

DECEMBER 14, 2015

Mexico Town Board

Minutes of the Regular Meeting

Held Dec 14, 2015 at the Town Hall Commencing at 7:30 P.M.

Present:

David Anderson, Supervisor

Eric Behling, Councilor

Larry Barber, Councilor

Russell Partrick, Councilor

Elizabeth Dishaw, Town Clerk

Allison Nelson, Town Attorney

Ronald Marsden, Zoning Officer

Jack Sprigg, Animal Control Officer

Absent:

Judy Greenway, Councilor

Charles Fortier, Highway Superintendent

And 9 in the audience

Supervisor Anderson opened the regular Town Board meeting at 7:30 with the Pledge of Allegiance.

**Resolution 2015-102 Approval of Minutes**

A motion was made by Councilor Behling and seconded by Councilor Barber to accept the following resolution. The motion was adopted by a vote of 4 ayes, Anderson, Behling, Barber, Partrick and 0 nays

Resolved the Mexico Town Board approves the minutes from the November 9, 2015 town board meeting.

Communications:

- 1.Association of Towns – Proposed Amendment to By-Laws
- 2.NYMIR – Newsletter
- 3.NYS Ag & Market – Dog Shelter Inspection
- 4.National Grid – Pipeline Safety
- 5.NYS Public Service – Publication Availability
- 6.NYMIR – Risk Management Bulletin

Public Comment and Concerns:

Concerns from residents were property on US Rt 11 and Dewey Road. Length of lawn sales permitted in the town. Procedure for hiring employees for the town.

**Reports:**

Town Clerk – A motion was made by Councilor Behling and seconded by Councilor Barber to accept the town clerk reports as presented. The motion was unanimously adopted by 4 ayes Anderson, Behling, Barber, Partrick and 0 nays.

Dog Control Officer– A motion was made by Councilor Behling and seconded by Councilor Partrick to accept the monthly report as presented. The motion was adopted by 4 ayes; Anderson, Behling, Barber, Partrick and 0 nays

Zoning Officer / Building Inspector – A motion was made by Councilor Behling and seconded by Councilor Barber to accept the monthly report as presented. The motion was adopted by 4 ayes; Anderson, Behling, Barber, Partrick and 0 nays. Marsden said the sign on the telephone pole was within our laws. National Grid would have to request the sign to be removed.

Highway Superintendent – A motion was made by Councilor Partrick and seconded by Councilor Barber to accept the monthly report as presented. The motion was adopted by 4 ayes; Anderson, Behling, Barber, Partrick and 0 nays.

Community Park– none

Mexico Point Park – none

Supervisor –A motion was made by Councilor Barber and seconded by Councilor Behling to approve the monthly report as presented. The motion was adopted by 4 ayes; Anderson, Behling, Barber, Partrick and 0 nays.

**Resolution 2015-103 Payroll**

A motion was made by Councilor Behling and seconded by Councilor Barber to accept the following resolution. The motion was adopted by 4 ayes; Anderson, Behling, Barber, Partrick and 0 nays.

Resolved the Mexico Town Board approves the November payroll.

Water Update – A motion was made by Councilor Behling and seconded by Councilor Partrick to accept the following resolution. The motion was adopted by 4 ayes; Anderson, Behling, Barber, Partrick and 0 nays.

**Resolution 2015-104 Bond Resolution WSA #3**

**BOND RESOLUTION DATED DECEMBER 14, 2015 OF THE TOWN BOARD OF THE TOWN OF MEXICO AUTHORIZING NOT TO EXCEED \$1,947,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE THE CONSTRUCTION AND INSTALLATION OF WATERLINES AND OTHER NECESSARY IMPROVEMENTS TO ESTABLISH A WATER DISTRIBUTION SYSTEM FOR WATER SERVICE AREA NO. 3 AT AN ESTIMATED MAXIMUM COST OF \$1,947,000, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.**

**WHEREAS**, the Town Board of the Town of Mexico (the “Town”) had been asked to consider the formation of a water service area in the Town to be known as the Town of Mexico Water Service Area No. 3, pursuant to Article 12-C of the Town Law of the State of New York; and

**WHEREAS**, a Map, Plan and Report prepared by C2AE, Consulting Engineers of 70 Main Street, Canton, New York 13617, pursuant to Article 12 of the Town Law of the State of New

York was filed with the Town Clerk for the Town on April 30, 2015, and entitled "Town of Mexico WATER SERVICE AREA NO. 3"; and

**WHEREAS**, the notice of the public hearing was published in the official newspaper of the Town, The Independent Mirror, and posted on the Town bulletin board pursuant to Section 209-q of the Town Law of the State of New York; and

**WHEREAS**, said public hearing was held on May 27, 2015 at 7:00 p.m., after notice, with all interested parties having been heard on the proposed district; and

**WHEREAS**, the Town Board at a special meeting on May 27, 2015, following the public hearing held on May 27, 2015, had a full discussion pertaining to the proposed Water Service Area No. 3 and discussion of public comment with consulting engineers, C2AE, as well as the attorney for the Town, Allison J. Nelson; and

**WHEREAS**, the Town Board by resolution duly adopted on May 27, 2015 approved the formation of Water Service Area No. 3, subject to a mandatory referendum; and

**WHEREAS**, the voters duly approved the creation of Water Service Area No. 3 at a special meeting duly held on July 27, 2015; and

**WHEREAS**, the Town received a notice from the New York State Department of Audit and Control, Albany, New York (the "Comptroller"), dated November 20, 2015, stating that the Comptroller had approved the formation of Water Service Area No. 3; and

**WHEREAS**, the Town Board has issued a negative declaration determining that the improvements to be undertaken in furtherance of the purpose to be financed pursuant to this Resolution will not have a significant effect on the environment;

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

Section 1. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$1,947,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes

described herein.

Section 2. The class of objects or purposes (herein referred to as "Purpose") to be financed pursuant to this resolution is the construction and installation of water lines and other necessary improvements and the acquisition of equipment, machinery or apparatus to establish a water distribution system for Water Service Area No. 3, including, but not limited to, rights in land, meter pits, remote read meters, service lines to the curb box and approximately 75 feet of water service lateral lines onto private property.

Section 3. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$1,947,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to and a grant of \$466,000.00 from USDA Rural Development.

Section 4. It is hereby determined that the Purpose is one of the class of objects or purposes described in Paragraph 1 of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is forty (40) years. The proposed maturity of the Bonds authorized herein will be in excess of five (5) years.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor of the Town, consistent with the provisions of the Local Finance Law.

Section 6. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level debt

service , subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 7. The faith and credit of the Town of Mexico, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year, to the extent the necessary funds are not provided from other sources. There shall be levied annually on all taxable real property in the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable, to the extent the necessary funds are not provided from other sources.

Section 8. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 9. This Resolution shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or 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 if said obligations are authorized in violation of the provisions of the Constitution.

Section 10. The firm Barclay Damon, LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 11. This Resolution shall take effect immediately.

**Resolution 2015-105 Quotes for BAN**

A motion was made by Councilor Behling and seconded by Councilor Barber to accept the following resolution. The motion was adopted by 4 ayes; Anderson, Behling, Barber, Partrick and 0 nays.

Resolved the Mexico Town Board authorizes Supervisor Anderson to obtain quotes for the interest rate on the Water Service Area #3 BAN.

There was a discussion on the hydrant maintenance, Stortz fittings, and number of hydrants in the water districts.

**Resolution 2015-106 Town Office Repair**

A motion was made by Councilor Partrick and seconded by Supervisor Anderson to accept the following resolution. The motion was adopted by 3 ayes; Anderson, Behling, Partrick, 0 nays and Barber abstained.

Resolved the Mexico Town Board awarded the bid for architectural services to GYMO for the repairs to the town office.

**Resolution 2015-107 Election Custodian**

A motion was made by Supervisor Anderson and seconded by Councilor Barber to accept the following resolution. The motion was adopted by 4 ayes; Anderson, Behling, Barber, Partrick and 0 nays.

Resolved the Mexico Town Board approves to abolish the position of election custodian.

**Resolution 2014-108 2016 Tax 2nd Notice Fee**

A motion was made by Councilor Behling and seconded by Councilor Barber to accept the following resolution. The motion was adopted by 4 ayes; Anderson, Behling, Barber, Partrick and 0 nays.

WHEREAS, The Town of Mexico send second notices for taxes to the residents

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Mexico charge a fee of \$2.00 (two dollars) to be added to the tax due on all parcels for which a second notice is sent, on or about March 15th, for the Town and County Tax bills for the year 2016.

Schneider's Lil Salmon renewed their liquor license.

**Resolution 2014-109 Year -end Meeting**

A motion was made by Supervisor Anderson and seconded by Councilor Behling to accept the following resolution. The motion was adopted by 4 ayes; Anderson, Behling, Barber, Partrick and 0 nays.

Resolved the Mexico Town Board scheduled the year-end meeting for December 28th at 7:30 pm at the Mexico Town Office, 64 South Jefferson Street, Mexico, N.Y.

The attorney conducted the training for the ZBA and planning boards this year. Nelson said if training is not completed by the end of the year the town board could remove the members from office.

**Resolution 2015 -110 Audit of Claims**

A motion was made by Councilor Partrick and seconded by Councilor Behling to accept the following resolution. The motion was adopted by 4 ayes, Anderson, Behling, Barber, Partrick and 0 nays.

Resolved that the bills for Abstract 12 have been reviewed by the Town Board and are authorized for payment in the following amounts:



General A Fund	voucher # 321 to 346	\$94,358.69
General B Fund	voucher # 70 to 77	\$8,476.52
Highway Fund	voucher # 222 to 245	\$39,176.05
Water	voucher # 17 to 18	\$1,805.56
Special District.	voucher # 17 to 19	\$2,083.64

A motion was made by Councilor Behling and seconded by Councilor Partrick to adjourn at 8:15. The motion was adopted by 4 ayes; Anderson, Behling, Barber, Partrick and 0 nays.

Respectfully submitted,

Elizabeth Dishaw, RMC