

**FEBRUARY 7, 2024
REGULAR MEETING – 4:00 PM**

Present: Mayor Grimshaw, Trustees: Emery and Hotchkiss, John Power, William Hamacher, Justin Herrington, Jacob Johnson and Attorney Seiter
Absent: Trustees: Harter and Linerode

Mayor Grimshaw called the Public Hearing to order on proposed Local Law #1 of 2024 entitled “To override the tax levy limit established in General Municipal Law Section 3-C” to order at 4:00 pm. After a brief discussion the hearing was closed on motion of Trustee Emery, seconded Trustee Hotchkiss, all aye at 4:01 pm. No public comment

Mayor Grimshaw called the regular meeting to order at 4:01 pm.

The Minutes of the Regular Meeting of January 3, 2024 were approved on motion of Trustee Hotchkiss, seconded by Trustee Emery, all aye.

The following claims were approved for payment on motion of Trustee Hotchkiss seconded by Trustee Emery, all aye:

General Fund Abstract:	8B: \$15,792.07
	9A: \$5,113.35
	9B: \$29,549.53
Water Fund Abstract:	8B: \$765,108.12
	9A: \$10,578.03
	9B: \$6,089.78
Sewer Fund Abstract:	8B: \$35,254.05
	9A: \$9,282.89
	9B: \$634.37

Reports were given by John Power/Village Administrator and William Hamacher Zoning/Code Enforcement Officer

Jacob Johnson addressed the board about the parking situation on Church Street. He cannot get in or out of his driveway at times and his mail also wasn’t delivered in the past due to vehicles parking in front of his mailbox. He also stated the state put up signs that the public ignores and he has called the sheriffs department and spoken to the pastor at the church with no resolution. Mayor Grimshaw stated that he will write a letter on his behalf to the sheriff’s department.

On motion of Trustee Emery, seconded Trustee Hotchkiss, all aye, the board approved Local Law #1 of 2024.

On motion of Trustee Hotchkiss, seconded Trustee Emery, all aye, the board Filed and Verified the Tentative Assessment Roll.

Mayor Grimshaw set the date of February 26, 2024 at 10:00 am at the village office for a budget workshop.

On motion of Trustee Hotchkiss, seconded Trustee Emery, all aye, the following funds were transferred:

<u>General-</u>	From: 1990.4 Contingency	\$4,123.00
	To: 5110.2 Highway Equipment	\$3,700.00
	9785.7 Installment Int.	\$423.00
<u>Water-</u>	From: 1990.4 Contingency	\$9,500.00
	8340.4 Contractual	\$662.00
	To: 1910.4 Insurance	\$162.00
	8320.4 Power & Pumping	\$10,000.00
<u>Sewer-</u>	From: 1990.4 Contingency	\$162.00
	To: 1910.4 Insurance	\$162.00

On motion of Trustee Hotchkiss, seconded Trustee Emery, all aye, the following resolution was passed:

Mayor Grimshaw presented the following resolution and moved that it be adopted:

SUPPLEMENTAL BOND RESOLUTION DATED FEBRUARY 7, 2024 OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEXICO AUTHORIZING AN ADDITIONAL NOT TO EXCEED \$150,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE A SIDEWALK IMPROVEMENTS

PROJECT AT AN ESTIMATED MAXIMUM COST OF \$5,475,000, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, prior to the adoption of this resolution all action required pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”), and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6NYCRR Part 617, as amended (the “Regulations”, and collectively with the SEQR Act, “SEQRA”) have been taken; and

WHEREAS, on December 6, 2023, the Board of Trustees of the Village of Mexico (the “Village”) duly adopted a bond resolution (the “Original Bond Resolution”) authorizing the construction of improvements to Main St. (NY RT 104), all as part of the Sidewalk Improvements Project, as more particularly described in Section 3 hereof, at a maximum cost of \$5,325,000, and the issuance of its serial general obligation bonds (the “Bonds”) in the aggregate principal amount of not to exceed \$5,325,000; and

WHEREAS, the Village Board of Trustees has determined that the cost of the Purpose has increased to \$5,475,000; and

WHEREAS, the Village Board of Trustees desires to approve the increase in the maximum cost of the Purpose and authorize the issuance of an additional not to exceed \$150,000 of bonds and notes to finance the costs of the Purpose;

NOW THEREFOR BE IT RESOLVED by the Village Board of the Village of Mexico (the “Village”) (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

Section 1. The Village is hereby authorized to construct improvements along Main St. (NY RT 104), from the Mexico Academy Middle School at 3430 Main St. to the Mexico Academy High School at 3338 Main St., all as part of the Sidewalk Improvements Project, including preliminary costs thereof and costs incidental thereto, as more particularly described in Section 3 hereof.

Section 2. The Village is hereby authorized to issue its serial general obligation bonds (the “Bonds”) in the additional aggregate principal amount of not to exceed \$150,000 pursuant to the Local Finance Law of New York in order to finance the class of objects or purposes described herein.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution is the construction of improvements along Main St. (NY RT 104), from the Mexico Academy Middle School at 3430 Main St. to the Mexico Academy High School at 3338 Main St., encompassing both sides of the street and additional sidewalk

extensions/replacements on multiple streets in the Village, including construction and installation of sidewalks and multi-use paths, pedestrian facilities, existing sidewalk panels, curb ramps and other improvements in connection therewith, all as part of the Sidewalk Improvements Project, including preliminary costs thereof and costs incidental thereto (the "Purpose").

Section 4. It is hereby determined and declared that (a) the maximum cost of said Purpose, as estimated by the Village Board, is \$5,475,000, (b) \$5,325,000 has heretofore been authorized to be applied to the payment of the cost of said Purpose, and (c) the Village plans to finance the costs of said Purpose entirely from funds raised by the issuance of the bonds and bond anticipation notes authorized to be issued pursuant to the Original Bond Resolution, the Bonds and bond anticipation notes herein after referred to and the proceeds of a grant received from United States Department of Agriculture, Rural Development.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes 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 (10). The proposed maturity of the Bonds will be in excess of five (5) years.

Section 6. 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 Treasurer of the Village, the chief fiscal officer.

Section 7. Subject to the provisions of the Local Finance Law, the power to further authorize the issuance of the Bonds and to authorize the issuance of bond anticipation notes issued in anticipation of the sale of the Bonds (including renewals thereof) and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the sue of substantially level debt service, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Treasurer of the Village, the chief fiscal officer. The Treasurer is hereby authorized to sign and the Village Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Village Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Village.

Section 8. The faith and credit of the Village, 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. There shall be levied annually on all taxable real property in the Village, 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 9. This Resolution shall constitute the declaration of the Village's "official intent" to reimburse expenditures authorized by Section 1 with proceeds of the Bonds and notes, as required by United States Treasury Regulation Section 1.150-2. The Village 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 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 36.00 of the Local Finance Law and Section Article 9 of the Village Law. The Village Clerk is hereby authorized and directed within ten (10) days after the adoption of said Resolution, to cause to be published a notice which sets forth the date of the Resolution's adoption and contains an abstract of the Resolution concisely stating its purpose and effect.

Section 11. When effective, this Resolution, or a summary thereof, shall be published by the Village Clerk together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in the official newspapers of the Village. 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 Village is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution, or summary thereof, 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 12. Barclay Damon LLP is hereby appointed as bond counsel to the Village in connection with the issuance of the Bonds and bond anticipation notes authorized herein.

Section 13. This Resolution shall take effect immediately.

The Motion having been duly seconded by Trustee Emery, it was adopted and the following votes were cast:

On motion of Trustee Hotchkiss, seconded Trustee Emery, all aye, the board entered into executive session at 4:34 pm for a personnel issue. On motion of Trustee Hotchkiss, seconded Trustee Emery, all aye, the board returned to open session at 4:48 pm.

On motion of Trustee Emery, seconded Trustee Hotchkiss, all aye, the village board agreed to reimburse the clerk the increased amount for her health insurance monthly out of pocket premium.

The meeting adjourned at 4:50 pm on motion of Trustee Hotchkiss, seconded Trustee Emery, all aye.

Respectfully submitted,

Traci Wallace
Village Clerk