

VILLAGE BOARD MEETING
June 8, 2010

RESOLUTION # 34-10
ACCEPTANCE OF BID CONTRACT NUMBER 2
OF WATER DISTRIBUTION PROJECT

WHEREAS: The Village of Newark Valley is in the process of making repairs and upgrades to its water distribution system; and,

WHEREAS: Hunt Engineering has prepared specifications on behalf of the Village for Contract Number 2 of the water distribution project; and,

WHEREAS: The Village Board accepted issued requests for bid and set June 8 at 3:15 p.m. as the deadline for submission of bids and the time for bid opening on such project; and,

WHEREAS: The Village Board received the following bids:

Bidder	Amount
Adhan Piping	\$1,534,128.75
F.P. Kane Construction	\$1,532,900.00
G. DeVincentis & Sons	\$1,567,430.00
Highlander Construction	\$1,631,999.00
LRS Excavating	\$1,695,882.00
Vacri Construction	\$1,615,545.00

WHEREAS: Such bids were reviewed by the Village Board and Hunt Engineers, and it has submitted its recommendation;

NOW on MOTION by DeHaas and SECOND by Carlin,

IT IS HEREBY RESOLVED that F.P. Kane Construction is the lowest responsible bidder in the sum of \$1,532,900,

And that F.P. Kane Construction should be awarded the bid for Phase 2 of the construction project, and should be awarded alternates 2, 3, 4 and 5, subject to approval of the bid documents by the Village Attorney and the USDA.

ROLL CALL:

DeHaas - Y Blee - Excused Carlin - Y Inderwies - Y Tornatore - Y

VILLAGE BOARD MEETING

June 8, 2010

RESOLUTION # 35-10
APPROVING PROPOSAL OF KVS SOFTWARE

WHEREAS: KVS and E.O.S. have merged, and have offered to provide upgrades at the amount proposed to us from E.O.S. to upgrade to the KVS Software, now therefore be it

RESOLVED: That the Mayor is hereby authorized to sign the proposal on behalf of the Village of Newark Valley for the upgrade to KVS Information Systems, Inc.

MOTION DeHaas

SECOND Carlin

ROLL CALL:

DeHaas Y Blee Y Carlin Y Inderwies Y Tornatore Y

RESOLUTION # 36 -10
CONTRACT FOR ACTUARIAL SERVICES

WHEREAS: The Village Board of Trustees, as required by USDA, has to have a single audit for the fiscal year 2009-10, and are required or abide by GASB 45, and

WHEREAS: The clerk has asked for proposals from three firms; Armory Associates, Milliman, and Harbridge Consulting, and Armory Associates has provided the lowest proposal (\$2400.), now therefore be it

RESOLVED: That the Mayor is hereby authorized to sign, on behalf of the Village of Newark Valley, the contract with Amory Associates.

MOTION Carlin

SECOND Inderwies

ROLL CALL:

DeHaas Y Blee Y Carlin Y Inderwies Y Tornatore Y

VILLAGE BOARD MEETING
June 8, 2010

RESOLUTION # 37-10
MUNICIPAL SOLUTIONS PROPOSAL

RESOLVED: That the Mayor is hereby authorized to sign the proposal for financial advisory services, dated June 3, 2010, with Municipal Solutions.

MOTION Carlin

SECOND Inderwies

ROLL CALL:

DeHaas Y Blee EY Carlin Y Inderwies Y Tornatore Y

VILLAGE BOARD MEETING
June 8, 2010

RESOLUTION # 38 - 10
VILLAGE HALL REHABILITATION

WHEREAS, the Village of Newark Valley desires village hall rehabilitation as outlined in the technical assistance report prepared by Crawford & Stearns Architects and Preservation Planners in June 2004, and

WHEREAS, the Village of Newark Valley desires to act as lead agent under the New York State Environmental Quality Review Act (SEQRA) and

WHEREAS, the Village Board has prepared Part I of the Full Environmental Assessment Form (EAF) pursuant to Environmental Conservation Law Sections 3-0301(1) (b), 3-30301(2) (m) and 8-0113, Section 617.6; THEREFORE be it

RESOLVED, that the Clerk of the Village of Newark Valley is directed to contact all interested parties to determine their interest in or comments concerning the repair of the village hall rehabilitation.

I, Tracey Cucci, Deputy Village Clerk of the Village of Newark Valley, do hereby certify that the aforementioned resolution was adopted by the Village Board of the Village of Newark Valley on June 8, 2010, by the following vote:

	AYE	NAY
<u>Morgan Mercurio, Trustee</u>	<u>✓</u>	<u> </u>
<u>Dennis Carlin, Trustee</u>	<u>✓</u>	<u> </u>
<u>Lain DeHaas, Deputy Mayor</u>	<u>✓</u>	<u> </u>
<u>James Tonnare, Mayor</u>	<u>✓</u>	<u> </u>
<u>Jud Blee, Trustee</u>	<u>excused</u>	<u> </u>

Tracey S. Cucci
Tracey Cucci
Deputy Village Clerk – Village of Newark Valley

Dated: 6/8/10

BOND RESOLUTION
(SUBJECT TO PERMISSIVE REFERENDUM)

At a regular meeting of the Board of Trustees of the Village of Newark Valley, Tioga County, New York, held at the Village Hall, in Newark Valley, New York, in said Village, on the 8th day of June, 2010, at 8:50 o'clock P.M., Prevailing Time.

The meeting was called to order by Mayor Tornatore, and upon roll being called, the following were

PRESENT: Trustee Carlin
Trustee Inderwies
Deputy Mayor DeHaas
Mayor Tornatore

ABSENT: Trustee Blee

The following resolution was offered by Trustee DeHaas, who moved its adoption, seconded by Trustee Inderwies, to-wit:

BOND RESOLUTION DATED JUNE 8, 2010.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE COST OF THE RECONSTRUCTION OF THE ~~-----~~ MUNICIPAL BUILDING, IN AND FOR THE VILLAGE OF NEWARK VALLEY, TIOGA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$245,000 AND AUTHORIZING THE ISSUANCE OF \$245,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action, have been performed; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Newark Valley, Tioga County, New York, as follows:

Section 1. The reconstruction of the ~~-----~~ Municipal Building, in and for the Village of Newark Valley, Tioga County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental site and other improvements and expenses in connection therewith, at a maximum estimated cost of \$245,000, is hereby authorized, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$245,000 of serial bonds of the Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that to the extent that any Federal or State or other grants-in-aid are received for such

specific object or purpose, the ultimate amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Newark Valley, Tioga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds 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 bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

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 issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, 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 Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level

or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) 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 days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

The question of the adoption of the foregoing resolution was duly put to a vote on roll

call, which resulted as follows:

<u>Trustee Carlin</u>	VOTING	<u>Y</u>
<u>Trustee Ondruek</u>	VOTING	<u>Y</u>
<u>Deputy Mayor DeHaven</u>	VOTING	<u>Y</u>
<u>Mayor Tornatore</u>	VOTING	<u>Y</u>
<u>Trustee Bice</u>	Excused VOTING	<u> </u>

The resolution was thereupon declared duly adopted.

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VILLAGE BOARD MEETING
June 8, 2010

RESOLUTION # 40-10
ACCEPTANCE OF ENVIRONMENTAL ASSESSMENT FORM

WHEREAS: the Village of Newark Valley has submitted a short environmental assessment form in regard to repairs to the Municipal Building; and

WHEREAS: the environmental assessment form has been reviewed in a public meeting of the Village Board, and the members of the Board have given full consideration to the environmental assessment form and comments made at the public meeting,

NOW on MOTION by Dennis Carlin and SECOND by Lori DeHaas, it is hereby,

RESOLVED: that the Village Board accepts the environmental assessment form; it is further,

RESOLVED: that a negative declaration shall be issued and the Mayor or Deputy Mayor are hereby authorized to execute the same.

ROLL CALL:

DeHaas – Y Blee – Excused Carlin – Y Inderwies – Y Tornatore - Y