

KENDALL TOWN BOARD

Tuesday, March 15, 2016, 7:00 p.m.

Kendall Town Hall ó 1873 Kendall Road, Kendall, New York 14476

Supervisor Cammarata called the meeting to order at 7:02 p.m., and led the Pledge of allegiance.

ROLL CALL

Councilwoman Flow	present
Councilman Martin	absent
Councilman Newell	present
Councilwoman Szozda	present
Supervisor Cammarata	present

SUPERVISOR’S REMARKS

The Annual Update Document has been submitted to the NYS Comptroller’s Office.

The independent audit has been completed, and a report is pending, and will be made available in the Town Clerk’s office upon receipt.

The loader purchase has been delayed, awaiting an additional piece of equipment being added, which will take approximately three weeks.

Interviews of both men interested in the Zoning Board of Appeals vacancy will be conducted at its next meeting.

Councilwoman Flow moved to accept the minutes of the Town Board Meeting held February 16, 2016. Motion seconded by Councilwoman Szozda; Council persons Flow and Newell abstained from voting, citing their respective absences as reason; Councilperson Szozda and Supervisor Cammarata voted aye. With no majority of consensus, the minutes stand as official by simple submission of the Town Clerk.

COMMUNITY CHORUS RECOGNITION

Mrs. Marietta Schuth read a synopsis of the history of the Community Chorus, expressed her gratitude to the chorus, and particularly to its Director, Mary Campbell. The Orleans Hub recently presented the chorus one of its Outstanding Citizen of the Year awards. Mrs. Schuth offered the framed award to the town, for public display.

PUBLIC COMMENT

Glen Spellan, Kenmor Road, spoke as Chairman of the Kendall Community Innovations Advisory Committee, reviewed its mission statement, membership, general outlooks and offered a binder, created by the committee, titled Information and Policy, recommended for reading by the Town Board. The members welcome new members, and are open to concerns from the public.

Ken DeRoller, Kendall Road, spoke as another member of the KCIAC, commending Chairman Spellan, and drawing the Board's attention to the section of the binder about abandoned property policies drawn from other municipalities.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety ó Martin
Buildings, & Grounds ó Martin
Highway ó Martin
No reports

Community Relations - Flow
Culture & Recreation ó Flow
Information Services ó Flow
Newsletter is out
Memorial Day Service is set, and invitations have been sent
The website has been receiving positive feedback
Lego camp and Hunter Safety training programs through recreation have been successful.

Human Resources and Ethics ó Szozda
Employee Benefits ó Szozda
W-4s have been updated
The medical cost consortium shows promise of saving up to 5 %. Further meetings are pending.

Planning, Zoning & Agriculture ó Newell
An area variance has been approved by the Zoning Board of Appeals

Finance, Taxes & Special Districts ó Cammarata
No report

Orleans County Representative ó DeRoller
Legislator DeRoller showed a newly published guide to tourism and marketing for Orleans County businesses and attractions.
A list of Legislators to contact for various subject matter was provided.

Boards

Planning Board ó A. Kludt, Chair ó no report
Zoning Board ó P. Bolton, Chair ó no report

Department Heads

Assessor ó G. Massey ó no report

Code Enforcement ó P. Hennekey

Subdivisions, new builds, and normal permits are keeping the code office busy.

Troutburg's waste water holding tank ó the Orleans County Health Department has been contacted for advice. They do not have legal jurisdiction to opine or responsibility for inspection. The DEC has neither legal jurisdiction nor responsibility other than at a point of discharge. The Town relies on engineering data and approval, and has no

Councilman Newell expressed discomfort at not having access to the engineering reports. Code Enforcement Officer Hennekey agreed. The Town does not have an agreement with Troutburg to allow outside engineers to test or advise on the holding tank use. Supervisor Cammarata suggested the Town contact Marathon Engineering, assuming that is still the engineering firm used by Troutburg and ask for a signed opinion as to proper use. Deputy Supervisor Strong suggested the Board seek written notification from the Orleans County Health Dept. and the DEC that neither will nor can inspect this system, in order to keep the town from being drawn into an enforcement issue for which it lacks both jurisdiction and expertise. Supervisor Cammarata said he would talk to the Health Department, and ask for a letter stating its position, and contact the engineer for specific information on testing and maintenance. Troutburg has been easy to work with and cooperative. Deputy CEO suggested the Supervisor use the Town of Clarendon's similar system, used by Thomas Estates, be used as a comparison when seeking guidance.

Highway - W. Kruger

Superintendent Kruger expressed his thanks to the Community Chorus' years of enjoyment, and its inspiration to the formation of the Community Band.

Lobbying efforts by the Hwy. Supt. Association have been more formalized.

Spring issues are being addressed.

Mr. Kruger suggested that Resolution 50-0316 be tabled pending an explanation from MCWA, and a discussion with Mr. Driesel, to protect his interests, and possibly the future interests of the Town. Lengthy discussion followed between the Board, Attorney for the Town and Superintendent Kruger.

Historian ó H. Koch ó no report

Recreation ó M. Werth ó written report submitted

Town Clerk ó A. Richardson ó written report submitted

Town Justices ó D. Drennan, D. Gaudioso ó written reports submitted

Supervisor ó A. Cammarata ó written report submitted

RESOLUTIONS

Councilwoman Flow made the following motion, seconded by Councilman Newell:

RESOLUTION 45-0316 MEETING DATE CHANGE IN APRIL

Whereas there is a Primary election scheduled for April 19, 2016, which will be held locally in the Town Hall, the Town Board Meeting will be moved from Tuesday April 19th to Wednesday April 20th, at 7:00 p.m.

Notice of this change will be sent to the official newspaper and to the Town Website.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion carried.

Councilman Newell made the following motion, seconded by Councilwoman Flow:

RESOLUTION 46-0316 DOYLE INSTALLATION MONITORING SERVICE AGREEMENT

Resolved, to authorize Supervisor Cammarata to sign an Installation, Monitoring and Service Agreement with Doyle Security at the discounted rate of \$51.82 per month for a term of three years, subject to review and approval by the Attorney for the Town as to form and content.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion carried.

Councilwoman Szozda made the following motion, seconded by Councilman Newell:

RESOLUTION 47-0316 LA BELLA ASSOCIATION PROPOSAL FOR ENGINEERING SERVICES RELATED TO EXPANSION OF WATER SYSTEMS

RESOLVED, to authorize Supervisor Cammarata to sign Proposal Number P160671 from LaBella Associates, D.P.C., for engineering services in connection with the installation of a new water district along Norway and Kendall Roads, upon receipt of preliminary approval of the district from the United States Department of Agriculture, and subject to review and approval by the Attorney for the Town, as to form and content.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion carried.

Councilwoman Flow made the following motion, seconded by Councilman Newell:

RESOLUTION 48 -0316 BUDGET TRANSFER FOR ZONING BOARD OF APPEALS

Be it hereby resolved, to make the following budget transfer:

Transfer \$210.00 (two hundred ten dollars) from Account A8010.10, Zoning Board of Appeals, Personal Services, to Account A8010.40, Zoning Board of appeals, contractual.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion carried.

Councilman Newell made the following motion, seconded by Councilwoman Szozda:

RESOLUTION 49-0316 BUDGET ADJUSTMENT TO INCLUDE GRANT FROM JUSTICE COURT ASSISTANCE PROGRAM

Whereas the Town of Kendall has been awarded a JCAP Grant in the amount of \$7,031.63, so then now,

Add Revenue Account A2770.30, Grant, State Aid, and fund it with \$7,031.63, and

Generate a new expense account, A1110.41, Grant, contractual, and fund it with \$7,031.63

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion carried.

RESOLUTION 50 WAS NOT MOVED. THIS WILL BE TABLED PENDING INVESTIGATION.

RESOLUTION 50-0316 APPROVAL OF AQCUSITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW

WHEREAS, the Monroe County Water Authority ("Authority") is responsible for the existing water main that provides water service to 1750 Kendall Road, located in the town of Kendall; and

WHEREAS, the acquisition of one (one) easement is necessary for the operation, maintenance and future replacement of the water main; and

WHEREAS, the easement, is located along the frontage of 1750 Kendall Road (Tax Acct. No. 32.-2-8.1), which is owned by Karl Driesel and is approximately 248' x 15' along the Kendall Road frontage and approximately 529' x 15' along the Crandall Road frontage, and,

WHEREAS, the acquisition is necessary to allow for the operation, maintenance and future replacement water main which will allow the Water Authority to continue to provide potable water supply and fire

protection to this property and the property owner has agreed to voluntarily grant the easement to the Water Authority; and

WHEREAS, §1096(6-a) of New York's Public Authorities Law requires the Water Authority to obtain the prior approval of the above-referenced acquisition by the Town Board.

NOW, THEREFORE, let it be

RESOLVED, that the Town hereby approves of the Water Authority's voluntary acquisition of easements over 1750 Kendall Road in accordance with §1096(6-a) of the New York Public Authorities Law and be it further

RESOLVED that a copy of this resolution be provided to the Monroe County Water Authority.

Councilwoman Flow made the following motion, seconded by Councilwoman Szozda:

RESOLUTION 51-0316 A REFUNDING BOND RESOLUTION, DATED MARCH 15, 2016, AUTHORIZING THE ISSUANCE OF REFUNDING BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,075,000 OF THE TOWN OF KENDALL, ORLEANS COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO.

WHEREAS, the Town of Kendall, Orleans County, New York (the "Town") heretofore issued its Water District No. 2 (Serial) Bonds, 1996 in the original aggregate principal amount of \$274,000, with \$147,000 of such bonds being scheduled to mature in the years 2016 through 2033, inclusive (the "1996 Bonds"); and

WHEREAS, the Town heretofore issued its Water District No. 3 (Serial) Bonds, 2003 in the original aggregate principal amount of \$366,000, with \$285,000 of such bonds being scheduled to mature in the years 2016 through 2037, inclusive (the "2003 WD3 Bonds"); and

WHEREAS, the Town heretofore issued its Water District No. 4 (Serial) Bonds, 2003 in the original aggregate principal amount of \$1,310,000, with \$1,080,000 of such bonds being scheduled to mature in the years 2016 through 2041, inclusive (the "2003 WD4 Bonds"); and

WHEREAS, the Town heretofore issued its Water District No. 5 (Serial) Bonds, 2007 Series A in the original aggregate principal amount of \$256,000, with \$193,000 of such bonds being scheduled to mature in the years 2016 through 2043, inclusive (the "2007A Bonds"); and

WHEREAS, the Town heretofore issued its Water District No. 5 (Serial) Bonds, 2007 Series B in the original aggregate principal amount of \$289,000, with \$217,000 of such bonds being scheduled to mature in the years 2016 through 2043, inclusive (the "2007B Bonds"); and

WHEREAS, the 1996 Bonds, the 2003 WD3 Bonds, the 2003 WD4 Bonds, the 2007A Bonds and the 2007B Bonds are hereinafter sometimes referred to collectively as the "Refunded Bonds"; and

WHEREAS, in order for the Town to realize the potential for certain long-term debt service savings with respect to the Refunded Bonds, the Town Board has determined, after consultation with the Town's Supervisor, the Town Attorney and the financial advisory and bond counsel firms retained by the Town, that it would be in the public interest for the Town to refund the Refunded Bonds by the issuance of refunding bonds of the Town pursuant to Section 90.00 and/or Section 90.10 of the Local Finance Law (collectively, the "Refunding Law"); and

WHEREAS, the Refunded Bonds are subject to the possibility of call for redemption prior to their stated maturity dates, and the Town has determined to conduct such a call; and

WHEREAS, the 1996 Bonds were issued pursuant to a bond resolution that was adopted by the Town Board on April 12, 1995, authorizing the issuance of bonds to finance the construction of improvements to Water District No. 2 in the Town (the "1995 WD2 Bond Resolution"); and

WHEREAS, the 2003 WD3 Bonds were issued pursuant to a bond resolution that was adopted by the Town Board on March 17, 1997, authorizing the issuance of bonds to finance the establishment of Water District No. 3 in the Town (the "1997 WD3 Bond Resolution"); and

WHEREAS, the 2003 WD4 Bonds were issued pursuant to a bond resolution that was adopted by the Town Board on November 5, 1998, authorizing the issuance of bonds to finance the construction of a water distribution system to serve Water District No. 4 in the Town (the "1998 WD4 Bond Resolution"); and

WHEREAS, the 2007A Bonds and the 2007B Bonds were issued pursuant to a bond resolution that was adopted by the Town Board on July 17, 2003, authorizing the issuance of bonds to finance the construction of improvements to Water District No. 5 in the Town and a resolution and order after public hearing that was adopted by the Town Board on June 29, 2006, increasing the maximum amount that the Town was authorized to expend for such project (as so amended, the "2003 WD5 Bond Resolution"); and

WHEREAS, the 1995 WD2 Bond Resolution, 1997 WD3 Bond Resolution, 1998 WD4 Bond Resolution, and the 2003 WD5 Bond Resolution are hereinafter sometimes referred to collectively as the "Refunded Bond Resolutions"; and

WHEREAS, the terms of the Refunded Bond Resolutions are incorporated herein by this reference; and

WHEREAS, the Town has the power and authority to issue refunding bonds of the Town for the purpose of refunding and thereby refinancing the Refunded Bonds at more favorable rates of interest, including provision for incidental costs of issuance in connection therewith, pursuant to the provisions of the Refunding Law; and

WHEREAS, the Town has received a draft refunding financial plan, dated as of March 4, 2016 (the "Refunding Financial Plan"), from Roosevelt & Cross Incorporated (the "Underwriter") in connection with the proposed refunding of the Refunded Bonds and such Refunding Financial Plan is attached hereto as Exhibit A; and

WHEREAS, the Town Board has reviewed and considered the Refunding Financial Plan in consultation with the Town Supervisor and the financial advisory and bond counsel firms retained by the Town; and

WHEREAS, the Town now desires to refund (i.e., refinance) the Refunded Bonds by issuing certain new refunding bonds and selling such bonds at private sale to the Underwriter; and

WHEREAS, the Refunding Law requires that the Town adopt a refunding bond resolution which includes a refunding financial plan setting forth all of the pertinent details in connection with the proposed refunding transaction;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Town Board) as follows:

SECTION 1. Based on the recommendation of the financial advisory firm retained by the Town, the Town Board hereby determines to undertake a refunding of the Refunded Bonds, through the issuance of refunding bonds of the Town, such refunding bonds to be offered and sold at private sale.

SECTION 2. For the object or purpose of refunding the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (A) the outstanding principal amount of the Refunded Bonds, (B) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date(s) on which the Refunded Bonds mature or are to be redeemed in accordance with the Refunding Financial Plan, (C) redemption premiums, if any, payable on the Refunded Bonds as of such redemption date(s), (D) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including, but not limited to, the development of the Refunding Financial Plan, the fees and costs of the financial advisor to the Town, the fees and costs of the bond counsel to the Town, the fees and costs of the Underwriter, the costs and expenses of executing and performing the terms and conditions of the escrow contract, as hereinafter defined, and the fees and charges of the escrow holder, as hereinafter defined and (E) the premium or premiums for the policy or policies of municipal bond insurance or other form of credit enhancement facility or facilities for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued the Refunding Serial Bonds, 2016 of the Town in an aggregate principal amount not to exceed \$2,075,000 (the "Refunding Bonds") pursuant to the provisions of the Refunding Law, it being anticipated that the principal amount of Refunding Bonds actually to be issued will be approximately \$1,955,000 as described in the Refunding Financial Plan and in Section 5 hereof. The Refunding Bonds shall be dated such date as shall hereafter be determined by the Town Supervisor pursuant to Section 5 hereof, shall be of the denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of each respective maturity (unless a bond of an odd denomination is required), and shall mature annually and shall bear interest semi-annually thereafter on such dates as shall be determined by the Town Supervisor pursuant to Section 5 hereof, at the rate or rates of interest per annum as may be necessary to sell the same, all as shall be determined by the Town Supervisor.

SECTION 3. The Refunding Bonds shall be executed in the name of the Town by the manual or facsimile signature of the Town Supervisor, and its corporate seal (or a facsimile thereof) shall be imprinted thereon and attested by the Town Clerk. The Refunding Bonds shall contain the recital(s) required by the Refunding Law, as well as 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, as the Town Supervisor shall determine.

SECTION 4. It is hereby determined that:

(A) The maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by the Local Finance Law; and

(B) The maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each of the objects or purposes for which the Refunded Bonds were issued is as shown upon Exhibit B; and

(C) The last installment of the Refunding Bonds will mature not later than the expiration of the maximum period of probable usefulness of each of the objects or purposes for which the Refunded Bonds were issued, or in the alternative, the weighted average remaining period of probable usefulness of the objects or purposes (or classes of objects or purposes) financed with the Refunded Bonds or the weighted average remaining period of probable usefulness of the objects or purposes (or classes of objects or purposes) financed with the Refunded Bonds, in accordance with the provisions of the Refunding Law; and

(D) The estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the Refunding Law, is as shown in the Refunding Financial Plan described in Section 5 hereof.

SECTION 5. The Refunding Financial Plan, showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, is set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount of \$1,955,000 and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in Exhibit A. This Town Board recognizes that the amount of the Refunding Bonds, and the maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the Town will most probably be different from such assumptions and that the final Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The Town Supervisor is hereby authorized and directed to determine the amount of the Refunded Bonds to be refunded, the details as to the redemption of the Refunded Bonds, including the date and amount of such redemption or redemptions and the terms of any directive to the Escrow Holder described in Section 6 to cause notice of such redemption to be given, the amount of the Refunding Bonds to be issued, the date of such bonds and the date of issue, maturities and terms thereof, the provisions relating to any redemption of the Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, the escrow arrangements (if any) to be entered into with respect to the proceeds of the Refunding Bonds, the terms of the private sale of the Refunding Bonds to the Underwriter, the amount of the annual installments of the Refunding Bonds to be paid pursuant to the Refunding Law, whether the Refunding Bonds shall be sold at a discount in the manner authorized by Section 57.00(e) of the Local Finance Law, and the rate or rates of interest to be borne thereby, and the terms of a final Refunding Financial Plan for the Refunding Bonds, whether the Refunding Bonds are sold in conjunction with or consolidated with the issuance of certain other refunding bonds to be issued by the Town to refund any other general obligation bonds issued by the Town (including, but not limited to, the structuring of the annual installments of a

consolidated issue), and all powers in connection therewith are hereby delegated to the Town Supervisor; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of the Refunding Law. The Town Supervisor shall file a copy of his or her certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Town Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

SECTION 6. The Town Supervisor is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in this State as he or she shall designate (the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with some or all of the Refunded Bonds, as the escrow holder to perform the services described in the Refunding Law.

SECTION 7. The Town Supervisor is hereby delegated all powers of this Town Board with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

SECTION 8. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on the Refunding 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 Refunding Bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

SECTION 9. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest, if any, on the Refunding Bonds shall be paid to the Town to be expended to pay interest on the Refunding Bonds on the next bond payment date of such Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with the Refunding Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the Town irrespective of whether such parties have notice thereof.

SECTION 10. The Town Supervisor 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 Refunding Bonds authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the Refunding Bonds authorized by this resolution as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the Refunding Bonds authorized by this resolution, if required,

containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town hereby determines that the issuance of the Refunding Bonds 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 (öSEQRAö) is required.

SECTION 13. In accordance with the provisions of Section 53.00 and the Refunding Law, subject to the determination by the Town Supervisor regarding the redemption of the Refunded Bonds described in Section 5 above, the Town hereby elects to redeem the Refunded Bonds with the proceeds of the Refunding Bonds prior to their stated maturity dates on the date or dates provided in the Refunding Financial Plan. The sum to be paid therefor on such redemption date or dates shall be the par value thereof plus the required redemption premium, if any, and the accrued interest to such redemption date or dates. To the extent applicable, the Escrow Holder is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the Town in the manner and within the times provided in the Refunded Bonds and in the Refunding Financial Plan. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Refunded Bonds and the direction to cause notice thereof to be given as provided in this section shall become irrevocable, provided that this section may be amended from time to time as may be necessary in order to comply with the publication requirements of Section 53.00(a) of the Local Finance Law, or any successor law thereto.

SECTION 14. Subject to compliance with the provisions of the Refunding Law, the Refunding Bonds shall be sold at private sale to the Underwriter and the Town Supervisor is hereby authorized to negotiate for such private sale. The Town Supervisor is hereby authorized to execute and deliver a bond purchase agreement with the Underwriter for the Refunding Bonds in the name and on behalf of the Town providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the Town Supervisor in accordance with such bond purchase agreement upon the receipt by the Town of such purchase price, including interest.

SECTION 15. The Town Supervisor and Town Clerk and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the bond purchase agreement.

SECTION 16. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Town Supervisor and all powers in connection therewith are hereby delegated to the Town Supervisor.

SECTION 17. In the event of the absence or unavailability of the Town Supervisor, the Deputy Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 18. The validity of the Refunding Bonds may be contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which such Town is not authorized to expend money, or

(b) 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 20 days after the date of such publication; or

(2) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 19. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of such Local Finance Law, in the official newspaper(s) of the Town for such publications.

SECTION 20. This resolution shall take effect immediately upon its adoption.

EXHIBIT A

**REFUNDING FINANCIAL PLAN
PREPARED BY ROOSEVELT & CROSS INCORPORATED
– MARCH 4, 2016**

[Please attach the March 4, 2016 refunding analysis from
Roosevelt & Cross Incorporated here]

EXHIBIT B

**DESCRIPTION OF CAPITAL IMPROVEMENTS
FINANCED WITH PROCEEDS OF THE REFUNDED BONDS**

<u>Purpose</u>	<u>Original Amount</u>	<u>Proposed Amount to be Refunded</u>	<u>Period of Probable Usefulness</u>
<u>Water District No. 2 (Serial) Bonds, 1996</u> Construction of a water distribution system to serve Kendall Water District No. 2 in and for the Town.	\$274,000	\$147,000	40 years
<u>Water District No. 3 (Serial) Bonds, 2003</u> Construction of a water distribution system to serve Kendall Water District No. 3 in and for the Town.	\$366,000	\$285,000	40 years
<u>Water District No. 4 (Serial) Bonds, 2003</u> Construction of a water distribution system to serve Kendall Water District No. 4 in and for the Town.	\$1,310,000	\$1,080,000	40 years
<u>Water District No. 5 (Serial) Bonds, 2007 Series A</u> Construction of a joint water distribution system to serve both the Hamlin-Beachwood Park Water District in the Town of Hamlin and Kendall Water District No. 5 in and for the Town.	\$256,000	\$193,000	40 years
<u>Water District No. 5 (Serial) Bonds, 2007 Series B</u> Construction of a joint water distribution system to serve both the Hamlin-Beachwood Park Water District in the Town of Hamlin and Kendall Water District No. 5 in and for the Town	\$289,000	\$217,000	40 years

Supervisor Cammarata called for a roll call vote, with the following results:

Councilwoman Flow	aye
Councilman Newell	aye
Councilwoman Szozda	aye
Supervisor Cammarata	aye

Motion carried.

Councilman Newell moved to pay the claims, as presented, seconded by Councilwoman Flow; all ayes:

PAYMENT OF CLAIMS

General Fund	Abstract 3	\$ 17,900.57	Vouchers 129-165,167-169
Highway Fund	Abstract 3	\$ 21,675.83	Vouchers 135,164,170-208
Light District One	Abstract 3	\$ 413.01	Voucher 153
Light District Two	Abstract 3	\$ 248.39	Voucher 153
Light District Three	Abstract 3	\$ 131.67	Voucher 153
Water District Five	Abstract 3	\$8,456.24	Voucher 166
Water District Six	Abstract 3	\$ <u>42.12</u>	Vouchers 154,167
		\$ 48,867.83	

OLD BUSINESS

Hamlin/Kendall Water District disbursement of funds ó still reviewing options
LWRP Update ó The grant funding expected by the County is not assured, and may take several months to finalize.
Defibrillator ó availability and training ó parts have been ordered
Kendall's Finest ó no report
Refunding Water Districts 2-5 ó initial paperwork completed
E-scrap for camp ó information on website

NEW BUSINESS

Property maintenance law ó needs reworking, to have brush and weeds be main focus.

With no further business coming before the Board, Councilwoman Szozda motioned for adjournment, seconded by Councilwoman Flow; all ayes; meeting adjourned at 8:55 p.m.

Respectfully Submitted,
Amy K. Richardson, Kendall Town Clerk