

SPECIAL MEETING OF THE LOUISVILLE TOWN BOARD
TOWN OF LOUISVILLE, NEW YORK
DECEMBER 21, 2017; 5:00PM

OFFICERS PRESENT: LARRY LEGAULT, SUPERVISOR
GAIL SCHNEIDER, COUNCILWOMAN
PATRICK CARROLL, COUNCILMAN
DAN O'KEEFE, COUNCILMAN

OFFICERS ABSENT: DAVID MOULTON, COUNCILMAN
VERN FENLONG, HIGHWAY SUPERINTENDENT

The special meeting was called to order at 5:00pm.

This meeting is being held to discuss the bonding for a plow truck and other matters that may come before the Board.

Town Attorney Gustafson read the proposed resolution:

BOND RESOLUTION DATED DECEMBER 21, 2017 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 LOUISVILLE, 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 \$188,177.00 FOR THE PURPOSE OF PURCHASING A 2016 INTERNATIONAL 7600 SFA 6X4 WITH PLOW PACKAGE, THE TOTAL COST OF WHICH IS NOT TO EXCEED THE SUM OF \$200,000.00.

WHEREAS, the Town Board of the Town of Louisville, County of St. Lawrence, New York, has heretofore at this meeting adopted a resolution authorizing the issuance of obligations of the Town of Louisville, New York, in the County of St. Lawrence, in the sum of \$188,177.00 for the purpose of purchasing a 2016 International 7600 SFA 6x4 with plow package, the total cost of which is not to exceed the sum of \$200,000.00.

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

BE IT, THIS 21st day of December, 2017

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

Section #1. The Town of Louisville, 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 \$188,177.00, 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 purchasing a 2016 International 7600 SFA 6x4 with plow package, the total cost of which is not to exceed the sum of \$200,000.00.

Section #3. The maximum estimated cost of such purpose as estimated by the Town Board is \$200,000.00 and the plan of financing thereof is by the issuance of a maximum of \$188,177.00 in serial

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bonds, statutory installments bonds, and/or bond anticipation notes issued in anticipation of such serial bonds and statutory installments bonds, along with any grants or other financial assistance obtained from the United States Department of Agriculture, Rural Development, the State of New York and any of its development authorities, the Development Authority of the North Country, the New York Dormitory Authority and/or the New York State Environmental Facilities Corporation and/or from any municipal contributions from the Town of Louisville.

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 fifteen (15) years. The final redemption date of said bond to be issued will not extend beyond fifteen (15) years from the date of their initial issuance. It is hereby further determined that the maximum maturity of the bonds herein authorized will not 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 Louisville, County of St. Lawrence and State of New York. The Chief Fiscal officer of the Town of Louisville 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 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 Louisville, 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 full faith and credit of the Town of Louisville, 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 Louisville an amount sufficient to pay the principal and interest on such obligations as the same may be due and all of the taxable real property in said Town of Louisville 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, except as otherwise may be required by law.

Section #8. This resolution or a summary hereof shall be published by the Town Clerk of the Town of Louisville, 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:

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Such obligation is authorized for an object or purpose for which said Town is not authorized to expend money, or

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

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.

The resolution is not subject to permissive referendum because we are borrowing for less than 5 years.

There were no questions.

Moved by Councilwoman Schneider, seconded by Councilman O'Keefe and duly carried to pass the resolution as read by Attorney Gustafson.

Moved by Councilman Carroll, seconded by Councilwoman Schneider and duly carried to enter into executive session to discuss ongoing litigation and a possible settlement with the Wladris Law Firm at 5:07pm.

Moved by Councilman Carroll, seconded by Councilwoman Schneider and duly carried to reenter the special meeting at 5:25pm.

Moved by Councilwoman Schneider, seconded by Councilman O'Keefe and duly carried to allow Supervisor Legault to sign the Settlement Agreement and Release with the Wladris Law Firm, subject to final approval from the Town Attorney of the form of the document.

The property being sold to Ellie Weinrich has closed. The money will be sent from Attorney Gustafson's office after the first of the year.

Moved by Councilman Carroll, seconded by Councilwoman Schneider and duly carried to allow Recreation and Maintenance Supervisor LaValley to order the skate sharpener as in the 2018 budget. The price is \$900.00.

Supervisor Legault stated that we can opt out of the family leave act and join at a later date- but the cost may go up. He will continue researching and report back to the Board in January.

Moved by Councilwoman Schneider, seconded by Councilman Carroll and duly carried to postpone the signing of the annual contract with the Massena Rescue Squad until after the January Board meeting.

Councilman Elect Thompson will be sworn in 15 minutes prior the January meeting.

PUBLIC COMMENT:

Moved by Councilwoman Schneider, seconded by Councilman O'Keefe and duly carried to adjourn the meeting at 5:33pm.

Respectfully Submitted,

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Joanne Cameron
Town Clerk