

The regular meeting of the Village of Arcade (VOA) Board of Trustees, Wyoming County, New York was held on Tuesday, February 4, 2020 at 7:00 pm there were:

**PRESENT**

Mayor Jay May, Trustee Ken Rule, Trustee Jim McGarvey, Trustee Donna Schiener Trustee Andrew Koerner, Superintendent of Public Works Larry Kilburn, Clerk/Treasurer Jennifer Kraft, Police Chief Anthony Biscaro, Deputy Clerk/Treasurer Michelle Karpinski.

**ALSO PRESENT**

Alex Heldwein, Lisa and David Heldwein, Elwyn Roll, Bonnie George, John Harris

**PLEDGE OF ALLEGIANCE**

Mayor May opened the meeting with the Pledge of Allegiance.

**PROCLAMATION**

Motion by Trustee McGarvey and seconded by Trustee Rule the following Proclamation was read:

**PROCLAMATION**

**WHEREAS**, Alex Heldwein is a resident of the Village of Arcade and a student at Pioneer Central Arcade Elementary School, and

**WHEREAS**, Alex is considered a superhero by those that know and love him, and

**WHEREAS**, Alex loves Superman and the Buffalo Bills and in fact Buffalo Bills Defensive Tackle Harrison Phillips has acknowledged Alex's superhero status, and

**WHEREAS**, Alex has shown unprecedented bravery and character during his battle with Hunter's Syndrome,

**NOW THEREFORE BE IT RESOLVED**, in recognition of Alex, Mayor Jay R. May and the Arcade Village Board of Trustees wish to announce that February 8, 2020 is Alex Heldwein Day in the Village of Arcade!

The motion was passed upon the following vote:

<b>VOTE</b>									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>					<b>FAIL</b>		

**APPROVE MINUTES**

Motion by Trustee Schiener and seconded by Trustee Rule, the minutes from the regular meeting held on January 21, 2020 be approved as presented by Deputy Clerk/Treasurer Karpinski.

The motion was passed upon the following vote:

<b>VOTE</b>									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>					<b>FAIL</b>		

**APPROVE MINUTES**

Motion by Trustee McGarvey and seconded by Trustee Rule, the minutes from the budget meeting held on January 29, 2020 be approved as presented by Clerk/Treasurer Kraft.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**2020 PROJECTS AND SEQR RESOLUTIONS**

Superintendent of Public Works Kilburn offered an overview of the various projects the Village will be undertaking in the next two fiscal years. Due to the cost of the projects a BAN will be acquired to finance all of the projects.

Motion by Trustee Rule and seconded by Trustee Koerner to approve the following resolution:

**TYPE II SEQR DETERMINATION**  
**PURCHASE OF COMPUTERS, DUMP TRUCKS AND GENERATOR**

**SEQR TYPE II DETERMINATION RESOLUTION**

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulation) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT RESOLVED that the Village of Arcade hereby determines that the proposed PURCHASE OF COMPUTERS, DUMP TRUCKS AND GENERATOR is a Type II action in accordance with 617.5(c)(31) "...purchase or sale of furnishings; equipment or supplies; including surplus government property other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;...and is therefore not subject to review under 6 NYCRR Part 617.5.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

Motion by Trustee McGarvey and seconded by Trustee Rule to approve the following resolution:

**TYPE II SEQR DETERMINATION**  
**MAIN STREET SIDEWALK REPLACEMENT PROJECT**  
**TAP GRANT**

**SEQR**  
**TYPE II DETERMINATION**

Whereas, Section 617.5 of Title 6 of the New York Code of Rules and Regulations under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in the subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law.

Therefore be it resolved, that the Village of Arcade hereby determines that the design of the proposed Main Street Sidewalk Replacement project is a Type II action in accordance with 6 NYCRR Section 617.5(c) (24) which states:

“information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action”;

And is therefore not subject to review under 6 NYCRR Part 617.

And be it further resolved that the Village of Arcade hereby determines that the construction of the Main Street sidewalk replacement project within the Village of Arcade is a Type II action in accordance with the following: 6 NYCRR Section 617.5 (c)(2) which states:

“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;”

And is therefore not subject to further review under 6 NYCRR Part 617.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

Motion by Trustee Schiener and seconded by Trustee Koerner to approve the following resolution:

**TYPE II SEQR DETERMINATION**  
**CHURCH STREET AND NORTH STREET STORM SEWER PROJECT**

**SEQR**  
**TYPE II DETERMINATION**

Whereas, Section 617.5 of Title 6 of the New York Code of Rules and Regulations under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in the subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law.

Therefore be it resolved, that the Village of Arcade hereby determines that the North Street/Church Street storm sewer replacement project within the Village of Arcade is a Type II action in accordance with the following: 6 NYCRR Section 617.5 (c)(2) which states:

“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;”

And is therefore not subject to further review under 6 NYCRR Part 617.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

Motion by Trustee McGarvey and seconded by Trustee Schiener to approve the following resolution:

**TYPE II SEQR DETERMINATION**  
**ARCADE STRATEGIC PLAN FOR BUSINESS DEVELOPMENT**

**SEQR**  
**TYPE II DETERMINATION**

Whereas, Section 617.5 of Title 6 of the New York Code of Rules and Regulations under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in the subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law.

Therefore be it resolved, that the Village of Arcade hereby determines that the Arcade Strategic Plan for Business Development, is a Type II action in accordance with 6 NYCRR Section 617.5(c) (24) which states:

“information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action”;

And is therefore not subject to review under 6 NYCRR Part 617.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>		<b>X</b>	<b>PASS</b>				<b>FAIL</b>	

Motion by Trustee Schiener and seconded by Trustee McGarvey to approve the following resolution:

**TYPE II SEQR DETERMINATION**  
**ARCADE DOWNTOWN ENHANCEMENTS**

**SEQR**  
**TYPE II DETERMINATION**

Whereas, Section 617.5 of Title 6 of the New York Code of Rules and Regulations under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in the subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law.

Therefore be it resolved, that the Village of Arcade hereby determines that the improvements included in the Downtown Enhancements project within the Village of Arcade is a Type II action in accordance with the following: 6 NYCRR Section 617.5 (c)(2) which states:

“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;”

And is therefore not subject to further review under 6 NYCRR Part 617.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>		<b>X</b>	<b>PASS</b>				<b>FAIL</b>	

**BOND RESOLUTION ACQUISITION COMPUTER SYSTEM EQUIPMENT**

Motion by Trustee Rule and seconded by Trustee Schiener the following resolution was offered:

**RESOLUTION**

**A BOND RESOLUTION, DATED FEBRUARY 4, 2020, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ARCADE, WYOMING COUNTY, NEW YORK (THE "VILLAGE") AUTHORIZING THE ACQUISITION OF COMPUTER SYSTEM EQUIPMENT FOR USE BY THE VILLAGE, AT AN ESTIMATED MAXIMUM COST OF \$70,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$70,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.**

WHEREAS, the Village Board of Trustees has identified a need for the acquisition of computer system equipment for use by the Village;

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Village is hereby authorized to undertake the acquisition of computer system equipment for use by the Village including all preliminary costs and necessary equipment, apparatus, warranties and other such costs incidental thereto and in connection with the financing thereof (the "Purpose") The estimated maximum cost of the Purpose is \$70,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds of the Village in an aggregate principal amount not to exceed \$70,000, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount of obligations to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such purpose is to be paid by the levy and collection of taxes on all the taxable real property in the Village to pay the principal of such bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the Purpose is a class of objects or purposes described in subdivision 32 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is five 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 such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not exceed five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the

Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village 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, contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes 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 purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer 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 may 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) of the Code.

SECTION 10. The Village Treasurer 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 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village hereby determines that the Purpose 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 ("SEQRA") is required.

SECTION 12. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of the law which should be complied with at the date of publication of this notice 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 of this notice; or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. 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 such Local Finance Law, in a newspaper having a general circulation in the Village, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Village, which newspaper shall be designated by the Village Board of Trustees in a separate resolution.

SECTION 15. This Resolution is effective immediately.

The motion was passed upon the following vote:

<b>VOTE</b>									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
<b>VOTE TOTAL:</b>									
	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>					<b>FAIL</b>		

**BOND RESOLUTION ACQUISITION OF GENERATOR ELECTRIC/WATER GARAGE**

Motion by Trustee Rule and seconded by Trustee Schiener the following resolution was offered:

**RESOLUTION**

**A BOND RESOLUTION, DATED FEBRUARY 4, 2020, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ARCADE, WYOMING COUNTY, NEW YORK (THE "VILLAGE") AUTHORIZING THE ACQUISITION OF A GENERATOR FOR USE BY THE VILLAGE, AT AN ESTIMATED MAXIMUM COST OF \$55,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$55,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.**

WHEREAS, the Village Board of Trustees has identified a need for the acquisition of a generator for use by the Village; SECTION 1. The Village is hereby authorized to undertake the acquisition of a generator for use by the Village including all preliminary costs and necessary equipment, apparatus, warranties and other such costs incidental thereto and in connection with the financing thereof (the "Purpose") The estimated maximum cost of the Purpose is \$55,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds of the Village in an aggregate principal amount not to exceed \$55,000, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount of obligations to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such purpose is to be paid by the levy and collection of taxes on all the taxable real property in the Village to pay the principal of such bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the Purpose is a class of objects or purposes described in subdivision 32 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is five 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 such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not exceed five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village 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, contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes 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 purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer 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 may 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) of the Code.

SECTION 10. The Village Treasurer 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 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village hereby determines that the Purpose 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 ("SEQRA") is required.

SECTION 12. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.



SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or  
 (b) the provisions of the law which should be complied with at the date of publication of this notice 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 of this notice; or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. 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 such Local Finance Law, in a newspaper having a general circulation in the Village, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Village, which newspaper shall be designated by the Village Board of Trustees in a separate resolution.

SECTION 15. This Resolution is effective immediately.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**BOND RESOLUTION ACQUISITION OF MAINTENANCE VEHICLES**

Motion by Trustee McGarvey and seconded by Trustee Koerner the following resolution was offered:

**RESOLUTION**

**A BOND RESOLUTION, DATED FEBRUARY 4, 2020, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ARCADE, WYOMING COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE ACQUISITION OF MAINTENANCE VEHICLES AND EQUIPMENT (DUMP TRUCKS) FOR USE BY THE VILLAGE, AT AN ESTIMATED MAXIMUM COST OF \$366,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$366,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.**

WHEREAS, the Village Board of Trustees has identified a need for the acquisition of maintenance vehicles and equipment (dump trucks) for use by the Village.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Arcade, in the County of Wyoming, 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 Village is hereby authorized to undertake the acquisition of maintenance vehicles and equipment (dump trucks) for use by the Village, including all preliminary costs and necessary equipment, apparatus, warranties and other such costs incidental thereto and in connection with the financing thereof (the "Purpose"). The estimated maximum cost of the Purpose is \$366,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of such objects or purposes by the issuance of serial bonds in an aggregate principal amount not to exceed \$366,000 of the Village, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such acquisition is to be paid by the levy and collection of taxes on all the taxable real property in the Village to pay the principal of such bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the Purpose is a class of objects or purposes described in subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such acquisitions is 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 such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village 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 details 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 Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes 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 purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer 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 may 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) of the Code.

SECTION 10. The Village Treasurer 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 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village hereby determines that the Purpose 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 ("SEQRA") are required.

SECTION 12. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of publication of this notice 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 of this notice; or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the permissive referendum period, 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 such Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

The motion was passed upon the following vote:

<b>VOTE</b>									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>					<b>FAIL</b>		

**BOND RESOLUTION SEWER SYSTEM CAPITAL IMPROVEMENTS**

Motion by Trustee Rule and seconded by Trustee McGarvey the following resolution was offered:

**RESOLUTION**

**A BOND RESOLUTION, DATED FEBRUARY 4, 2020, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ARCADE, WYOMING COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING A SEWER SYSTEM CAPITAL IMPROVEMENTS PROJECT, AT AN ESTIMATED MAXIMUM COST OF \$110,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$110,000 PURSUANT**

**TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.**

WHEREAS, the Village Board of Trustees has identified a need for a capital improvements project for the reconstruction of and construction of improvements to the Village Sewer System.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Arcade, in the County of Wyoming, 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 Village is hereby authorized to undertake a certain sewer system capital improvements project consisting of the reconstruction of and construction of improvements to the Village sewer system, such work to include (but not be limited to) the replacement of storm sewers and catch basins at the intersection of North Street and Church Street and the installation of new catch basins on the existing storm sewer on Church Street, including all preliminary work and necessary equipment, materials, and related site work and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Project"). The estimated maximum cost of the Project is \$110,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Project by the issuance of serial bonds of the Village in an aggregate principal amount not to exceed \$110,000 hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the Purpose is a class of objects or purposes described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 40 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 such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village 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 details 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 Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes 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 purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer 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 may 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) of the Code.

SECTION 10. The Village Treasurer 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 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village has determined that the Purpose 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 ("SEQRA") are required.

SECTION 12. To the extent applicable, the Village Treasurer is hereby authorized to execute and deliver in the name and on behalf of the Village a project financing agreement prepared by the New York State Environmental Facilities Corporation ("EFC") (the "SRF Project Financing Agreement"). To the extent applicable, the Village Treasurer and the Village Clerk and all other officers, employees and agents of the Village are hereby authorized and directed for and on behalf of the Village to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the SRF Project Financing Agreement.

SECTION 13. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 14. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of publication of this notice 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 of this notice; or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 15. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 16. If no petitions are filed in the permissive referendum period, 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 such Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

The motion was passed upon the following vote:

<b>VOTE</b>									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
<b>VOTE TOTAL:</b>									
	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**BOND RESOLUTION RECONSTRUCTION OF VILLAGE SIDEWALKS**

Motion by Trustee Schiener and seconded by Trustee Rule to following resolution was offered:

**RESOLUTION**

**A BOND RESOLUTION, DATED FEBRUARY 4, 2020, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ARCADE, WYOMING COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE RECONSTRUCTION OF PORTIONS OF THE SIDEWALK ON MAIN STREET IN THE VILLAGE, AT AN ESTIMATED MAXIMUM COST OF \$1,565,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,565,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.**

WHEREAS, the Village Board of Trustees has identified a need for the reconstruction of portions of the sidewalk on Main Street in the Village.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Arcade, in the County of Wyoming, 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 Village is hereby authorized to undertake a sidewalk capital improvements project generally consisting of the reconstruction of and construction of the concrete sidewalk on Main Street, including, but not limited to, the area between Sanford Avenue and Church Street (North side) and Sanford Avenue and Prospect Street (South side), including all preliminary work and necessary equipment, materials and site work and any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Project"). The estimated maximum cost of the Project is \$1,565,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Project by the issuance of serial bonds of the Village in an aggregate principal amount not to exceed \$1,565,000 hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, a Transportation Alternatives Program Grant expected to be received from NYSDOT. Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the purpose is an object or purpose described in subdivision 24 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the purpose is ten 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 such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village 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 details 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 Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes 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 purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer 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 may 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) of the Code.

SECTION 10. The Village Treasurer 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 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village hereby determines that the Purpose 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 ("SEQRA") are required.

SECTION 12. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of publication of this notice 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 of this notice; or**

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the permissive referendum period, 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 such Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>								
	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>					<b>FAIL</b>	

**BOND RESOLUTION DOWNTOWN STREETScape IMPROVEMENTS**

Motion by Trustee Schiener and seconded by Trustee Koerner the following resolution was offered:

**RESOLUTION**

**A BOND RESOLUTION, DATED FEBRUARY 4, 2020, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ARCADE, WYOMING COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT CONSISTING OF VARIOUS STREETScape IMPROVEMENTS (PRIMARILY ALONG THE VILLAGE'S DOWNTOWN BUSINESS CORRIDOR), AT AN ESTIMATED MAXIMUM COST OF \$110,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$110,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.**

WHEREAS, the Village Board of Trustees has identified a need for a capital improvements project consisting of various streetscape improvements (primarily in the Village's downtown business corridor).



NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Arcade, in the County of Wyoming, 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 Village is hereby authorized to undertake a capital improvements project consisting of various streetscape improvements (primarily along the Village's downtown business corridor) including, but not limited to, new decorative street lights the installation of a new wayfinding system, as well as benches and waste receptacles, including any preliminary work, necessary site work, acquisition of apparatus, equipment and other improvements in connection therewith and all preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Project"). The estimated maximum cost of the Project is \$110,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Project by the issuance of serial bonds of the Village in an aggregate principal amount not to exceed \$110,000 hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, a grant expected to be received from Empire State Development. Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. The Superintendent of Public Works has determined that the useful life of the Project is at least 15 years, and accordingly, the period of probable usefulness of the class of objects or purposes herein authorized and for which said serial bonds are herein authorized to be issued within the limitations of subdivision 35 of paragraph (a) of Section 11.00 of the Local Finance Law is 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 such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village 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 details 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 Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes 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 purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This

resolution shall constitute the declaration (or reaffirmation) of the Village’s “official intent” to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer 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 may 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) of the Code.

SECTION 10. The Village Treasurer 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 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village has determined that the Project 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 (“SEQRA”) are required.

SECTION 12. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of the law which should be complied with at the date of publication of this notice 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 of this notice; or**

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the permissive referendum period, 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 such Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

The motion was passed upon the following vote:

<b>VOTE</b>									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>					<b>FAIL</b>		

**SCHEDULE PUBLIC HEARING LOCAL LAW 69, TAX CAP**

Motion by Trustee Koerner and seconded by Trustee McGarvey to schedule the public hearing for review of local law Chapter 69, Property Tax Cap on March 3, 2020.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**TENTATIVE TELECOMMUNICATIONS CEILING**

Clerk Treasurer Kraft reported that notice has been received from the NYS Board of Real Property Services that the tentative telecommunications ceiling for the 2020 tax year is \$44,083, which is a decrease over last year's figure which finalized at \$53,008. This figure represents the maximum taxable assessed value of private mass telecommunications property, Verizon New York, Inc., in our municipality.

**NOTICE OF TENTATIVE SPECIAL FRANCHISE ASSESSMENT FULL VALUE**

Clerk/Treasurer Kraft reported that notice has been received from the NYS Board of Real Property Services that the tentative Special Franchise full values for the VOA assessment roll to be filed in 2020 is \$814,359 (last year \$670,894). This includes National Fuel Gas at \$564,460 (last year \$405,659), Verizon at \$205,994 (last year \$212,566) and Time Warner at \$43,905 (last year \$52,669).

**AUTHORIZE MAYOR TO SIGN AGREEMENTS MUNICIPAL SOLUTIONS**

Motion by Trustee Schiener and seconded by Trustee McGarvey to authorize Mayor May to sign two agreements with Municipal Solutions. The first agreement authorizes Municipal Solutions to assist the VOA with the required Continuing Disclosure filings. The second agreement is a two year contract renewal for general financial services. We must have a contract in place prior to work commencing with Municipal Solutions.

The motion was passed upon the following vote:

<b>VOTE</b>								
Mayor Jay May	X	Yes		No		Abstain		Absent
Trustee Andy Koerner	X	Yes		No		Abstain		Absent
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent
Trustee Ken Rule	X	Yes		No		Abstain		Absent
Trustee Donna Schiener	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	5	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**AUTHORIZATION TO DESTROY RECORDS**

Motion by Trustee McGarvey and seconded by Trustee Rule to authorize Clerk Treasurer Kraft to destroy the following records in accordance with NYS MU1:

<b>DESCRIPTION</b>	<b>RETENTION</b>	<b>BOX #</b>
Electric Receipts 11/2013-01/2014	6 years	0830
Sales Tax Records 2012	6 years	
Back Flow Reports 2013	6 years	
Overhead Spreadsheets 2013	6 years	
Payroll Registers 2013	6 years	
Personnel Folders Scanned to Filebound: Steven Burkett, Lois Matuszak, Michael Morgan, James Sheehe		
Clerks Correspondence 2013	6 years	

The motion was passed upon the following vote:

<b>VOTE</b>									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
<b>VOTE TOTAL:</b>									
	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**AUDIT BILLS**

Motion by Mayor May and seconded by Trustee Schiener, the Village bills be audited and paid in the amount of \$187,274.02 and that the Clerk be authorized to transfer funds from the money market accounts to the checking accounts to cover such bills.

The motion was passed upon the following vote:

<b>VOTE</b>									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
<b>VOTE TOTAL:</b>									
	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**EXECUTIVE SESSION**

Motion by Trustee Rule and seconded by Trustee McGarvey, the Board enter into executive session to discuss the following topic(s) at 8:21 pm:

- Contract Negotiations

The motion was passed upon the following vote:

<b>VOTE</b>									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
<b>VOTE TOTAL:</b>									
	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

Motion by Trustee Rule and seconded by Trustee Schiener, the Board exit executive session at 8:29 pm.

The motion was passed upon the following vote:

<b>VOTE</b>									
Mayor Jay May	X	Yes		No		Abstain		Absent	
Trustee Andy Koerner	X	Yes		No		Abstain		Absent	
Trustee Jim McGarvey	X	Yes		No		Abstain		Absent	
Trustee Ken Rule	X	Yes		No		Abstain		Absent	
Trustee Donna Schiener	X	Yes		No		Abstain		Absent	
<b>VOTE TOTAL:</b>									
	5	Yes	0	No	0	Abstain	0	Absent	
<b>RESULTS</b>									
	X	<b>PASS</b>					<b>FAIL</b>		

**REPORTS RECEIVED**

The following reports were received, reviewed, and placed on file:

- None.

**ADJOURN**

There being no further business to come before the Board the meeting duly adjourned at 8:29 pm upon motion by Trustee Rule and seconded by Trustee McGarvey.

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Clerk/Treasurer

VENDOR	AMOUNT	VENDOR	AMOUNT
21ST CENTURY ELECTRONICS	\$ 39.98	NATIONAL FUEL	\$ 18.31
AIRGAS, INC	\$ 73.60	NATIONAL FUEL	\$ 2,772.08
AMERICAN ROCK SALT HOLDINGS LL	\$ 36,237.23	NEW YORK POWER AUTHORITY	\$ 30,043.70
ARCADE POSTMASTER	\$ 1,791.92	NEW YORK STATE DEFERRED COMPEN	\$ 3,178.47
ATTICA ACE HARDWARE	\$ 189.48	NOCO ENERGY CORP	\$ 2,527.16
ATTICA AUTO SUPPLY	\$ 49.95	NYS & LOCAL RETIRE SYSTEM	\$ 2,258.86
AUTOMOTIVE ALLEY INC	\$ 545.18	NYS CHILD SPRT PROCESSING	\$ 500.46
BENNETT, DiFILIPPO & KURTZHALT	\$ 59.50	NYS INCOME TAX	\$ 4,610.07
BLUE 360 MEDIA LLC	\$ 354.79	NYSAMCC INC	\$ 50.00
BLUE CROSS BLUE SHIELD OF WNY	\$ 34,524.04	NYSATSB PROGRAMS INC	\$ 600.00
C & G ELECTRICAL SUPPLY	\$ 56.03	OFFICE OF STATE COMPTROLLER	\$ 6,751.00
CHURCHVILLE FIRE EQUIPMENT CO	\$ 627.00	OSEA INC	\$ 900.00
CINTAS CORPORATION #782	\$ 126.27	PIONEER FORD INC.	\$ 13.76
CONNOR, FRANCIS S.	\$ 317.00	POLLARD WATER	\$ 196.65
CSEA	\$ 755.12	SACHER, THOMAS J	\$ 460.00
CSEA POLICE UNIT	\$ 166.90	SHELTERPOINT LIFE INSURANCE CO	\$ 181.50
CUMMINS NORTHEAST LLC	\$ 632.33	SHELTERPOINT LIFE INSURANCE CO	\$ 295.20
DANNY HEINEMAN & SONS INC	\$ 1,024.29	SMITH, KENNETH	\$ 3,618.00
DECKMAN OIL CO INC	\$ 193.25	SPARTAN WAREHOUSE CORP	\$ 352.11
FLUID KINETICS, INC.	\$ 654.34	TIFCO INDUSTRIES INC	\$ 332.80
FPS HYDRAULICS CORP	\$ 310.00	TIME WARNER CABLE	\$ 268.42
FREEDOM FARM AND TRUCK TIRE IN	\$ 25.00	TOMPKINS INSURANCE AGENCIES IN	\$ 263.00
GERNATT ASPHALT PRODUCTS, INC.	\$ 102.46	TOWN OF SARDINIA	\$ 1,434.99
GRAINGER	\$ 1,875.00	TRACTOR SUPPLY CREDIT PLAN	\$ 143.31
HANES SUPPLY INC	\$ 480.26	TRI-COUNTY SUPPLY INC	\$ 25.72
HULL ELECTRIC, INC	\$ 581.75	UNITED UNIFORM CO INC	\$ 108.70
IRS - FEDRAL PAYROLL TAX PAYME	\$ 24,799.83	UPS	\$ 69.68
JIM'S EQUIPMENT REPAIR INC	\$ 454.41	USA BLUEBOOK	\$ 545.95
KEY BANK	\$ 287.49	UTILITY TECHNOLOGY ASSOCIATION	\$ 425.00
KRIST, MATTHEW	\$ 57.02	VALLEY FAB & EQUIPMENT INC	\$ 1,022.72
L&R ROLL-OFF, INC.	\$ 122.50	VERIZON	\$ 137.40
LIFTECH EQUIPMENT COMPANIES	\$ 686.15	VERIZON WIRELESS	\$ 663.06
LINSTAR	\$ 12.80	VILLAGE OF ARCADE	\$ 90.00
McDONNELL MILLER, ANN	\$ 4,000.00	WASTE MANAGEMENT OF NEW YORK L	\$ 9,629.16
MEUA - MUNICIPAL ELECTRIC UTIL	\$ 300.00	WYOMING COUNTY DEPT OF HEALTH	\$ 64.00
		ZIMMER AUTO PARTS & SALES INC	\$ 209.91
<b>COLUMN TOTAL</b>	<b>\$ 112,512.87</b>	<b>COLUMN TOTAL</b>	<b>\$ 74,761.15</b>
		<b>GRAND TOTAL</b>	<b>\$ 187,274.02</b>