

SPECIAL MEETING

NOVEMBER 29, 2021

At the Special Meeting held at the Hopkinton Town Hall on Monday, November 29, 2021 at 7:00 p.m.

PRESENT: Supervisor Wood, Councilpersons Eakins, Rust, Sochia, Clerk Powers, and Hwy. Supt. Boardway.

OTHERS PRESENT: Vicki French, Peggy & Jeff Burnham, Scott Forbes, Chris Tracy, Doug & Lori Witherill, John Burns.

Supv. Wood called the Special Meeting to order for reviewing/approving the Bond Resolution for a 2022 Mack plow truck and boom mower and any other business, as advertised, at 7:00 p.m.

OLD BUSINESS

USDA Bond Resolution: Supr. Wood presented the proposed Bond Resolution for approval. Ms. Rust offered the following resolution, seconded by Mr. Eakins:

BOND RESOLUTION DATED 29 NOVEMBER 2021. 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 HOPKINTON, NEW YORK, IN THE COUNTY OF ST. LAWRENCE, PURSUANT TO THE PROVISIONS OF THE LOCAL FINANCE LAW OF THE STATE OF NEW YORK AND PUSUANT TO THE TOWN LAW OF THE STATE OF NEW YORK IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FOURTEEN THOUSAND AND 00/100 DOLLARS (\$214,000.00) FOR THE PURPOSE OF PURCHASING ONE 2022 MACK PLOW TRUCK, CAB AND CHASSIS AND ONE KB21 BOOM MOWER FOR THE TOWN OF HOPKINTON, NEW YORK, AT A TOTAL PROJECT COST NOT TO EXCEED THREE HUNDRED FORTY-FIVE THOUSAND AND 00/100 DOLLARS (\$345,000.00).

WHEREAS, the Town Board of the Town of Hopkinton, County of St. Lawrence, New York, has hereto at this meeting adopted a resolution authorizing the issuance of obligations of the Town of Hopkinton, New York, in the County of St. Lawrence, in the sum not to exceed Two Hundred Fourteen Thousand and 00/100 Dollars (214,000.00) for the purpose of financing the cost of purchasing one 2022 MACK plow truck, cab and chassis and one KB21 Boom Mower for the Town of Hopkinton, New York, at a total project cost not to exceed Three Hundred Forty-five Thousand and 00/100 (\$345,000.00); and

WHEREAS, no other outstanding obligations of the Town of Hopkinton, New York, has been previously issued by the Township for or with respect to such purpose; and

WHEREAS, the Town Board of the Town of Hopkinton, New York, now desires to provide for the issuance of obligations of the Town of Hopkinton, New York, and it now desires to provide for other matters with respect to such purpose;

BE IT THIS 29th day of November, 2021 RESOLVED, by the Town Board of the Town of Hopkinton, County of St. Lawrence, New York, as follows:

Section #1. The Town of Hopkinton, 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 Two Hundred Fourteen Thousand and 00/100 Dollars (\$214,000.00), and in the anticipation of the issuance thereof, pursuant to the Local Finance Law of the State of New York, in order to finance the specific purpose hereinafter described.

Section #2. The specific purpose to be financed pursuant to this resolution is: financing the cost of purchasing one 2022 MACK plow truck, cab and chassis and one KB21 Boom Mower for the Town of Hopkinton, New York, at a total project cost not to exceed Three Hundred Forty-five Thousand and 00/100 Dollars (\$345,000.00).

Section #3. It is hereby stated that the maximum cost of said purchase as estimated by the Town Board is Three Hundred Forty-five Thousand and 00/100 (\$345,000.00) and no money has theretofore been authorized to be applied to the payment of the cost of said purpose except as herein indicated. The Town Board plans to finance the cost of said purpose entirely from funds raised from the issuance of such serial bonds or statutory installment

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bonds and notes issued in anticipation of the issuance thereof and from grants specific to the purpose. The Town of Hopkinton, in the County of St. Lawrence, State of New York, shall reimburse the Town's General

Fund from the proceeds of the debt obligations of the Town hereby authorized to be issued for monies expended from said General Fund, if any, for and with respect to said purpose.

Section #4. It is hereby determined that said purpose 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 exceed beyond fifteen (15) years from the date of their initial issuance. It is hereby further determined, pursuant to Local Finance Law Section 32.00(5) that the maximum maturity of the serial bonds and/or statutory installment bonds herein authorized will exceed five (5) 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 is hereby delegated to the Chief Fiscal Officer of the Town of Hopkinton, County of St. Lawrence and State of New York. The Chief Fiscal Officer of the Town of Hopkinton 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 issued in anticipation of Said Bonds or Statutory Installment Bonds and the Town Clerk is hereby authorized to affix the corporate seal of the Town of Hopkinton, New York, to any Serial Bonds or Statutory Installment Bonds and any Bond Anticipation Note and renewals thereof and to attest such seal. Each interest coupon representing interest payable on such Serial Bonds shall be authenticated by the facsimile signature of the Chief Fiscal Officer of the Town of Hopkinton, New York. Further, pursuant to Local Finance law Section 21.00(d), the Chief Fiscal Officer of the Town of Hopkinton, New York, is hereby authorized to determine whether or not the Serial Bonds and/or Statutory Installment Bonds hereby authorized to be issues will provide for substantially level or declining annual debt service.

Section #6. The faith and credit of the Town of Hopkinton, New York, is hereby pledged for the payment of the principal of and such interest on such Serial Bonds or Statutory Installment Bonds and any Bond Anticipation Notes and renewal thereof issues in anticipation of the issuance of such Serial Bonds or Statutory Installment Bonds.

Section #7. This resolution shall be published in full by the Town Clerk of the Town of Hopkinton, County of St. Lawrence, State of New York, 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 and Bond Anticipation Notes and renewals thereof issues in anticipation of the issuance of such Serial Bonds or such Statutory Installment Bonds issues hereunder may be contested only if:

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

B. 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

C. Such obligation is authorized in violation of the provisions of the Constitution.

Section #8. These Serial Bonds and/or Statutory Installment Bonds and Notes issues in anticipation thereof are hereby designated a "qualified tax-exempt obligation" pursuant to Section 902(b)(3)(B) of the Tax Reform Act of 1986 (Section 265(b)3 of the Internal Revenue Code with respect to the deduction of the costs of purchasing or carrying the Note by banks and financial institutions). The Town of Hopkinton reasonably anticipates and hereby agrees that it will not issue "qualified tax-exempt obligations" in excess of ten million and no/100 dollars

(\$10,000,000.00) during the calendar year of 2022. The Town of Hopkinton further certifies that the sum of the principal amount of the Serial Bonds and/or Statutory Installment Bonds and Notes and renewals thereof issued in anticipation thereof and the principal amount of any other "qualified tax-exempt obligations" hereby issues by the Town of Hopkinton, New York, during 2022 for the purpose of Section 902(b)(3)(B) of the Tax Reform Act of 1986 (Section 265(b) 3 of the Internal Revenue code with respect to the deduction of the costs of purchasing or carrying the Note by banks or financial institutions) does not exceed ten million and no/100 dollars (\$10,000,000.00).

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The Serial Bonds and/or Statutory Installment Bonds and Notes and renewals thereof issued in anticipation thereof are hereby further designated a "small governmental unit" issue within the meaning of Internal Revenue Code Section 148(f)(4)(C), in that, (I) it is issued by a governmental unit with general taxing powers, (II) no bond which is a part of such issue is a private activity bond, (III) ninety-five percent (95%) or more of the net proceeds of such issue are to be used for the local governmental activities of the Town of Hopkinton, New York, and (IV) the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the Town of Hopkinton, New York (and all subordinate entities thereof) during 2022 is not reasonably expected to exceed five million and no/100 dollars (\$5,000,000.00).

This resolution is subject to permissive 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.

Supervisor Wood AYE, Councilperson Eakins AYE, Councilperson Rust AYE, Councilperson Sochia AYE
By a affirmative vote of more than 2/3 of the full voting strength of the Town Board, the foregoing Bond Resolution is adopted.

ARPA Funds - LBSH: Supv. Wood re-introduced the request from the LBSH Enriched Housing Program regarding a request of \$16,650 from the Town of Hopkinton's ARPA Funds to assist in payment of outstanding bills due to required regulations during the Covid crisis. Discussion was held, including comments from the floor and considerations of other uses for the ARPA funds. Ms. Rust made a motion, seconded by Mr. Eakins, to pay a sum of \$16,650 from the Town of Hopkinton ARPA funds to the LBSH Enriched Housing Program. Supv. Wood, Nay, Councilpersons Eakins Aye, Rust Aye, Sochia Aye.
Following the vote it was discussed that the Town Board should begin to compile a "wish list" for the remainder of the ARPA funding the Town will receive.
Annual Dinner: Supv. Wood discussed holding the Town Annual Dinner at the Pit Stop in N. Lawrence on December 11, 2021. Further details will be forwarded.

NEW BUSINESS

Ogdensburg Prison Resolution: Supv. Wood noted that the St. Lawrence County Legislators had passed a resolution regarding the closure of the Ogdensburg Prison and asked the local municipalities to consider joining them. Mr. Eakins offered the following resolution, seconded by Ms. Rust:

**TOWN BOARD OF THE TOWN OF HOPKINTON, NEW YORK CALLS UPON
GOVERNOR KATHERINE HOCHUL TO REMEMBER HOW THE PEOPLE OF OGDENSBURG
AND ST. LAWRENCE COUNTY HELPED NEW YORK STATE
AND TO RECONSIDER THE DECISION TO CLOSE
OGDENSBURG CORRECTIONAL FACILITY-**

WHEREAS, in the late 1980s, New York State faced a major crisis with severe prison overcrowding across New York State, and

WHEREAS, State officials faced major opposition from residents of New York City and Long Island who protested plans to locate prisons in their regions of the State, and

WHEREAS, at a time when most communities flatly refused to accept a prison in their midst, the residents of the City of Ogdensburg offered to assist the State of New York in their time of need and accepted a prison on the grounds of the St. Lawrence Psychiatric Center which became Ogdensburg Correctional Facility, and

WHEREAS, for almost forty (40) years, New York has seen the wisdom of that decision by enjoying the benefits of a well-run facility where employees and inmates are safer than those in downstate facilities, and

WHEREAS, in the summer of 2010, former New York State Governor Andrew Cuomo personally told the citizens of Ogdensburg and St. Lawrence County, while he was marching in the Seaway Festival Parade, that he felt the State of New York owed a debt of gratitude to the citizens of the Maple City for accepting a prison at a time when other communities across the State were protesting and objecting to the location of prisons in New York City, Long Island, and elsewhere, and

WHEREAS, then Candidate Cuomo promised that if he were elected governor, he would keep Ogdensburg Correctional Facility open because the community had set an example for other communities across the State of New York by working hand in hand with the Department of Corrections to provide a safe place where inmates could be treated with dignity and respect while they serve their sentences, and

WHEREAS, the citizens of Ogdensburg once again helped the State of New York in the late 1980s when New York City faced a severe jail crisis and Ogdensburg agreed to accept the construction of Riverview
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Correctional Facility at a time when the citizens of the largest city in the State were again refusing to

allow the construction of a new jail to house their own citizens who were facing dangerous conditions in the overcrowded and dangerous jail system in the New York Metropolitan area, and

WHEREAS, the citizens of Gouverneur agreed in 1990 to accept a medium security prison, and later agreed to help the State of New York provide facilities for some of its most troubled inmates by agreeing to accept the construction of a Secure Housing Unit, within the facility, to provide a safe place where people could serve their sentences, and

WHEREAS, the prisons in Northern New York have demonstrated they are less costly to operate than downstate prisons, result in fewer injuries to staff and inmates, are more efficient in terms of operations and a cost effective way to provide this important service to the people of the State of New York,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of Hopkinton, New York calls upon Governor Katherine Hochul to remember how the people of Ogdensburg and St. Lawrence County helped New York State and to reconsider the decision to close Ogdensburg Correctional Facility, and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Governor Katherine Hochul, Senator Joseph Griffo, Senator Patricia Ritchie, Senator Dan Stec, Assemblyman Ken Blankenbush, Assemblyman Billy Jones, Assemblyman Robert Smullen, Assemblyman Mark Walczyk, and the leaders of the New York State Senate and Assembly.

Supervisor Wood AYE, Councilperson Eakins AYE, Councilperson Rust AYE, Councilperson Sochia AYE

Highway: Hwy. Supt. Boardway discussed the possible purchase of a HotBox, at a quoted price of \$33,922.00 for transporting hot mix blacktop as an alternative to "cold patch" for small blacktop repairs and when replacing culverts. He proposed using CHIP funds for a portion of the purchase. After discussion, Ms. Rust made a motion, seconded by Mr. Sochia, to table any further discussion on a hotbox until next year. Mr. Boardway also discussed the purchase of culverts (2 - 60", 2 - 48", 8 - 24", 9 - 15", 24 - 12") for use in the summer of 2022 and backup usage as needed. The quoted NYS contract pricing cost would be \$14,269.20 and paid with remaining unexpended highway funds. After discussion, Mr. Eakins made a motion, seconded by Ms. Rust, to approve the purchase of listed culverts at a cost of \$14,269.20. Supv. Wood, Aye, Councilpersons Eakins Aye, Rust Aye, Sochia Aye,

Supv. Wood then discussed the Highway Covid Emergency Plan that had been forwarded to the Teamsters Union. There was an issue regarding the use of the "wing" if there is only one (1) man plowing. The Plan will be re-working the plowing issue and removing a discussion regarding 3-day precautionary pay and providing Covid tests. The options for purchasing of Covid rapid-testing kits was discussed.

Privilege of the Floor

A number of attendees discussed concerns with the non-existent shoulders on County Rt. 49.

There being no further business before the Board, Mr. Eakins made a motion, seconded by Ms. Rust to adjourn the meeting. Supv. Wood Aye, Councilpersons Eakins Aye, Rust Aye, Sochia Aye

Meeting was adjourned at 8:59 P.M.

Respectfully Submitted:

Richard L. Powers

Town Clerk