

THE TOWN OF FRIENDSHIP MEETING MINUTES

PUBLIC HEARING 6:30

WATER SYSTEM IMPROVEMENTS-TOWN OF FRIENDSHIP WATER DISTRICT

APRIL 17, 2024

Supervisor Hall calls the Public hearing to order.

Pledge of allegiance.

Roll call: Supervisor Russell Hall-present
Councilperson-Carolyn Carney-absent
Councilperson-Linda Mascho-present
Councilperson-Steve Ritter-present

Also present: Patricia Schurr-Town Clerk
Catherine Rees
Tim Steed(Hunt Engineering)
Attorney: David Pullen

Assemblage: Donald Weir, David Norton, Mark Voorheis, Dell Baker, Michelle Baker, George Ritter
Oakley Sortore, Tim Steed, Catherine Rees, Ken Burdick, Leslie DaHill.

. The purpose of conducting this public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of the Town of Friendship Water District, being the construction of improvements to and reconstruction of elements of the water supply, treatment, storage and distribution system, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith as applicable, at a maximum estimated cost of \$10,125,707.

This public hearing is to consider if it is in the public interest to undertake the Project at an estimated maximum cost of \$10,125,707 and to hear all persons interested in the subject matter.

Concerns or questions/ discussion:

Tim Steed with Hunt Engineering and Catherine Rees with RCap Solutions
Reviewed what is entailed with the Water Systems Project, that the Town of Friendship

Is Proposing to undertake capital project improvement to the Friendship Water systems wells, water storage, and water mains. With the total cost of the project at a maximum estimated cost of \$10,125,707.

This Resolution does not commit to borrowing the amount, it does allow the Town to apply for grants, that could be worth 60% of the project, if the Resolution is not passed than the Town cannot apply for grants to reduce the amount that is needed for the Project. This makes it so the Town can move forward.

Questions from assemblage: Dell Baker stated, he did not like the wording in the Resolution that committed the whole town of taxpayers if the water district cannot pay the amount it would go onto the residents tax bill. He also does not like the fact of the water bills going up.

Tim Steed stated that is a standard clause in all Bond Resolutions.

Supervisor Hall states the odds of the Town defaulting would have to take the Town being reduced to a ghost Town.

Dell Baker: Does this \$10,125,707 include everything, the land that is needed to be purchased?

Tim Steed: yes, includes everything including a 30% contingency in case its more than expected, but there are things the Town can do to reduce cost.

There is also the congressional award in the amount of \$2,000,000.00 that can be used towards to lessen the amount that is needed to borrow plus less any grants that can be applied for.

Steve Ritter -How many other grants require Bond Resolutions? Catherine Rees: NO grants can be applied for until a Bond Resolution is done, and this just authorizes the project cost. Does not commit, only to be able to apply for grants to help with funding. There is only the USDA that does not need a Bond Resolution before hand but it needs to one afterwards.

Supervisor Hall advised the Board will not let the water bills go up \$200.00, it comes down to this is the money we have , this is the project amount, this is the part the Town can do of the Project. If it is not feasible it wont happen.

No more questions or concerns, the supervisor ask for a motion to close the Public Hearing. Motion offered by Steve Ritter, seconded by Linda Mascho.

Supervisor Hall closes public Hearing.

TOWN OF FRIENDSHIP MEETING MINUTES

REGULAR MEETING – 7PM

April 17, 2024

Supervisor Hall calls meeting to order.

Pledge of allegiance observed by all.

Roll call: Supervisor Russell Hall-present
Councilperson-Carolyn Carney-present at 7:10 left at 7:30pm
Councilperson -Linda Mascho-present
Councilperson-Steve Ritter-present

Also present: Patricia Schurr – Town Clerk

Assemblage: Donld Weir, Donad Weir, David Norton, Mark Voorheis, Michelle & Dell Baker, George Ritter, Oakley Sortore, Tim Steed, Catherine Rees, Ken Burdick, Leslie Dahill.

Notice of Project and notice of intent to act as lead agency sent to the required Agencies. The Full Environmental Assessment form Parts I and II have been reviewed , and this Project will result in no significant impact on the environment, and ,therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
RESOLUTION REGARDING
TOWN OF FRIENDSHIP
MUNICIPAL WATER SYSTEM IMPROVEMENTS**

WHEREAS, the Town of Friendship (hereinafter the “Town”) owns and maintains the Town of Friendship municipal water system, including Wells 1, 4, and 5, wellhouses, a water reservoir, and the distribution system; and

WHEREAS, the Town is proposing to undertake capital improvements to the Friendship Water System wells, water storage, and water mains (collectively, the “Project”); and

WHEREAS, the Town is obligated under SEQRA and corresponding regulations to review the Project, and if necessary, undertake a review of the potential environmental impacts associated with the Project before undertaking the same; and

WHEREAS, the Town is the appropriate agency to be the lead agency to undertake the project review under SEQRA; and

WHEREAS, based upon an examination of 6 NYCRR § 617.4 and § 617.5, the Town classified the Project as a Type I Action. A Full Environmental Assessment Form was prepared for the Project, and pursuant to 6 NYCRR § 617.6(b) and the potential funding agency for compliance with SERP, a coordinated review was undertaken by the Town and no objections were received regarding the Town serving as lead agency.

NOW, THEREFORE, BE IT:

RESOLVED, that the Town Board hereby makes the following findings:
The Project consists of water main replacements, the replacement of the existing reservoir with a new water storage tank, installation of a booster pump station and generator on Moss Brook Street, and improvements to the wellhouse for Wells 4/5, including interior piping and control piping pump improvements and a new generator. The Project will also develop a new water source well south of the Hamlet of Niles and construct a new water storage tank at the site of the new well.

IT IS FURTHER RESOLVED, that:

The Town Board hereby designates itself lead agency pursuant to 6 NYCRR § 617.6(b)(2) and § 617.6(b)(3) with respect to the Project.

IT IS FURTHER RESOLVED, that:

Based upon an examination of the components of the Project, the Full Environmental Assessment Form, and the criteria contained in 6 NYCRR § 617.7(c), and based upon its knowledge of the areas including and surrounding the Project site, and discussions with professionals retained by the Town, the Town Board, as lead agency, hereby makes the following determinations with respect to the Project pursuant to SEQRA:

- A. The Project constitutes a “Type I Action.”
- B. Based upon review by the Town Board of the Full Environmental Assessment Form, any input provided by other involved agencies, and other necessary criteria set forth in SEQRA, the Town Board hereby finds and determines that the Project will result in no significant impacts and, therefore, (a) the action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.
- C. A copy of this resolution, together with notice of negative declaration, shall be placed on file in the office of the Town Clerk where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

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Motion by Linda Mascho, seconded by Steve Ritter.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

In the Matter of The Increase and Improvement of Facilities of the Town of Friendship Water District in the Town of Friendship, Allegany County, New York	PUBLIC INTEREST ORDER
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WHEREAS, the Town Board of the Town of Friendship, Allegany County, New York, has duly 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 proposed increase and improvement of the facilities of the Town of Friendship Water District, in the Town of Friendship, Allegany County, New York, consisting of the construction of improvements to and reconstruction of elements of the water supply, treatment, storage and distribution system, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$10,125,707; and

WHEREAS, at a meeting of said Town Board duly called and held on March 20, 2024, 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 the Town of Friendship Water District in said Town at a maximum estimated cost of \$10,125,707, and to hear all persons interested in the subject thereof concerning the same at the GAR Community Meeting Hall, in Friendship, New York, in said Town, on April 17, 2024, at 6:30 o'clock 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 of the construction of improvements to and reconstruction of elements of the water supply, treatment, storage and distribution system, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$10,125,707.

Section 2. This Order shall take effect immediately.

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

SUPERVISOR RUSSELL HALL VOTING aye

COUNCILPERSON CAROLYN CARNEY VOTING aye

COUNCILPERSON LINDA MASCHO VOTING aye

COOUNCIL PERSON STEVE RITTER VOTING no

The Order was thereupon declared duly adopted.

* * * * *

The following Resolution was offered by Councilperson Linda Mascho who moved its adoption, seconded by Councilperson Carolyn Carney to-wit:

BOND RESOLUTION DATED APRIL 17, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$10,125,707 BONDS OF THE TOWN OF FRIENDSHIP, ALLEGANY COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE TOWN OF FRIENDSHIP 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 the Town of Friendship Water District, in the Town of Friendship, Allegany County, New York, at a maximum estimated cost of \$10,125,707; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have a significant adverse impact on the environment; NOW, THEREFORE,

Be it

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

Section 1. For the class of objects or purposes 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, consisting of the construction of improvements to and reconstruction of elements of the water supply, treatment, storage and distribution system, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$10,125,707 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 class of objects or purposes is \$10,125,707, which class of objects or purposes is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is by the issuance of the \$10,125,707 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes 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 Town of Friendship Water

District as applicable 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 obliged 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 the Supervisor's 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 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 class of objects or purposes described in Section 1 hereof, or a 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 the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

SUPERVISOR RUSSELL HALL VOTING - aye

COUNCILPERSON CAROLYN CARNEY VOTING -aye

COUNCILPERSON LINDA MASCHO VOTING -aye

COUNCILPERSON STEVE RITTER VOTING - NO

The resolution was thereupon **not** passed.

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Note: Councilperson Carolyn Carney had to leave meeting.

Motion to approve the Meeting Minutes from March 20, 2024 offered by Steve Ritter, seconded by Linda Mascho.

Motion to approve the Supervisor's Report for March 2024, offered by Linda Mascho, Seconded by Steve Ritter.

Motion to approve the Audited Bills from March 2024 in the amount of \$ 57,195.88, was offered by Linda Mascho, seconded by Steve Ritter.

Roll call vote: Councilperson: Carolyn Carney-absent
Councilperson: Linda Mascho-aye
Councilperson: Steve Ritter-aye
Councilperson: Russell Hall-aye

SUPERVISOR'S CONCERNS:none

PUBLIC CONCERNS: Les Dahill requests to the go into Executive with Board regarding an employee.

Motion to approve the Letter of Intent for a partial from sbl#195.-1-14.31 to the Town of Friendship and to proceed on to survey parcel (the partial from #195.-1-14.31 for the sum of \$5,000.00/per acre), offered by Linda Mascho, seconded by Steve Ritter.

Roll call: Councilperson: Carolyn Carney-absent
Councilperson: Linda Mascho-aye
Councilperson: Steve Ritter-aye
Supervisor- Russell Hall-aye

Motion to approve the Letter of Intent for purchase of land Parcel #195.19-1-15 to the Town of Friendship in the amount of \$9,500.00, and for Attorney Pullen to proceed, offered by Linda Mascho, seconded by Steve Ritter

Roll call: Carolyn Carney -absent
Linda Mascho-aye
Steve Ritter-aye
Russell Hall-aye

Motion to approve Houghton Conference @ 40.00/per person held on. June 6, 2024 (Tuesday)
2-4 Town officials to attend, offered by Steve Ritter, seconded by Linda Mascho.

Motion to approve the Memorial Day Parade for Monday, May 27, 2024 at 10:00 am from the
United Church of Friendship to the Library, offered by Steve Ritter , seconded by Linda Mascho.

Motion to approve Justice Lewis and Justice Szucs Court Audits that were completed by Local
Government Support Services(LGSS) for 2022, offered by Linda Mascho seconded by Carolyn
Carney.

Water/Sewer/Public works concerns (Oakley Sortore)-none

Highway Dept Concerns(George Ritter)-none

Reports Received-

Tax Collection Statement 2024

Town Clerk Report\ March 2024

Highway Report March 2024

Dog Control Report

Police Report-

OIC -BJ Howe advises he has a potential candidate that may need sponsorship for the training
for the Police Academy will bring it back up for discussion in July.

Water Report

8:27pm Motin to go into executive session Les Dahill and Oakley Sortore aske into session,
offered by Linda Mascho, seconded by Steve Ritter.

9:30pm Motion to go out of executive session back into regular session offered by Steve Ritter,
seconded by Linda Mascho.

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Supervisor Hall, reaffirming conversation with Oakley Sortore advising that Evan Rinko is to be enrolled in the water/sewer training program asap.

9:40 Motion to adjourn, offered by Steve Ritter seconded by Linda Mascho.

Respectfully submitted,
Patricia Schurr, Town Clerk