

Present – Mayor James Ryan, Trustees Vincent Chicone, Phil Jo Smith, James Nolan, and Jeffrey Confer

Also Present –Dean Hillyard, DPW Superintendent; Alyssa Hammond, Clerk/Treasurer; Emily Byers, Deputy Clerk/Treasurer; Katie Serrine, and Michael Lynd

Mayor Ryan called the meeting to order at 7:00 p.m. and asked for the pledge of allegiance.

Trustee Chicone offered a resolution, seconded by Trustee Smith authorizing the payment of bills, on Abstract no. 023- General Fund, for the amount of \$31,308.64. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan authorizing the payment of bills, on Abstract no. 023 - Water Fund, for the amount of \$16,857.59. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Chicone authorizing the payment of bills, on Abstract no. 023 - Sewer Fund, for the amount of \$2,647.58. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Chicone authorizing the payment of bills, on Abstract no. 023 – Trust & Agency Fund, for the amount of \$1,584.56. AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan approving May 2021 JPC Invoices in the amount of \$372,380.59. AYES: Trustee Chicone, Nolan and Confer. NOES: Trustee Smith. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone granting Amanda Demaria permission to pursue 2021 CFA Funding Opportunities. AYES: Trustee Chicone, Smith, Confer and Nolan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Nolan approving the following mayoral appointments:

Deputy Mayor	Vincent Chicone
Clerk-Treasurer	Alyssa Hammond
Deputy Clerk-Treasurer	Emily Byers
Acting Village Justice	Ronald Goosen
Health Officer	James D. Winkler
Official Newspaper	Watkins Review
Official Bank	Chemung Canal Trust Company
Cemetery Commission	Michael Hughey
	David Zinger
	Vacant

AYES: Trustees Chicone, Smith, Nolan, and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone approving the following meeting dates for the Board of Trustees:

June 3, 2021	January 6, 2022
June 17, 2021	January 20, 2022
July 15, 2021	February 3, 2022
August 19, 2021	February 17, 2022
September 16, 2021	March 3, 2022
October 7, 2021	March 17, 2022
October 21, 2021	April 7, 2022
November 4, 2021	April 21, 2022
November 18, 2021	May 5, 2022
December 2, 2021	May 19, 2022
December 16, 2021	

AYES: Trustees Smith, Confer, Chicone, and Nolan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone authorizing Mayor Ryan to execute the tax warrant authorizing collection of 2021-22 village taxes in the amount of \$625,291.00 and allow the county to print the Village Tax Bills. AYES: Trustees Smith, Confer, Chicone, and Nolan. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Smith approving the Village Information Sheet that is to be mailed with the 2021 Tax Bills. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Chicone offered a resolution, seconded by Trustee Nolan approving the Water Quality Report for the 2020 calendar year. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Confer offered a resolution, seconded by Trustee Chicone to create the position of Part Time Clerk, furthermore authorizing Mayor Ryan to execute the New Positions Duty Statement as presented. AYES: Trustees Chicone, Smith, Nolan and Confer. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Confer approving the following resolution:

RESOLUTION AND DECLARATION OF OFFICIAL INTENT

Lessee: Village of Montour Falls

Principal Amount Expected To Be Financed: \$143,393.80

WHEREAS, the above Lessee is a political subdivision of the state in which Lessee is located (the "State") and is duly organized and existing pursuant to the Constitution and laws of the State.

WHEREAS, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee.

WHEREAS, the Governing Body hereby finds and determines the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding the amount stated above ("Principal Amount") for the purpose of acquiring the property generally described below ("Property") and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee.

Brief Description of Property:

One (1) 2020 International Dump Truck/model: MV607 SBA

VIN: 3HAEUTAN3LL097106-including all attachments & accessories

and

One (1) 2021 Dodge Ram Truck/model: 2500 Tradesman

VIN: 3C6MR5AJ2MG558727-including all attachments & accessories

WHEREAS, Key Government Finance, Inc. ("Lessor") is expected to act as the Lessor under the Equipment Leases.

WHEREAS, the Lessee may pay certain capital expenditures in connection with the property prior to its receipt of proceeds of the Equipment Leases ("Lease Purchase Proceeds") for such expenditures and such expenditures are not expected to exceed the Principal Amount.

WHEREAS, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

NOW, THEREFORE, Be It Resolved by the Governing Body of the Lessee:

Section 1. The Lessee hereby determines that it has critically evaluated the financing alternatives available to it pursuant to 2 NYCRR Section 39.2 and that entering into the Equipment Leases and financing the acquisition of the Property thereby is in the best interests of the Lessee. Such evaluation shall be available as a public record.

The specific reason for such determination is that entering into such Equipment Leases results in a lower overall cost to the Lessee. Execution of the Equipment Leases will not cause the Lessee to be in violation of the limits contained in paragraph c of subdivision 6 of Section 109-b of the General Municipal Law.

Section 2. The Lessee is hereby authorized to acquire and install the Property (the "Project") and is hereby authorized to finance the Project by entering into the Equipment Leases. Any action taken by the Lessee in connection therewith is hereby ratified and confirmed.

Section 3. Either one of the Village Clerk/Treasurer OR the Village Mayor (each an "Authorized Representative") acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 4. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 6. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute general obligations of the lessee or indebtedness under the Constitution or laws of the State.

Section 7. It is hereby determined that the purpose of the Project is an object or purpose described in subdivision 32 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 15 years.

Section 8. It is hereby determined the term of the Equipment Leases authorized by this resolution will not be in excess of 4 years.

Section 9. The Governmental Body 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 ("SEQR") is required.

Section 10. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

Section 11. BANK QUALIFIED: LESSEE CERTIFIES THAT IT HAS DESIGNATED THIS LEASE AS A QUALIFIED TAX-EXEMPT OBLIGATION IN ACCORDANCE WITH SECTION 265(b)(3) OF THE CODE, THAT IT HAS NOT DESIGNATED MORE THAN \$10,000,000 OF ITS OBLIGATIONS AS QUALIFIED TAX-EXEMPT OBLIGATIONS IN ACCORDANCE WITH SUCH SECTION FOR THE CURRENT CALENDER YEAR AND THAT IT REASONABLY ANTICIPATES THAT THE TOTAL AMOUNT OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY LESSEE DURING THE CURRENT CALENDER YEAR WILL NOT EXCEED \$10,000,000.

Section 12. The Authorized Representative 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 Equipment Leases authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code.

Section 13. This resolution is not subject to any mandatory or permissive referendum pursuant to the Local Finance Law or Section 109-b of the General Municipal Law.

Section 14. This Resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED on this 20TH day of May, 2021.

Passed by the following vote of all Board of Trustee Members voting in favor thereof:

AYES: Trustee Chicone, Smith, Confer and Nolan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Smith to authorize a refund to Richard Schornstheimer in the amount of \$2070.00 for Marina seasonal campsite #126. AYES: Trustees Chicone, Smith, Confer, and Nolan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone to authorize a refund to Christopher and Jennifer Smith in the amount of \$200.00 for Marina dock deposit. AYES: Trustees Chicone, Smith, Confer, and Nolan. NOES: None. Resolution carried.

Trustee Nolan offered a resolution, seconded by Trustee Chicone to deny the request for a refund of late fees that Christopher and Jennifer Denicola accrued for a Marina dock and storage. AYES: Trustees Chicone, Smith, Confer, and Nolan. NOES: None. Resolution carried.

Trustee Smith offered a resolution, seconded by Trustee Chicone to adjourn the meeting at 8:25 p.m. AYES: Trustee Smith, Nolan, Chicone and Confer. NOES: None. Resolution carried.

Respectfully submitted,
Emily Byers, Deputy Clerk