

At a regular meeting of the Town Board of the Town of Thompson, Sullivan County, New York, held at the Town Hall, in Monticello, New York, New York, in said Town, on November 02, 2023, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor William J. Rieber, Jr., and upon roll being called, the following were

**PRESENT:**

William J. Rieber, Jr.  
Supervisor

John A. Pavese  
Councilperson

Melinda S. Meddaugh  
Councilperson

Scott S. Mace  
Councilperson

**ABSENT:**

Ryan T. Schock  
Councilperson

The following resolution was offered by Councilperson Scott S. Mace who moved its adoption, seconded by Councilperson John A. Pavese, to-wit:

BOND RESOLUTION DATED NOVEMBER 02, 2023.

A RESOLUTION AMENDING THE BOND RESOLUTION DATED SEPTEMBER 3, 2019, AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, TO PAY FOR THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE MELODY LAKE WATER DISTRICT, IN SAID TOWN, CONSISTING OF THE CONSTRUCTION AND EQUIPPING OF A NEW WELL HOUSE AND WATER TREATMENT SYSTEM, IN AND FOR THE MELODY LAKE WATER DISTRICT, AND IMPROVEMENTS AND EXPENSES INCIDENTAL THERETO, TO INCREASE THE ESTIMATED MAXIMUM COST THEREOF TO \$1,250,000, TO DECREASE THE AMOUNT OF BONDS AUTHORIZED TO \$335,000, AND TO EXPAND THE SCOPE OF THE PROJECT TO INCLUDE THE CONSTRUCTION OF A NEW WELL.

WHEREAS, pursuant to a Bond Resolution dated September 03, 2019, the Town Board of the Town of Thompson, Sullivan County, New York (the "Town"), authorized \$725,000 bonds of said Town to pay the cost for the increase and improvement of the facilities of the Melody Lake Water District (the "District") in said Town, consisting of the construction and equipping of a new well house and water treatment system;

WHEREAS, it is now desired to (i) increase the estimated maximum cost of the aforesaid class of objects or purposes from \$725,000 to \$1,250,000 (an increase of \$525,000), (ii) decrease the amount of bonds authorized to \$335,000 due to the expected receipt of grant money from the United States Department of Agriculture Rural Utilities Service, and (iii) expand the scope of the project to include the construction of a new well;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of said Town, as follows:

SECTION A. The entire bond resolution of the said Town, duly adopted by the Town Board on September 03, 2019, titled:

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$725,000 BONDS OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE MELODY LAKE WATER DISTRICT, IN SAID TOWN, CONSISTING OF THE CONSTRUCTION AND EQUIPPING OF A NEW WELL HOUSE AND WATER TREATMENT SYSTEM, IN AND FOR THE MELODY LAKE WATER DISTRICT, AND IMPROVEMENTS AND EXPENSES INCIDENTAL THERETO, IN SAID DISTRICT.

are hereby amended to read as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$335,000 BONDS OF THE TOWN OF THOMPSON, SULLIVAN COUNTY, NEW YORK, TO PAY A PORTION OF THE \$1,250,000 ESTIMATED MAXIMUM COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE MELODY LAKE WATER DISTRICT, IN SAID TOWN, INCLUDING THE CONSTRUCTION OF A NEW WELL, WELL HOUSE, STORAGE TANK AND WATER TREATMENT SYSTEM.

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 orders dated September 03, 2019 and November 02, 2023, said Town Board has determined it to be in the public interest to increase and improve the facilities of the Melody Lake Water District (the "District") in the Town of Thompson, Sullivan County, New York, at an estimated maximum cost of \$1,250,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Thompson, Sullivan County, New York, as follows:

Section 1. For the class of objects or purposes of paying a portion of the costs of the increase and improvement of the facilities of the District, in said Town, including the construction of a new well, well house, storage tank and treatment system at Well No. 1., and incidental expenses in connection therewith, there are hereby authorized to be issued \$335,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$1,250,000 and that the plan for the financing thereof is (i) the issuance of \$335,000 bonds of said Town authorized to be issued pursuant to this bond resolution and (ii) grant monies, which are currently expected in the amount of \$915,000 to be received from the United States Department of Agriculture Rural Utilities Service for the aforesaid purpose.

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 one of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. 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 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 5. The faith and credit of said Town of Thompson, Sullivan County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent not provided for from other sources, an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within the Melody Lake Water District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Thompson, Sullivan County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. 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 the Town; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation or United States Department of Agriculture Rural Utilities Service; provided, however, that in the exercise of these delegated powers, he 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 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be

so collected by the fiscal agent. 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 52.00 of the Local Finance Law, as the Supervisor shall determine.

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, or to the United States Department of Agriculture Rural Utilities Service pursuant to Section 62.10 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 Supervisor is hereby further authorized, at the sole discretion of the Supervisor, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation or the United States Department of Agriculture Rural Utilities Service , 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 or the United States Department of Agriculture Rural Utilities Service.

Section 11. 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 12. 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 13. This resolution, which takes effect immediately, shall be published in summary in the Sullivan County Democrat, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

SECTION B. The validity of such bonds and bond anticipation notes authorized by the bond resolution dated and duly adopted September 03, 2019, and as amended by this bond resolution, 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 C. Upon this resolution taking effect, the same shall be published in summary in Sullivan County Democrat, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

SECTION D. This resolution is effective immediately.

Motion by: Councilman Scott S. Mace

Seconded by: Councilman John A. Pavese

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

William J. Rieber, Jr., Supervisor	VOTING	Aye
John A. Pavese, Councilman	VOTING	Aye
Ryan T. Schock, Councilman	VOTING	Absent
Melinda S. Meddaugh, Councilwoman	VOTING	Aye
Scott S. Mace, Councilman	VOTING	Aye

The resolution was thereupon declared duly adopted.

\* \* \*



STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF SULLIVAN    )

I, the undersigned Clerk of the Town of Thompson, Sullivan County, New York, DO  
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board  
of said Town, including the resolution contained therein, held on November 02, 2023, with the  
original thereof on file in my office, and that the same is a true and correct transcript therefrom and  
of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to  
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the  
Public Officers Law.


I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public  
notice of the time and place of said meeting to be given to the following newspaper and/or other  
news media as follows:

<u>Newspaper and/or Other News Media</u>	<u>Date Given</u>
Sullivan County Democrat	01/06/2023
Bold Gold Media Group Radio Stations	01/20/2023

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

<u>Designated Location(s) of Posted Notices</u>	<u>Date of Posting</u>
Town Hall	01/04/2023
Town Website	01/04/2023
Sullivan County Government Center	01/04/2023

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on November 03, 2023.

  
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Marilee J. Calhoun, Town Clerk

(SEAL)