

**Town of Barre**  
**Board Meeting**  
February 11 ,2015

Present: Supervisor Mark Chamberlain  
Councilman Peter Beach  
Councilman Lynn Hill, Absent  
Councilman Larry Gaylard  
Councilman Tom McCabe

Others present: Maureen Beach, Town Clerk; Dale Ostroski, Highway Superintendent; Lance Mark, Town Attorney, Sean Pogue, Muriel Daniels, Dale Laubacher, Judge Richard DeCarlo.

Meeting was called to order at 5:00pm by Supervisor Chamberlain with the salute to the flag.

Minutes

The minutes for the 2015 Organizational Meeting, the January, 2015 Town Board meeting and a Public Hearing were submitted and approved.

<u>SUPERVISOR'S REPORT</u>	<u>RECEIPTS</u>	
<u>Fund</u>		<u>Amount Received</u>
General Fund		\$ 31,548.74
Highway Fund		100,006.37
		<u>173,500.00</u>
	<u>DISBURSEMENTS</u>	
<u>Fund or Account</u>		<u>Amount Expended</u>
General Fund		\$ 84,771.36
Highway Fund		122,953.21

HIGHWAY SUPERINTENDENT REPORT

Plow trucks were out 51 times with 57 inches of snow and much wind. Equipment repaired as needed.

TOWN CLERK'S REPORT

The monthly report was submitted to Supervisor Chamberlain, along with the check for the local share. All taxes owed to the Town of Barre have been paid over to the Supervisor.

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ZONING OFFICER'S REPORT

No Report

ASSESSOR'S REPORT

No Report

BILLS

General Funds	36-64,91	185,120.13
Highway	65-84	74,704.49
Barre Water	85-88	1,139.84
Barre Water #6	89,90	4,493.00
Barre Water #7	89	882.80

PAY BILLS

RESOLUTION #3 Pay Bills

Larry Gaylard made a motion to approve and pay the bills, seconded by Tom McCabe. Vote 4-0, passed.

OLD BUSINESS

RESOLUTION #4

Loan Resolution/WD#7

Tom McCabe made a motion to pass the following resolution, seconded by Larry Gaylard, Vote 4-0, passed.

A resolution of the Town Board of the Town of Barre authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its water facility to serve an area lawfully within its jurisdiction to serve. WHEREAS, it is necessary for the Town of Barre (herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of \$384,000 & 00/100 pursuant to the provisions of Subject to NYS Municipal Finance Law; and WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act(7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association: NOW THEREFORE, in consideration of the premises the Association hereby resolves: 1.To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as

are required by State statutes and as are agreeable and  
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acceptable to the Government. 2.To refinance the unpaid balance, in whole or in par, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act(7U.S.C.1983(c)). 3.To provide for, execute and comply with Form RD400-4, "Assurance Agreement,"and Form RD400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10.000. 4.To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legally permissible source. 5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a)declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b)for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c)take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder. 6.Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government. 7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purposes in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such

undertaking would involve the source of funds pledged to  
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pay the bonds. 8.To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system. 9.To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition. 10.To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted. 11.To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government. 12.To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require. 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan. 14. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets. 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body. 16. To comply with the measures identified in the Government's

environmental impact analysis for this facility for  
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the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation. 17. To accept a grant in an amount not to exceed \$308,000 00/100 under the terms offered by the Government, that the Town Supervisor and Town Clerk of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).  
The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed between the Association and the Government or assignee.

RESOLUTION #5 Water District #6/Bid Process  
Larry Gaylard made a motion to approve the following resolution, seconded by Tom McCabe, Vote 4-0, passed.  
WHEREAS, plans and designs for Water District #6 have been completed by Chatfield Engineers, P.C. Of Rochester, and approved by USDA Rural Development and  
WHEREAS, necessary permits have been obtained from Orleans County, State and Federal departments as required, and,  
WHEREAS, easements have been signed and submitted for filing with the County Clerk of Orleans County,  
THEREFORE BE IT RESOLVED that the Town Board of the Town of Barre, Orleans County, shall authorize the bidding process for Water District #6 to proceed with a bid date to be established by Chatfield Engineers, P.C.

#### NEW BUSINESS

RESOLUTION #6 2015 Highway Agreement/Repairs  
Tom McCabe made a motion to approve the 2015 Highway Agreement for repairs, for 4 1/2 miles of both Cushing Road and Thorpe Road, seconded by Peter Beach. Vote 4-0, passed.

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REPORTS:

BOOKEEPING REPORT

<u>Account</u>	<u>Total Liab &amp; Fund Bal</u>
General Fund	\$-53,222.62
Highway Fund	-22,946.54
Barre Fire Dist.	173,500.00
Water Dist. #1 Oper.	-23,339.91
Water Dist. #2 Oper.	-2,789.59
Water Dist. #3 Oper.	-2,678.96
Water Dist. #4 Oper.	-3,337.56
Water Dist. #5 Oper.	-1,334.70
Water Dist. #6 Oper.	0.00
Capital Account	3.52
Debt	95,257.28

PARK COMMITTEE - No Report

PLANNING BOARD - No Report

CORRESPONDENCE AND DISCUSSION:

The Barre Fire Company invited the Town Board Members to the Annual Installation of Officers Banquet. It will be held March 21, 2015 at the Clarendon Recreation Hall, at 6pm.

The annual Farmer to Neighbor night will be March 14, 2015 at 6:00pm, at the White Birch Golf Course, price \$25.00.

SUPERVISOR'S/LEGISLATOR'S MEETING

The next meeting of the County Supervisors and Legislators will be February 24, 2015 at the Village Inn at 6:30pm, with Dale Banker

Meeting Adjourned at 6:15pm

Respectfully submitted,

Maureen Beach, Town Clerk