New York in order to finance the specific purpose hereinafter described.

Section #2: The specific purpose to be financed pursuant to this resolution is to finance the amount of purchasing one new 2020 International HX620 tandem axle snow plow dump truck with extended warranty for the Township, the total cost of which is not to exceed the sum of Two Hundred Thirty-One Thousand Three Hundred and 00/00 Dollars \$231,300.00.

Section #3: It is hereby stated that the maximum cost of said purpose as estimated by the Town Board, is Two Hundred Thirty-One Thousand Three Hundred and 00/00 Dollars \$231,300.00 and no money has heretofore been authorized to be applied to the payment of the cost of said purpose except as herein indicated. The Town Board plans to finance the cost of said purpose entirely from funds raised from the issuance of such serial bonds or statutory installment bonds and notes issued in anticipation of the issuance thereof, from grants and from other accounts and reserves of the Town of Constable, New York. The Town of Constable in the County of Franklin, State of New York, shall reimburse the Town's General Fund from the proceeds of the debt obligations of the Town hereby authorized to be issued for monies expended from said General Fund, if any, for and with respect to said purpose,

Section #4: It is hereby determined that and purpose is an object of purpose described in Section 11.00 of the Local Finance Law of the State of New York and that the probable useful life of said purpose is fifteen (15) years. The final redemption date of said bond to be issued will not extend beyond 15 (15) years from the date of their initial issuance. It is hereby further determined, pursuant to Local Finance Law Section 32.00(5) that the maximum maturity of the serial bonds and/or statutory installment bonds herein authorized will exceed five (5) years.

Section #5: Subject to the terms and conditions of this resolution, and the Local Finance Law of the State of New York, the power to authorize Bond Anticipation Notes in anticipation of the issuance of the Serial Bonds or Statutory Installment Bonds authorized by the resolution and the renewal of said notes and the power to prescribe the terms, form and contents of such Serial Bonds or Statutory Installment Bonds and of such Bond Anticipation Notes and the power to sell and to deliver such Serial Bonds or Statutory Installment Bonds and Bond Anticipation Notes issued in anticipation of the issuance of such Serial Bonds or Statutory Installment Bonds is hereby delegated to the Chief Fiscal Officer of the Town of Constable, County of Franklin and State of New York. The Chief Fiscal Officer of the Town of Constable is hereby authorized to sign any Serial Bonds or Statutory Installment Bonds issued pursuant to this resolution and any Bond Anticipation Notes and renewals thereof issued in anticipation of the issuance of said Serial Bonds or Statutory Installment Bonds and the Town Clerk is hereby

authorized to affix the corporate seal of the Town of Constable, New York, to any Serial Bonds or Statutory Installment Bonds and any Bond Anticipation Note and to attest such seal. Each interest coupon representing interest payable on such Serial Bonds shall be authenticated by the facsimile signature of the Chief Fiscal Officer of the Town of Constable, New York. Further, pursuant to Local Finance Law Section 21.00 (d), the Chief Fiscal Officer of the Town of Constable, New York, is hereby authorized to determine whether or not the Serial Bonds and/or Statutory Installment Bonds hereby authorized to be issued will provide for substantially level or declining annual debt service.

Section #6: The faith and credit of the Town of Constable, New York, is hereby pledged for the payment of the principal of and interest on such Serial Bonds or Statutory Installment Bonds and any Bond Anticipation Notes and renewals thereof issued in anticipation of the issuance of such Serial Bonds or Statutory Installment Bonds.

Section #7: This resolution shall be published in full by the Town Clerk of the Town of Constable, County of Franklin, State of New York, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York. The validity of the Serial Bonds or Statutory Installment Bonds and of any Bond Anticipation Notes and renewals thereof issued in anticipation of the issuance of such Serial Bonds or such Statutory Installment Bonds issued hereunder may be contested only if

- A. Such obligation is authorized for an object or purpose for which said Town is not authorized to expend money, or
- B. If the provisions of law which should have been complied with as of the date of publication if such resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within (20) days after the date of such publication, or
- C. Such obligation is authorized in violation of the provisions of the Constitution.

Section #8: This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law of the State of New York and Article 7 of the Town Law of the State of New York.

STATE OF NEW YORK)
)SS:
COUNTY OF FRANKLIN)

Susan Prue, Town Clerk of the Town of Constable, County of Franklin, State of New York, does, hereby certify that the foregoing Resolution

was duly adopted by the Town Board of the of the Town of Constable at a meeting held on February 13, 2020.

TOWN BOARD
TOWN OF CONSTABLE, NEW YORK

Dated: February 13, 2020

By: Susan Prue, Town Clerk

There will be a special meeting of the Town Board on March 16, 2020 at 5:15 pm to pass above resolution.

Supervisor Onufer reported that a letter was received from the Town of Westville with regards to the shared services contract.

CHIPS Agreement between the Town Highway Superintendent of the Town of Constable, Franklin County, New York, and the undersigned members of the Town Board.

Pursuant to the provision of Section 264 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. General Repairs: This sum of \$26,109.00 shall be set aside to be expended for primary work and general repairs upon 1.5 miles of town highways, including sluices, culverts, and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. Permanent Improvements. The following sum shall be set aside to be expended for the permanent improvement of Town Highways:
 - A. On the road commencing at Coveytown Rd. Intersection and leading to Poplar Rd. a distance of 1.0 miles, there shall be expended not over the sum of \$60,000.00.

Type #6, Width of Traveled Surface 18', Thickness 1 ½", Subbase Asphalt.
 - B. On the road commencing at State Route 30 North and leading to Sand Rd. a distance of .96 miles, there shall be expended not over the Sum of \$10,109.00.

Type #6, Width of Traveled Surface 18', Thickness 1 ½", Subbase Asphalt.

A motion was made by Councilman Leahy and seconded by Councilman Wilson to accept the agreement for the expenditure of highway monies, motion carried by an all yes vote. Agreement was signed by Supervisor Onufer, all Board Members and Highway Superintendent Martin.

Motion made by Councilman Wilson, seconded by Councilman Patterson to accept the Supervisor's Report - Highway Fund, motion carried.

Highway bills were audited and approved. 1 - 8

TECHNICAL SUPPORT

Dalton gave his report for January and answered questions from the board. A motion was made by Councilwoman Lemire and seconded by Councilman Leahy to accept Dalton's report, motion carried.

TOWN CLERK

Motion made by Councilman Patterson, seconded by Councilwoman Lemire, to accept the Town Clerk's Report, motion carried.

Rec Park

The signed contract from the Franklin County Youth Bureau for the 2020 Rec 'Park season has been received.

Supervisor Onufer reported that 4 of the 6 lifeguards will be returning for the 2020 season. One application was received from Simon Dumas.

The park will open on July 1, 2020 and run through August 22, 2020.

Clean up day is scheduled for Mary 23, 2020 from 9:00 am – 12:00 pm

Town Justice

Supervisor Onufer reported receipt of \$717.00 from the Justice Court for December 2019 and a voucher from the Comptroller's Office in the amount of \$487.00 was received, which leaves \$230.00 for the Town's Revenue. \$543.00 was collected for January 2020 but no voucher has been received yet.

CAPITAL PROJECTS

Supervisor Onufer reported that \$96,773.00 was paid out to Heritage Homes for work done on the New Town Hall.

Supervisor Onufer reported that the Court Grant funds have been received.

The following change orders have been done for the new Town Hall.

Change Order #1 Dated October 19, 2019

Add stone to front façade and upgrade siding from vinyl to composite wood for an increase of \$7,950.00,

Change Order #2 Dated December 16, 2019

Add air conditioning to mechanical system \$23,210.00

Change Order #3 Dated December 30, 2019

Change substantial completion date to January 31, 2020, and reduce retainage amount to 5% of materials and labor. \$00.00

Change Order #4 Dated January 16, 2020.

Change substantial completion date to February 20, 2020. \$00.00

Change Order #5 Dated February 25, 2020

Change substantial completion date to March 19, 2020 and re-side garage. \$12,854.00

DASNY Grant – nothing yet.

Archives Grant – Nothing yet.

Supervisor Onufer reported receipt of \$1,100.00 to place a Historical Marker to be placed in Trout River. Funds placed in HUD checking Fund till work is completed.

A motion was made by Councilman Patterson seconded by Councilman Wilson for Budget Amendment #1-2020

\$18,589.37 from Account #H909 Fund Balance Justice Court Grant
\$18,589.37 to Account #H3147.4 Appropriations (Justice Court Grant)

Supervisor's Report, Capital Projects Fund was presented and reviewed by all board members present, a motion was made by Councilwoman Lemire, seconded by Councilman Leahy to accept, motion carried.

Bill were audited and approved 1-3

A motion was made by Councilman Patterson and seconded by Councilman Wilson to accept the Capital Projects Report, motion carried.

Supervisor

Supervisor Onufer reported receipt of \$450.00 from the Franklin County Traffic Division.

Supervisor Onufer reported receipt of the signed contract from the Constable Food Pantry. A motion was made by Councilman Patterson and seconded by Councilman Leahy for Resolution #4-2020 to accept Food Pantry Contract, motion carried.

A motion was made by Councilman Patterson and seconded by Councilman Leahy for Budget Amendment #1-2020, motion carried.

\$31,240.00 from Account #A909 Fund Balance – moved money for Capital Projects.

\$31,240.00 to Account #A9901.9 /appropriations Capital Projects

Savings statement for January 2020 was reviewed by all board members present.

Trial Balance for January 2020 was reviewed by all board members present.

Supervisor's Report, General Fund. presented and reviewed by all board members present, a motion was made by Councilman Wilson, seconded by Councilman Patterson to accept, motion carried.

Motion to adjourn was made by Councilman Leahy at 9:25 P.M., seconded by Councilman Patterson, motion carried.

Motion carried.