

PUBLIC HEARING AND SPECIAL JOINT TOWN BOARD MEETING FOR CLIFTON
AND FINE FEBRUARY 28, 2018

A public hearing with the Towns of Clifton and Fine was held on Wednesday, February 28, 2018 at the Municipal Office Building in Star Lake. A quorum of both boards was present.

Board Members	Present	Absent	Late	Arrived
Fine Supervisor Connie Snider	X			
Fine Councilman Philip Giardino		X		
Fine Councilman William Powers	X			
Fine Councilman Jeremy Thompson	X			
Fine Councilman Peter Kerr	X			
Clifton Supervisor Charles Hooven	X			
Clifton Councilwoman Julie Lanphear	X			
Clifton Councilman Cory Perrault		X		
Clifton Councilman John Russell		X		
Clifton Councilwoman Mary Zuhlsdorf	X			

Others present: H. Dolan, K. Solteau, M. Hall, C. Lawton, E. Gustafson, H. Snider, A. Hynes, M. Watson, and B. McGuinness.

The public hearing to amend the amount to be expended by the water district and the district boundaries was opened at 6:00 PM.

With no one present wishing to be heard, the public hearing was closed at 6:03 PM.

The special joint board meeting was called to order at 6:03 PM.

Establish district – 02/2018-53 Moved by J. Thompson, seconded by W. Powers to adopt the attached amended resolution to establish a water district for the Town of Fine.

Ayes: 4 Noes: 0 Carried.

Clifton – Moved by J. Lanphear, seconded by M. Zuhlsdorf The Town of Clifton adopts their amended resolution to establish a water district.

Ayes: 3 Noes: 0 Carried.

Bond Resolution – 02/2018-54 Moved by J. Thompson, seconded by W. Powers to adopt the attached bond resolution for the Star Lake Water District.

Roll Call Vote -	Connie Snider -	Aye	
	Peter Kerr -	Aye	
	William Powers-	Aye	
	Philip Giardino-	Absent	
	Jeremy Thompson-	Aye	Carried.

Community Center – The Office for the Aging is asking for a second key for the meal site at the community center. Neither board had an issue with this. There are some repairs that need to be made at the community center. Chuck said that he will take a look at what needs to be done and go from there.

Adjourn – 02/2018-55 Moved by J. Thompson, seconded by W. Powers the meeting was adjourned at 6:12 PM.

Ayes: 7 Noes: 0 Carried.

Respectfully submitted,

Hope M. Dolan, Town Clerk

Amended Resolution to Establish a Water District

02/2018-53

**AMENDED RESOLUTION TO ESTABLISH TOWN OF FINE STAR LAKE
WATER DISTRICT**

WHEREAS, Barton and Loguidice, D.P.C. duly filed a map, plan and report in the office of the Town Clerk of the Town of Fine, the said Town Board did on May 13th, 2015, duly adopt an order reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the fact that a plan, map and report describing the same are on file in the Town Clerk's office for public inspection and specifying that said Town Board shall meet at the Town Hall, Town of Fine, New York on the 27th day of May 2015, for the purpose of conducting a public hearing on such proposal to establish the water district with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, Barton and Loguidice, D.P.C. duly filed an amended map, plan and report in the office of the Town Clerk of the Town of Fine, the said Town Board did on February 14th, 2018, duly adopt an order reciting an amended description of the boundaries of the proposed district, the amended maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the fact that an amended plan, map and report describing the same are on file in the Town Clerk's office for public inspection and specifying that said Town Board shall meet at the Town Hall, Town of Fine, New York on the 28th day of February, 2018, for the purpose of conducting a public hearing on such proposal to establish the water district, as amended, with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, copies of said order were duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider such proposal and heard all person interested in the subject thereof, who appeared at such time and place, concerning the same,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board, Town of Fine, in the County of St. Lawrence, that it be and hereby is determined as follows:

PUBLIC HEARING AND SPECIAL JOINT TOWN BOARD MEETING FOR CLIFTON
AND FINE FEBRUARY 28, 2018

- (1) The notice of hearing was published and posted as required by law and is otherwise sufficient.
- (2) That all of the property and property owners, within the proposed Water District are benefited thereby.
- (3) That all of the property and property owners benefited are included within the proposed Water District.
- (4) It is in the public interest to establish the proposed Water District as hereinafter described, and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a Water District, as amended, as hereinafter described to be known as the Town of Fine Star Lake Water District, as described and set forth in the map, plan and report of Barton and Loguidice, D. P.C. filed in the Clerk of the Town of Fine on the 13th day of May, 2015 as amended on or about February 14th, 2018, and be it

FURTHER RESOLVED, that the improvements as set forth in the map, plan, and report of the said Barton and Loguidice, D.P.C. as amended to be located in said district be constructed upon the required funds being made available or provided for the Water District, and be it

FURTHER RESOLVED, that the proposed improvements, including cost of rights of way, construction costs, legal fees and other expenses shall be financed as follows:

DWSRF Loan	\$5,308,000.00
DWSRF Grant	\$3,000,000.00
Dormitory Authority Grant	\$ 100,000.00
Total Project Cost	\$8,408,000.00, be it

FURTHER RESOLVED, that this resolution is subject to a permissive referendum, pursuant to the Town Law of the State of New York.

Motion by Councilperson J. Thompson, second by Councilperson W. Powers,

VOTE:_ 4 Ayes, 0 Nays, Carried.

**BOND RESOLUTION DATED FEBRUARY 28th, 2018
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 FINE, NEW YORK, IN THE
COUNTY OF ST. LAWRENCE, PURSUANT TO THE PROVISIONS OF THE
LOCAL FINANCE LAW OF THE STATE OF NEW YORK AND PURSUANT
TO APPLICABLE PROVISIONS OF THE TOWN LAW OF THE STATE OF
NEW YORK IN AN AMOUNT NOT TO EXCEED \$8,408,000.00 FOR THE
PURPOSE OF PAYING THE COSTS OF THE TOWN OF FINE'S AND
TOWN OF CLIFTON'S WATER DISTRICT CREATION AND
CONSTRUCTION, THE TOTAL COST OF WHICH IS NOT TO EXCEED
THE SUM OF \$8,408,000.00.**

02/2018-54

WHEREAS, the Town Board of the Town of Fine, County of St. Lawrence, New York, has heretofore at this meeting adopted a resolution authorizing the issuance of obligations of the Town of Fine, New York, in the County of St. Lawrence, in the sum of \$8,408,000.00 for the purpose of paying the costs of the creation and construction of the Town of Fine Star Lake Water District and the Town of Clifton Star Lake Water District in the Town of Clifton, the total cost of which is not to exceed the sum of \$8,408,000.00.

WHEREAS, no other outstanding obligations of the Town of Fine, 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 Fine, New York, now desires to provide for the issuance of obligations of the Town of Fine, New York, and it now desires to provide for other matters with respect to such District;

BE IT, THIS 28th day of February, 2018

RESOLVED, by the Town Board of the Town of Fine, County of St. Lawrence, New York, as follows:

PUBLIC HEARING AND SPECIAL JOINT TOWN BOARD MEETING FOR CLIFTON
AND FINE FEBRUARY 28, 2018

Section #1. The Town of Fine, in the County of St. Lawrence, New York, shall issue its serial bonds or statutory installment bonds of the aggregate principal amount not to exceed the sum of \$8,408,000.00, and notes in the anticipation of the issuance thereof, pursuant to the Local Finance Law of the State of New York including but not limited to Section 169.00 of such Local Finance Law, in order to finance the specific purpose hereinafter described.

Section #2. The specific purpose to be financed pursuant to this resolution is to pay the costs of the creation and construction of the Town of Fine Star Lake Water District and the Town of Clifton Star Lake Water District in the Town of Clifton the total cost of which is not to exceed the sum of \$8,408,000.00.

Section #3. The maximum estimated cost of such purpose as estimated by the Town Board is \$8,408,000.00 and the plan of financing thereof is by the issuance of a maximum of \$8,408,000.00 in serial bonds, statutory installments bonds, and/or bond anticipation notes issued in anticipation of such serial bonds and statutory installments bonds, from any grants or other financial assistance obtained from the United States Department of Agriculture, Rural Development, the New York Dormitory Authority and/or the New York State Environmental Facilities Corporation and/or from any municipal contributions from the Town of Fine and Clifton. Pursuant to Section 107.00(d)(3) of the Local Finance Law of the State of New York, current funds are not required to be provided prior to the issuance of any serial bonds, statutory installment bonds or bond anticipation notes issued in anticipation of such bonds. The temporary use of available funds of the Town, 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 Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes

authorized by this resolution. This resolution shall constitute a declaration of “official intent” to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

Section #4. It is hereby determined that said purposes is an object or 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 forty (40) years. The final redemption date of said bond to be issued will not extend beyond forty (40) years from the date of their initial issuance. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five 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 this 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 and the power to sell and deliver bonds providing for substantially level or declining annual debt service is hereby delegated to the Town Supervisor as the Chief Fiscal Officer of the Town of Fine, County of St. Lawrence and State of New York. The Chief Fiscal officer of the Town of Fine 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 including but not limited to those set forth in Section 169.00 of the Local

PUBLIC HEARING AND SPECIAL JOINT TOWN BOARD MEETING FOR CLIFTON
AND FINE FEBRUARY 28, 2018

Finance Law 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 Fine, New York, to any Serial Bonds or Statutory Installment Bonds and any Bond Anticipation Note and to attest such seal.

Section #6. The Town Supervisor is hereby further authorized, at his/her sole discretion, to execute a project finance agreement and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific purpose described in Section 2 hereof, or a portion thereof, by a serial bond, a statutory installment bond and/or a bond anticipation note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section #7. The faith and credit of the Town of Fine, New York, is hereby irrevocably 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 bonds as the same shall respectively become due and payable. There shall be annually apportioned and assessed upon real property located within the Town of Fine Star Lake Water District in the Town of Fine and the Town of Clifton Star Lake Water District within the Town of Clifton an amount sufficient to pay the principal and interest on such obligations as the same may be due but, if not paid from such source, all of the taxable real property in said Town of Fine shall be subject to the levy of ad valorem taxes without limitation as to rate or amounts sufficient to pay the principal and interest on such obligations as the same shall become due.

PUBLIC HEARING AND SPECIAL JOINT TOWN BOARD MEETING FOR CLIFTON
AND FINE FEBRUARY 28, 2018

Section #8. This resolution or a summary hereof shall be published by the Town Clerk of the Town of Fine, County of St. Lawrence, 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 of such resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- C. Such obligation is authorized in violation of the provisions of the Constitution.

Section #9 This resolution is not subject to 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.