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Regular Town Board Meeting  
October 17, 2024

Present: Supervisor, David DiSalvo; Deputy Supervisor, Don Huff; Councilmember;  
Councilmember, Jeff Coniglio; Councilmember Rawleigh

Excused: Councilmember Guzzardi

Also present: Highway Superintendent, Sam Cipriano; Attorney, Veronica Devries; Accountant,  
Terri McKerrow; Town Clerk, Chelsey Woodworth; Deputy Clerk, Kaylee Leone

Others Present: Community Members, Karl Schrier, Johnna Schrier; Randy Lindsey, Kim  
Lindsey, Michael Congdon, Christina Kemp, Steven Zoller, Crik Christophel, Cole Woodworth,  
Chad Woodworth, Chase Woodworth, Gretchen Wirt Saunders, Ryan Fraser, Alex Fraser, Lucas  
Fraser, Simon Fraser, Andrew Shevchuk, Iryna Shevchuk, Eli Hall, Nate Hall, Brandon Zingaro,  
Cameron Zingaro, Irene Bodnaruk, Archer Aguado

At 6:00pm Supervisor DiSalvo opened the Town Board meeting at the Mount Morris Town Hall,  
103 Main Street, Mount Morris, NY. Supervisor DiSalvo asked guest attendees Boy Scout Troop  
82 to lead the Pledge of Allegiance. Two members from Troop 82, Chase Woodworth and Alex  
Fraser led the Pledge of Allegiance.

### **APPROVAL OF MINUTES**

The Board reviewed the minutes of last month's meeting from September 19, 2024. A motion  
was made by Councilmember Rawleigh, seconded by Councilmember Coniglio to approve the  
minutes from the meeting on September 19, 2024.

Vote:           Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
                  No   0  
                  Motion Carried

The Board reviewed the minutes from the special meeting on September 30, 2024. A motion was  
made by Councilmember Coniglio, seconded by Councilmember Rawleigh to approve the  
minutes from the meeting on September 30, 2024.

Vote:           Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
                  No   0  
                  Motion Carried

### **BUDGET**

Supervisor DiSalvo said that he had Accountant McKerrow remove the raises from the budget  
for the town Councilmembers and himself and only give everyone else a 2% raise besides the  
previously negotiated raises under contract with the Highway workers. None of the  
Councilmembers had any comment.

Accountant McKerrow said that with removing those wage increases the town is still over the tax  
cap by \$53, 533.00.

Supervisor DiSalvo said that Councilmember Guzzardi could not attend due to being ill and  
asked if they could set a budget meeting for next week to discuss the budget in further detail  
prior to the public hearing for the Preliminary Budget.

The board agreed to have a budget workshop meeting Tuesday October 22, 2024 at 5pm.

Supervisor DiSalvo asked the board to look at the budget transfers Accountant McKerrow  
brought over.

A motion was made by Councilmember Rawleigh, seconded by Deputy Supervisor Huff to  
reclass expenditures totaling \$4,922, originally posted to A 1420.4 ( Attorney Contractual), to B  
1420.4 (Attorney contractual)

The details of the original disbursements are as follows:

<b>Voucher#</b>	<b>Vendor</b>	<b>Invoice#</b>	<b>Check#</b>	<b>Payment Date</b>	<b>Amount</b>
153	Hodgson Russ LLP	1247569	5800	6/19/2024	\$ 2,366
181	Hodgson Russ LLP	1250385	5832	7/19/2024	\$ 858
205	Hodgson Russ LLP	1254914	5859	8/16/2024	\$ 1,768

All of the invoices are related to planning & zoning matters and should be paid from General B Fund. As these expenditures were originally paid from General A, the General B Fund will owe the money to General A as of the date of approval.

**SUPERVISOR’S REPORT**

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to accept the Supervisor’s Report for September 2024 as presented.

Vote:           Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
                   No 0  
                   Motion Carried

Clerk Woodworth advised the board that she had recently ran a report for scrap metal from the towns Transfer Station and found that only one transaction has been accounted for in the last 12 years. She found this odd since the Highway Department disposes of the Transfer Stations scrap metal.

She checked with the Highway Superintendents Secretary Dana Brzenski to see if he knew if any of the money, he brought to Clerk Woodworth was for Transfer Staton scrap. He was unsure at the time but said he would check into it. After a few days he reported to Clerk Woodworth that so far this year at least three of the transactions were for the Transfer Station. Highway Superintendent Cipriano said that he was a liar and that none of them were for the Transfer Station. He could only remember one time that they took scrap metal from the Transfer Station. Clerk Woodworth said that she found that odd since she knows that many people take scrap to the transfer station. Clerk Woodworth pulled out the receipts and said that Highway Secretary Brzenski assured her that he had checked with the Highway workers about all the transactions. These three were definitely taken to Bennys junkyard from the Transfer Station. She brought the receipts with her because she figured the Highway Superintendent would disagree with her findings.

Highway Superintendent Cipriano said that the Transfer Station can take all the money for scrap. It’s no big deal to him.

Supervisor DiSalvo asked accountant McKerrow if the money would make a difference. She said yes it would make a difference and hopefully solve a little bit of the issue the Transfer Station has had with cash flow.

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Rawleigh to move \$1582.00 from Highway DA to Refuse.

Vote:           Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
                   No 0  
                   Motion Carried

**HIGHWAY SALT SHED BID**

Supervisor DiSalvo informed the board that they could not accept the bid for the Highway Salt Shed Roof from PPP Future Developments because they did not furnish the surety bond for the bid when they submitted it. They just said that they would get the bond if they were to get the bid. He went on to say that the bond was to secure the bid, so there would have been no need for them to get the bond if they received the bid. He said that the town attorney advised him that they did not meet the criteria.

Therefore since Kircher Construction, LLC was the only other bid received and they did meet all the requirements they would secure the bid.

Clerk Woodworth advised that it should still be formally voted on.

A motion was made by Councilmember Rawleigh, seconded by Councilmember Coniglio to accept Kircher Construction, LLC's bid for the Highway Salt Shed Roof

Vote:           Aye 3 (DiSalvo, Coniglio, Rawleigh)  
              No 1 (Huff)  
              Motion Carried

### **PUBLIC HEARING**

Supervisor DiSalvo advised the board that they needed to schedule the public hearings for the Preliminary Budget and for the Local Law to override the tax cap.

A motion was made by Councilmember Rawleigh, seconded by Councilmember Coniglio to set the public hearing for the Preliminary Budget on November 7, 2024 at 5:00 pm.

Vote:           Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
              No 0  
              Motion Carried

A motion was made by Deputy Supervisor Huff, seconded by Councilmember Coniglio to set the public hearing for **Local Law No. 2 of the year 2024**, a local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c.

Vote:           Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
              No 0  
              Motion Carried

### **RESOLUTIONS**

The following resolution was offered by Deputy Supervisor Huff and seconded by Councilmember Rawleigh, to-wit;

#### **RESOLUTION No.1-2024, DATED OCTOBER 17, 2024, OF THE TOWN BOARD OF THE TOWN OF MOUNT MORRIS, LIVINGSTON COUNTY, NEW YORK (THE "TOWN") ADOPTING POST-ISSUANCE TAX COMPLIANCE PROCEDURES**

WHEREAS, the Internal Revenue Service has issued regulations requiring issuers of tax-exempt obligations to certify on various forms that they actively monitor compliance with federal tax rules following the issuance of such obligations; and

WHEREAS, the Town is a periodic issuer of tax-exempt obligations and thus is subject to the aforementioned compliance requirements which are critical for the preservation of the preferential tax status of those obligations; and

WHEREAS, it is therefore in the best interest of the Town to adopt formal written procedures to ensure such compliance and to designate an official responsible for ensuring that such procedures are followed; and

WHEREAS, Hodgson Russ LLP, as bond counsel to the Town, has prepared (and has recommended that the Town adopt) post-issuance tax compliance procedures;

NOW THEREFORE, BE IT RESOLVED, that the Town hereby adopts the post-issuance tax compliance procedures that are attached hereto as "Schedule A" and resolves to be governed thereby; and be it further

RESOLVED, that the below Schedule A will be placed in its entirety in the official records, files and minutes of the Town and adhered to going forward; and be it further

RESOLVED, that this resolution shall take effect immediately upon its adoption

Schedule A

**TOWN OF MOUNT MORRIS,  
LIVINGSTON COUNTY, NEW YORK**

**Post-Issuance Tax Compliance Procedures  
for Tax-Exempt Bonds and Notes**

**Statement of Purpose**

These Post-Issuance Tax Compliance Procedures (the “Procedures”) set forth specific procedures of the **Town of Mount Morris, Livingston County, New York** (the “Issuer”) designed to monitor, and ensure compliance with, certain requirements of the Internal Revenue Code of 1986, as amended (the “Code”) and the related Treasury regulations promulgated thereunder (the “Treasury Regulations”) in connection with the Issuer’s issuance of tax-exempt bonds and notes (“Obligations”).

These Procedures describe various systems designed to identify, on a timely basis, facts relevant to demonstrating compliance with the requirements that must be satisfied subsequent to the issuance of Obligations to ensure that the interest on such Obligations is eligible for exclusion from gross income for federal income tax purposes. The federal tax law requirements applicable to the Obligations will be described in the tax questionnaire and/or tax certificate prepared by bond counsel and signed by officials of the Issuer. These Procedures establish a permanent, ongoing structure of practices that will facilitate compliance with the requirements for individual borrowings.

To ensure compliance with applicable federal tax requirements, the Issuer must monitor the various direct and indirect uses of proceeds of the obligation and the investment of such proceeds, including but not limited to:

- 1) Monitoring the use of financed property over the life of the obligation.
- (2) Determining the sources of debt service payments and security for the obligation.
- (3) Calculating the percentage of any nonqualified use of the financed property.
- (4) Calculating the yield on investments of proceeds.
- (5) Determining appropriate restrictions on investments.
- (6) Determining the amount of any arbitrage on the investments.
- (7) Calculating any arbitrage rebate payments that must be paid to the U.S. Treasury.

The Issuer recognizes that compliance with the pertinent law is an on-going process, necessary during the entire term of the Obligations. Accordingly, the implementation of the Procedures will require on-going monitoring and consultation with bond counsel and the Issuer's accountants and municipal advisor.

**General Procedures**

The following procedures relate to monitoring post-issuance tax compliance generally.

- A. **The Town Supervisor, currently David DiSalvo (the “Compliance Officer”)**, shall be responsible for monitoring post-issuance tax compliance issues.
- B. The Compliance Officer will coordinate procedures for record retention and review of such records.
- C. All documents and other records relating to Obligations must be maintained by or at the direction of the Compliance Officer. In maintaining such documents and records, the Compliance Officer will comply with applicable Internal Revenue Service (“IRS”)

requirements, such as those contained in Revenue Procedure 97-22 (see the reference materials presented herewith, referred to herein as "Reference Materials").

- D. The Compliance Officer shall be aware of remedial actions under Section 1.141-12 of the Treasury Regulations (see Reference Materials) and the Treasury's Tax-Exempt Bonds Voluntary Closing Agreement Program (VCAP) and take such corrective action when necessary and appropriate.
- E. The Compliance Officer will review post-issuance tax compliance procedures and systems on a periodic basis, but not less than annually.
- F. The Compliance Officer will be responsible for training any designated officer or employee who is delegated any responsibility for monitoring compliance pursuant to this procedure. To the extent the Compliance Officer needs training or has any questions with respect to any item in this procedure, he or she should contact bond counsel and/or Issuer's accountants and advisors. The IRS recognizes that the Compliance Officer and any delegated individual are not expected to act as lawyers who know the proper response to all compliance situations that may arise, but they should be familiar enough with federal tax issues that they know when to ask for legal or other compliance advice.

#### **Issuance of Obligations: Documents and Records**

With respect to each issue of Obligations, the Compliance Officer will:

- A. Obtain and store a closing binder and/or CD or other electronic copy of the relevant and customary transaction documents (the "Transcript").
- B. Confirm that the applicable information reports (e.g., Form 8038 series) for such issue are filed timely with the IRS. Issuer should consult with their accountants and/or bond counsel with questions regarding the filing of such forms.
- C. Coordinate receipt and retention of relevant books and records with respect to the investment and expenditure of the proceeds of such Obligations.

#### **Arbitrage**

The following procedures relate to the monitoring and calculating of arbitrage and compliance with specific arbitrage rules and regulations.

The Compliance Officer will:

- A. Confirm that a certification of the initial offering prices of the Obligations with such supporting data, if any, required by bond counsel, is included in the Transcript.
- B. Confirm that a computation of the yield on such issue from the Issuer's municipal advisor or bond counsel (or an outside arbitrage rebate specialist) is contained in the Transcript.
- C. Maintain a system for tracking investment earnings on the proceeds of the Obligations.
- D. Coordinate the tracking of expenditures, including the expenditure of any investment earnings. If the project(s) to be financed with the proceeds of the Obligations will be funded with multiple sources of funds, confirm that the Issuer has adopted an accounting methodology that maintains each source of financing separately and monitors the actual expenditure of proceeds of the Obligations.
- E. Maintain a procedure for the allocation of proceeds of the issue and investment earnings to expenditures, including the reimbursement of pre-issuance expenditures. This procedure shall include an examination of the expenditures made with proceeds of the Obligations within 18 months after each project financed by the Obligations is placed in service and, if necessary, a reallocation of expenditures in accordance with Section 1.148-6(d) of the Treasury Regulations (see Reference Materials).
- F. Monitor compliance with the applicable "temporary period" (as defined in the Code and Treasury Regulations) exceptions for the expenditure of proceeds of the issue, and

provide for yield restriction on the investment of such proceeds if such exceptions are not satisfied.

- G. Ensure that investments acquired with proceeds of such issue are purchased at fair market value. In determining whether an investment is purchased at fair market value, any applicable Treasury Regulation safe harbor may be used.
- H. Avoid formal or informal creation of funds reasonably expected to be used to pay debt service on such issue without determining in advance whether such funds must be invested at a restricted yield.
- I. Consult with bond counsel prior to engaging in any post-issuance credit enhancement transactions or investments in guaranteed investment contracts.
- J. Identify situations in which compliance with applicable yield restrictions depends upon later investments and monitor implementation of any such restrictions.
- K. Monitor compliance with six-month, 18-month or 2-year spending exceptions to the rebate requirement, as applicable.
- L. Procure a timely computation of any rebate liability and, if rebate is due, to file a Form 8038-T and to arrange for payment of such rebate liability.
- M. Arrange for timely computation and payment of “yield reduction payments” (as such term is defined in the Code and Treasury Regulations), if applicable.

#### **Private Activity: Use of Proceeds**

The following procedures relate to the monitoring and tracking of private uses and private payments with respect to facilities financed with the Obligations.

The Compliance Officer will:

- A. Maintain records for determining and tracking facilities financed with specific Obligations and the amount of proceeds spent on each facility.
- B. Maintain records, which should be consistent with those used for arbitrage purposes, to allocate the proceeds of an issue and investment earnings to expenditures, including the reimbursement of pre-issuance expenditures.
- C. Maintain records allocating to a project financed with Obligations any funds from other sources that will be used for otherwise non-qualifying costs.
- D. Monitor the expenditure of proceeds of an issue and investment earnings for qualifying costs.
- E. Monitor private use of financed facilities to ensure compliance with applicable limitations on such use. Examples of potential private use include:
  - 1. Sale of the facilities, including sale of capacity rights;
  - 2. Lease or sub-lease of the facilities (including leases, easements or use arrangements for areas outside the four walls, e.g., hosting of cell phone towers) or leasehold improvement contracts;
  - 3. Management contracts (in which the Issuer authorizes a third party to operate a facility, e.g., cafeteria) and research contracts;
  - 4. Preference arrangements (in which the Issuer permits a third party preference, such as parking in a public parking lot);
  - 5. Joint-ventures, limited liability companies or partnership arrangements;

6. Output contracts or other contracts for use of utility facilities (including contracts with large utility users);
7. Development agreements which provide for guaranteed payments or property values from a developer;
8. Grants or loans made to private entities, including special assessment agreements; and
9. Naming rights arrangements.

Monitoring of private use should include the following:

1. Procedures to review the amount of existing private use on a periodic basis but not less than annually; and
2. Procedures for identifying in advance any new sale, lease or license, management contract, sponsored research arrangement, output or utility contract, development agreement or other arrangement involving private use of financed facilities and for obtaining copies of any sale agreement, lease, license, management contract, research arrangement or other arrangement for review by bond counsel.

If the Compliance Officer identifies private use of facilities financed with tax-exempt debt, the Compliance Officer will consult with bond counsel to determine whether private use will adversely affect the tax status of the issue and if so, what remedial action is appropriate. The Compliance Officer should retain all documents related to any of the above potential private uses.

### **Reissuance**

The following procedures relate to compliance with rules and regulations regarding the reissuance of Obligations for federal law purposes.

The Compliance Officer will identify and consult with bond counsel regarding any post-issuance change to any terms of an issue of Obligations which could potentially be treated as a reissuance for federal tax purposes.

### **Record Retention**

The following procedures relate to retention of records relating to the Obligations issued.

The Compliance Officer will:

- A. Coordinate with staff regarding the records to be maintained by the Issuer to establish and ensure that an issue remains in compliance with applicable federal tax requirements for the life of such issue.
- B. Coordinate with staff to comply with provisions imposing specific recordkeeping requirements and cause compliance with such provisions, where applicable.
- C. Coordinate with staff to generally maintain the following:
  1. The Transcript relating to the transaction (including any arbitrage or other tax questionnaire, tax regulatory agreement, and the bond counsel opinion);
  2. Documentation evidencing expenditure of proceeds of the issue;
  3. Documentation regarding the types of facilities financed with the proceeds of an issue, including, but not limited to, whether such facilities are land, buildings or equipment, economic life calculations and information regarding depreciation;

4. Documentation evidencing use of financed property by public and private entities (e.g., copies of leases, management contracts, utility user agreements, developer agreements and research agreements);
  5. Documentation evidencing all sources of payment or security for the issue; and
  6. Documentation pertaining to any investment of proceeds of the issue (including the purchase and sale of securities, yield calculations for each class of investments, actual investment income received by the investment of proceeds, guaranteed investment contracts, and rebate calculations).
- D. Coordinate the retention of all records in a manner that ensures their complete access to the IRS.
- E. Keep all material records for so long as the issue is outstanding (including any refunding), plus seven years.

\* \* \*

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

Vote:	Aye	4	(DiSalvo, Huff, Coniglio, Rawleigh)
	No	0	
	Excused	1	(Guzzardi)
	Motion Carried		

The resolution was thereupon declared duly adopted.

### **CERTIFICATE OF THE RECORDING OFFICER**

The undersigned hereby certifies that:

1. The undersigned is the duly qualified and acting Clerk of the Town of Mount Morris, Livingston County, New York (the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board (the "Board"), and is duly authorized to execute this certificate.

2. A meeting of the Board was duly convened and held on October 17, 2024, and minutes of the meeting have been duly recorded in the minute book kept by me in accordance with law for the purpose of recording the minutes of meetings of the Board.

3. I have compared the attached extract with the recorded minutes and the extract is a true, correct and exact copy of the minutes and of the whole thereof insofar as the minutes relate to the subject matters referred to in the extract.

4. The extract of minutes correctly states the members of the Board who attended and voted at the meeting.

5. Such resolution was duly adopted in all respects in accordance with law and the regulations of the Town (or, to the extent applicable, in accordance with the terms of any Executive Order from the Governor of the State of New York that may be in place and be controlling, or otherwise affecting, the proceedings of the Town and the Board) and has not since been rescinded, revoked, annulled or modified and is in full force and effect. A legal quorum of members of the Board was present physically throughout such meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, such regulations, any such Executive Order, or otherwise, incident to such meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.



The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has executed this certificate as of October 17, 2024.

SEAL

Town Clerk  
Chelsey Woodworth

The following resolution was offered by Deputy Supervisor Huff and seconded by Councilmember Coniglio, to-wit;

**RESOLUTION No.2-2024, DATED OCTOBER 17, 2024, OF THE TOWN BOARD OF THE TOWN OF MOUNT MORRIS, LIVINGSTON COUNTY, NEW YORK (THE "TOWN") ADOPTING SEC-DRIVEN CONTINUING DISCLOSURE COMPLIANCE PROCEDURES**

WHEREAS, Securities Exchange Commission ("SEC") Rule 15c2-12 (the "Rule") generally prohibits underwriters from purchasing or selling municipal securities unless the issuer of such securities has entered into a continuing disclosure obligation; and

WHEREAS, the Town is a periodic issuer of municipal securities and thus has entered into continuing disclosure obligations (or will do so) from time to time; and

WHEREAS, it is therefore in the best interest of the Town to adopt formal written procedures to help ensure continuing disclosure compliance, and to designate an official responsible for ensuring that such procedures are followed; and

WHEREAS, Hodgson Russ LLP, as bond counsel to the Town, has prepared (and has recommended that the Town adopt) certain SEC-driven continuing disclosure compliance procedures;

NOW THEREFORE, BE IT RESOLVED, that the Town hereby adopts the continuing disclosure compliance procedures that are attached hereto as "Schedule A" and resolves to be governed thereby; and be it further

RESOLVED, that the below Schedule A will be placed in its entirety in the official records, files, and minutes of the Town and adhered to going forward; and be it further

RESOLVED, that this resolution shall take effect immediately upon its adoption.

**Schedule A**

**TOWN OF MOUNT MORRIS  
LIVINGSTON COUNTY, NEW YORK**

**Continuing Disclosure Compliance Procedures for  
Tax-Exempt Bonds and Notes**

a. **Purpose:** The purpose behind implementation of these continuing disclosure compliance procedures is to ensure that the **Town of Mount Morris, Livingston County, New York** (the "Issuer") (i) is compliant with its continuing disclosure obligations with respect to the securities it issues, pursuant to Rule 15c2-12, as amended (the "Rule"), promulgated under the Securities Exchange Act of 1934, as

amended and (ii) makes accurate reports as to its compliance therewith in connection with its offerings of securities from time to time.

**b. Disclosure Compliance Officer Designation, Education and Training:** The Issuer will designate a “Disclosure Compliance Officer” who will be the primary official responsible for monitoring compliance with the continuing disclosure requirements listed in the Issuer’s continuing disclosure undertakings. The Disclosure Compliance Officer will attend training and educational seminars that are offered on an annual basis by the Issuer’s bond counsel (the law firm of Hodgson Russ LLP) and will consult with the Issuer’s bond counsel and municipal advisor as needed to keep current on Securities and Exchange Commission regulations and developments relating to continuing disclosure compliance for its obligations. The Issuer’s designated Disclosure Compliance Officer is **the Town Supervisor (currently David DiSalvo)**.

**c. Continuing Disclosure Obligations Review:** The Disclosure Compliance Officer is responsible for reviewing, with the Issuer’s municipal advisor, the Issuer’s continuing disclosure undertakings to determine the date(s) by which annual financial information and audited financial information, along with any required material events notices and, if applicable, failure to file notices, must be filed with the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access (“EMMA”) system in accordance with the Rule.

**d. Preparation of Annual Financial Information and Audited Financial Statements:** If the Issuer’s continuing disclosure undertakings require the filing of annual financial information and audited financial statements with EMMA, the Disclosure Compliance Officer will coordinate with the Issuer’s auditor and municipal advisor to ensure that such documents are prepared and submitted in advance of the deadline for such filing.

**e. Monitoring Disclosure Compliance:** The Disclosure Compliance Officer will monitor the filing with EMMA of any and all documents required under the Issuer’s continuing disclosure undertakings through consultation with the Issuer’s municipal advisor and bond counsel when necessary.

**f. Correcting Potential Non-Compliance:** Upon discovery of potential or existing non-compliance with the Issuer’s continuing disclosure undertakings, the Disclosure Compliance Officer will promptly take steps, including consultation with the Issuer’s municipal advisor and bond counsel, to correct such non-compliance, such as by filing failure to file notices with EMMA.

**g. Official Statements:** The Disclosure Compliance Officer will review for accuracy and completeness any descriptions of the Issuer’s continuing disclosure compliance history contained in the initial drafts of notices of sale or official statements that are promulgated by the Issuer in connection with its bond and note issues, and will inform the Issuer’s municipal advisor and bond counsel of any potential inaccuracies or omissions within, so that any discovered inaccuracies or omissions in the draft document(s) can be corrected before such document(s) are finalized and distributed.

\* \* \*

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

Vote:	Aye	4	(DiSalvo, Huff, Coniglio, Rawleigh)
	No	0	
	Excused	1	(Guzzardi)
	Motion Carried		

The resolution was thereupon declared duly adopted.

## CERTIFICATE OF THE TOWN CLERK

The undersigned hereby certifies that:

1. The undersigned is the duly qualified and acting Clerk of the Town of Mount Morris, Livingston County, New York (the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board (the "Board"), and is duly authorized to execute this certificate.

2. A meeting of the Board was duly convened and held on October 17, 2024, and minutes of the meeting have been duly recorded in the minute book kept by me in accordance with law for the purpose of recording the minutes of meetings of the Board.

3. I have compared the attached extract with the recorded minutes and the extract is a true, correct and exact copy of the minutes and of the whole thereof insofar as the minutes relate to the subject matters referred to in the extract.

4. The extract of minutes correctly states the members of the Board who attended and voted at the meeting.

5. Such resolution was duly adopted in all respects in accordance with law and the regulations of the Town (or, to the extent applicable, in accordance with the terms of any Executive Order from the Governor of the State of New York that may be in place and be controlling, or otherwise affecting, the proceedings of the Town and the Board) and has not since been rescinded, revoked, annulled or modified and is in full force and effect. A legal quorum of members of the Board was present physically throughout such meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, such regulations, any such Executive Order, or otherwise, incident to such meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

6. The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has executed this certificate as of October 17, 2024.

Seal

**Town Clerk**  
**Chelsey Woodworth**

### **AMBULANCE**

Supervisor DiSalvo reported they had 105 calls. 85 of these calls were serviced. 35 were BLS.

### **HIGHWAY**

Superintendent Cipriano said that the Solar Company called him the other day and the site foreman said that they would make sure all the gravel roads were graded and in good order for winter.

Supervisor DiSalvo said that Tom Yorks retired last week, and that Superintendent Cipriano doesn't feel they need to advertise for the open position. He thinks that they will be set for winter since a retired highway worker Rich Mogavero will be able to work parttime plowing.

Supervisor DiSalvo said that he hasn't got the paper back from the state about the electric truck. Superintendent Cipriano said he heard its put on the back burner for year or so. The Supervisor said the electric trucks haven't been working out well up north.

**SURPLUS EQUIPMENT**

Supervisor DiSalvo said that we received a bid for the Surplus Equipment that was advertised. Superintendent Cipriano said that he hadn't received anything. Just a phone call from one person inquiring about it. Supervisor DiSalvo said all sealed bids were to be turned into the Town Clerk. Clerk Woodworth advised the board that she received one bid in the sealed envelope per bid requirements. Clerk Woodworth opened the sealed envelope labeled **SURPLUS EQUIPMENT FOR SALE**. She read the bid aloud to the board and all in attendance. The bid was for \$6000 from Schrier farms for the 2004 Sterling LT9500 10 Wheel Dump Truck with a 14' dump body and a C13 CAT 18 speed transmission.

A motion was made by Councilmember Coniglio, seconded by Councilmember Rawleigh to accept the bid from Schrier farms totaling \$6000.00 for the 2004 Sterling LT9500 10 Wheel Dump Truck.

Vote:           Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
                   No 0  
                   Motion Carried

**CEMETERY**

Superintendent Cipriano said that they received a quote for \$101,000 for headstone replacement from the accident in the large cemetery on 408.

Supervisor DiSalvo asked about the pictures of the headstones that were fixed for the grant. Superintendent Cipriano said that he brought pictures to the Clerk, and she said they didn't need them. Clerk Woodworth advised that she did not recall that happening and that she has nothing to do with that grant. If he had brought something to her for that grant, she would have told him to give it to Supervisor DiSalvo.

**TRANSFER STATION**

Supervisor DiSalvo said that he thinks that once the town gets the funds it may be wise to buy dumpsters instead of continuing to rent them. He thinks it will help with the cash flow issue with the Transfer Station.

**PLANNING/ZONING**

Councilmember Rawleigh said that there was a Zoning Board of Appeals meeting last week for a variance in the town that was approved and then a Planning Board meeting the night before about the fire companies building, they are looking to get a use variance for. They had to wait for a decision until next month so that notices could be mailed out to all property owners within a certain amount of feet from the location.

Clerk Woodworth advised the board that she received a letter of interest for the open planning board position from Brianna Rawleigh. She provided each board member with a copy of the letter.

A motion was made by Councilmember Coniglio, seconded by Deputy Supervisor Huff to appoint Brianna Rawleigh to the Joint Village and Town Planning Board.

Vote:           Aye           3           (DiSalvo, Huff, Coniglio)  
                   No            0  
                   Abstain     1           (Rawleigh)  
                   Motion Carried

Councilmember Rawleigh said that he would abstain due to Brianna Rawleigh being his sister.

**TOWN CLERK'S REPORT**

The Board reviewed the Clerk's report for the Month of September. A motion was made by Deputy Supervisor Huff, seconded by Councilmember Rawleigh to accept the report as presented.

Vote:           Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
                   No   0  
                   Motion Carried

**PUBLIC COMMENT**

Randy Lindsey said that they came to the meeting to ask about the noise ordinance in the town. They feel a noise ordinance is a good idea. Kim Lindsay said that they are miserable that their neighbor is out of control. He plays loud music. She said it's not just music, its guns as well. He has also been harassing them.

Councilmember Rawleigh said that he drove down to Tuscarora by where they live to listen. He said that he understands why they are upset. It was very loud and the person, they are talking about came out and stared at him. Councilmember Rawleigh said that it was creepy.

Councilmember Rawleigh said that he has also received videos from other neighbors that are upset about the noise issues.

Karl Schrier asked about the noise ordinance and how it would affect farming. Councilmember Rawleigh said they would like the noise ordinance to just be of the Hamlet of Tuscarora.

Gretchen Saunders asked the board if it would be possible to have the meetings live streamed like they did during covid. She has had some personal issues going on and she couldn't attend every meeting and would like to stay up to date with the town. Supervisor DiSalvo said that he will look into it.

Attorney Devries said that regulations have changed vastly since covid. She needs to check into the legalities of it. Councilmember Rawleigh said that the town publishes the minutes online and they are very informative. He reads them and has compared them to other towns and villages. He said our minutes are very well written and are definitely way more informative than the villages are.

Supervisor DiSalvo asked Scoutmaster Fraser if Troop 82 had anything to ask or add. Scoutmaster Fraser said they would like to thank you the town for allowing them to attend.

**VOUCHERS/ AUDIT OF CLAIMS**

Abstract 10, Year 2024 and related vouchers were reviewed by the Town Board. A motion by Deputy Supervisor Huff, seconded by Councilmember Rawleigh to approve Vouchers 255-280 on General A Abstract in the amount of \$9,789.70.

Vote:           Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
                   No   0  
                   Motion Carried

A motion by Councilmember Rawleigh, seconded by Deputy Supervisor Huff to approve Vouchers 72-82 on General B Abstract in the amount of \$2,726.40.

Vote:           Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
                   No   0  
                   Motion Carried

A motion by Councilmember Coniglio, seconded by Councilmember Rawleigh to approve Vouchers 87-92 on the Highway DA Abstract in the amount of 6,719.05.

Vote:           Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
                   No   0  
                   Motion Carried

A motion by Deputy Supervisor Huff, seconded by Councilmember Rawleigh to approve 24-26 on the Highway DB Abstract in the amount of \$30,577.74.

Vote:       Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
              No  0  
              Motion Carried

A motion by Councilmember Coniglio, seconded by Councilmember Guzzardi to approve Vouchers 26-28 on the Recycling SR Abstract in the amount of \$2,372.46.

Vote:       Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
              No  0  
              Motion Carried

A motion by Deputy Supervisor Huff, seconded by Councilmember Rawleigh to approve Vouchers 23-24 on the Sewer SS Abstract in the amount of \$2,050.41.

Vote:       Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
              No  0  
              Motion Carried

A motion by Councilmember Rawleigh, seconded by Councilmember Coniglio to approve 23-25 on the Water SW Abstract in the amount of \$9,797.53.

Vote:       Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
              No  0  
              Motion Carried

**Total Abstract 4     \$64,033.29**

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A motion was made by Councilmember Rawleigh, seconded by Councilmember Coniglio to adjourn this meeting.

Vote:       Aye 4 (DiSalvo, Huff, Coniglio, Rawleigh)  
              No  0  
              Motion Carried

Meeting adjourned at 6:47 PM

Respectively Submitted,

Chelsey Woodworth  
Town Clerk