

**TOWN OF FRIENDSHIP MINUTES  
PUBLIC HEARING AND REGULAR MEETING  
JUNE 21, 2017  
7PM**

Call to order by Supervisor Blouvet.

Pledge of Allegiance observed by all.

Roll call vote: Supervisor: James Blouvet-present  
Councilman-Russell Hall-present  
Councilwoman- Donette Shelley-present  
Councilwoman – Linda Mascho-present  
Councilwoman- Carolyn Carney-present

Also present: Town Clerk: Patricia Schurr  
Town Attorney: David Pullen

Assemblage: Mary Chappell(Municipal Solutions), Jimmy Joe Carl(Town Engineer), Jeffrey Smith (Municipal Solutions), Doug Ward, Jeremy Clawson, Erica Kreamer, Vivian Howell, Brett Clouse, James Monheim, Jill Hoopes, Mike Stump, Mark Voorheis, Leslie Dahill, Oakley Sortore, Mike Bidwell, Lee Shelley, Scott Golden, Karl Kruger.

**Supervisor Blouvet opens up the Public Hearing regarding:**

The increase and improvements of the facilities of the Town of Friendship Water District, in the Town of Friendship, Allegany county, New York, being the replacement of water ,meters, including original furnishings, equipments, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$500,000 and to hear all persons interested in the subject thereof, concerning the same and to take action thereon as is required or authorized by law.

Public questions and or concerns:

Karl Kruger-Wanted to know what exactly the Town would be buying and how did they come up with the project total. Mary Chappel of Municipal Solution advised they were hired along with Engineer Jimmy Joe Karl who did an engineer study on the whole water system and they are working together along with Oakley Sortore, and they have come up with a Budget. This budget includes radio read meters, equipment, installation. This project amount has been drastically reduced and they are still working on it to get the spending down. The estimated cost of \$500,000.00 is the maximum the Town would be able to borrow and worse case scenario, if they should need to do so.

Attorney Pullen advised that if they set out to borrow less than that and everything comes out to more than they asked for, then this whole process would have to start over from the beginning and then by then the price would have gone up. The pay back of this bond would be applied and collected through the cap charge, so someone not in the water district would not be charged for it.

Karl Kruger advised he has a meter that works perfectly but if a meter needs to be put in he would want to install his own meter. Councilman Hall advised that ideally it is for everyone to have all the same meters, so they all match. Per Oakley Sortore there is still a lot of things to look at, including, what kind of meter and who will or can install the meters.

Carl Kruger advised he would rather see the funds to put in new pipes for the water delivery.

Jeff and Mary from Municipal solutions as well as Jimmy Joe advised that the Town is aware that there are old pipes in the Towns infrastructure and they already have found some of the water leakage on some from the pipes. Water leakage/loss from the pipes is also a problem. There is a grant in place that will pay for a Wyoming Company that will come in and be able to detect any leakage and get this done rather quickly. The Town Board members are aware that these pipes are old and need repaired. There are grants out there for water infrastructure, repair and replacing pipes but they won't deal with the Town because the water has not been solvent in the past 2 years, there is 71% water loss. Some meters function, some don't. The first step is to get the water meters in and start recouping lost money and show we have a plan to get out of the red. The Town has to show this step first and then their chances to get a grant to replace pipes are good. These grants are available for a short time so the Town has to work quickly to try and get any help for these available grants.

Some things brought up:

Previous Board members have failed to budget money for such things as water pipes/repair on infrastructure, this mostly due to change in board members and incontinuity.

Per Attorney Pullen the Town can set up a Capitol reserve fund for the water system, just have to follow State law regulations.

A Plan for replacing meters in 20 years.

Local contractors for putting in new meters.

There being no more questions or resistance to the Public Hearing, the Supervisor declared the hearing closed.

8:10pm

#### **PUBLIC INTEREST ORDER**

**In the Increase and Improvement of the Facilities of the Town of Friendship Water District, the Town of Friendship, Allegany County, NY**

**WHEREAS**, the Town board of the Town of Friendship, Allegany County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Town of Friendship Water District in the Town of Friendship, Allegany County, New York(the "Water District") being the replacement of water meters, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements, and expenses in connection therewith, at a maximum estimated cost of \$500,00.00; and

**WHEREAS**, AT A MEETING OF SAID Town Board duly called and held on June 7, 2017, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of Water District in said Town at a maximum estimated cost of \$5000.000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Friendship, New York, in said Town, on June 21, 2017, at 7:00 P.M., Prevailing Time; and

**WHEREAS**. said Order duly certified by the Town Clerk was duly published and posted as required by law; and

**WHEREAS**, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW THEREFORE, BE IT

**ORDERED**, by the Town Board of the Town of Friendship, Allegany County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of the Town of Friendship Water District, in the Town of Friendship, Allegany County, New York, consisting the replacement of water meters, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$500,000.

Section 2. This Order shall take effect immediately.

The question of the adopting of the foregoing Order as duly put to a vote on roll, which resulted as follows:

James B. Blouvet	voting aye
Russell Hall	voting aye
Donette Shelley	voting aye
Lina Mascho	voting aye
Carolyn Carney	voting aye

The Order was thereupon declared duly adopted.

## **BOND RESOLUTION**

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE TOWN OF FRIENDSHIP, ALLEGANY COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF WATER DISTRICT, IN THE TOWN OF FRIENDSHIP, ALLEGANY COUNTY, NEW YORK

**WHEREAS**, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town board has determined it to be in the public interest to improve the facilities of Town of Friendship Water District , in the Town of Friendship, Allegany County, New York, at a maximum estimated cost of \$500,000; and

**WHEREAS**, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which as such the regulations provide will not have any significant adverse effects on the environment; and

**WHEREAS**, it is now desired to authorize such capital project and it's financing, NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Friendship, Allegany County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the Town of Friendship Water District, in the Town of Friendship, Allegany County, New York( the "Water District") being the replacement of water meters, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$500,000.00 there are hereby authorized to be issued \$500,000 bonds of said Town pursuant to the provisions of the Local Finance law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$500,000, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is by the issuance of the \$500,000 bonds of said Town authorized to be issued pursuant to this bond resolution; **PROVIDED, HOWEVER**, that to the extent that any grants-in-aid are received for such specific object or purpose or the Town Board shall appropriate other monies of the Town therefore, the 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 forty years pursuant to subdivision 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 Town of Friendship, Allegany 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. To the extent not paid from monies raised from said Water District in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, 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 Supervisor, 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 Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obligated to see to the application of the purchase money.

Section 7. 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 Supervisor, the chief fiscal officer of such Town. 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 Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose

described in Section 1 thereof, or portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. 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 Town 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 11. 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 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of foregoing resolution was duly put to a vote on roll call, which resulted as follows:

James B. Blouvet voting aye  
Russell Hall voting aye  
Donette Shelley voting aye  
Linda Mascho voting aye  
Carolyn Carney voting aye

The resolution was thereupon declared duly adopted.

Motion to Approve the Minutes from the Meeting of May 17, 2017 offered by Russell Hall, seconded by Donette Shelley. All approve.

Motion to Approve the Minutes from the Special Meeting of June 7, 2017 offered by Russell Hall, seconded by Carolyn Carney. All approve.

Motion to Approve the Audited Bills from May 2017 in the amount of \$54,926.14, offered by Carolyn Carney, seconded by Donette Shelley. Roll call vote: James Blouvet-aye, Russell Hall-aye, Donette Shelley-aye, Linda Mascho-aye, Carolyn Carney-aye.

Motion to Approve the Supervisor's report for May 2017 offered by Carolyn Carney, seconded by Donette Shelley. All approve.

### **Supervisor's Concerns**

Supervisor Blouvet stated that there is a garbage problem and that residences have 15/20 bags of garbage. A normal household does not produce that much garbage. Garbage is being brought in from outside the refuse district into the district, which is against the Town Local Law. The Local refuse law states that only six(6) bags of garbage are allowed. Residence in the refuse district do pay refuse tax and it's the same percent all around but based on residence's assessment. Per Town Attorney Pullen, the Town could issue appearance tickets or the refuse workers could just not pick up anything over the 6 bags and then the residents be told to remove the balance of the bags from the curbside.

### **PUBLIC CONCERNS**

Vivian Howell- Advised that the Office of the Aging will not let them hold their meetings at the G.A.R. Hall anymore until the Ladies room is fixed. Supervisor Blouvet advised that the Town doesn't have the money to put into the GAR Hall. Vivian stated that Jon Heary will repair it, just needs the materials. Supervisor Blouvet told Vivian that if Jon Heary will get a figure/list and amount of the cost he will try and find somewhere to get the funds for the repair.

Scott Golden- Has an issue with one of the Police Department officers and an incident that happen in Nile near his house with some other residents. The Supervisor told Mr. Golden to file a written complaint from the Town Hall and the Board of Police Commissioners will address the issue and get back with him on this issue.

Leslie Dahill- Questions regarding some cap reserve that was lifted and why because it could of been used for the water infrastructure. Pullen advised the Town could have a reserve just for water infrastructure, there are just state laws mandating that, and it would have to be put into the budget.

Mr. Dahill asked about water valves at the water shut off/curb box that have blown. Oakley stated he has a minimum inventory and with funds, if not broke don't replace it right now.

**Motion to Approve to Renew Electric Supply with Direct Energy or all Electric to R G & E.**  
Motion to not renew with Direct Energy to keep all Electric with RG&E, offered by James Blouvet, seconded by Russell Hall. All approve.

### **Motion for Reimbursement on Cell phone**

Motion to approve work cell phone and reimburse Oakley Sortore \$50.00 per month for the use of his personnel cell phone, offered by Russell Hall, seconded by Carolyn Carney.

### **Motion to approve Allstate Flood Insurance Renewal and or coverage increase**

Motion to Approve Coverage to the Increase Coverage to Bldg. of 53,200/Contents 9,200 for a premium of \$1,620.00, offered by James Blouvet, seconded by Linda Mascho.

**Roll call vote:** James Blouvet-aye, Russell Hall-aye, Donette Shelley-aye, Linda Mascho-aye, Carolyn Carney-aye.

### **DEPARTMENT REPORTS**

Town Clerks report for May 2017

Code Enforcement report for May 2017

Police Department report for May 2017

Public works activity report for May 2017

Cuba/Friendship reuse report for May 2017

Fuel Farm Report for May 2017

Water Dept. monthly report for May 2017

Sewer Dept. report for May 2017

Dog control report for May 2017(Dog enumeration in progress)

Motion to Adjourn

Motion to Adjourn by Russell Hall, seconded by Carolyn Carney. All approve

8:50 adjourned

Respectfully submitted,

Patricia Schurr, Town Clerk