

# Groton Village Board of Trustees Meeting

Monday, November 20, 2023

## Board Members

Trustee Conger  
Trustee Morey  
Trustee Walpole  
Mayor Neville  
Trustee Holl-absent

## Others in attendance:

Nancy Niswender - Clerk  
Lt Troy Boice  
Steve Teeter - Elec Suprv.  
Chad Shurtleff - DPW Suprv.  
Pat Albro - YAWS  
Eric DeForrest - GFD Fire Chief

7:00pm Mayor Neville welcomed everyone to the meeting.

Trustee Walpole made a motion to approve the minutes of the October 16, 2023 Board Meeting, seconded by Trustee Morey, carried.

## **Audit of claims and approval thereof.**

Trustee Conger made a motion to approve the claims presented for review.

The claims paid are covered by the following lists of abstracts of audited vouchers:

	<u>Abstract #6</u>
GENERAL	149,896.45
WATER	11,397.86
SEWER	36,951.44
ELECTRIC	123,737.67
JOINT REC	8,829.19
CAPITAL	347,677.96

Seconded by Trustee Morey, all in favor, carried.

## **Monthly Department Reports:**

### **Electric Department:**

#### **Supervisor Teeter report was submitted (attached to the minutes)**

- Combined Accounting and Engineering Workshop helped with CPR reports and Work Orders
- Dryden & Freeville Christmas Decorations
- Irby set up material inventory page on our system to match up with our materials

### **Department of Public Works**

#### **Supervisor Shurtleff report submitted (attached to the minutes)**

- Mayor inquired if there would be any parking issues with the food pantry and snow plowing and trucks going up to get salt/sand. We will need to discuss this with the food pantry to find alternative options. Possibly a sign up time or split the time up. The Mayor will speak with them.

### **Waste Water Treatment Plant**

#### **Pat Albro - Yaws Report was submitted and reviewed (attached to the minutes)**

- GHD - had meeting with us on Old Chatham last week. GHD hopes to have everything put together for an industrial permit.
- Trustee Walpole inquired about the slack plus line. The whole line needs to be replaced.

## Police Department

### Lt. Troy Boice Reported

- One training done last week. Working on fixing tasers.
- Geoffrey Trimm started his FTO training last week. Waiting on paperwork for Jason Kemp.
- Amber Jackson would like to move the no parking a little further up the hill on Park St. so she can get out of her driveway. Chad will research the area.

## Fire Department

- Trunk or Treat went really well. Did donuts and cider this year. GFD sponsoring 3 families for Christmas this year.
- One member completed boot camp and graduated Dec. 8th as an interior firefighter.
- Three members taking a vehicle class.
- Trustee Morey asked about the new style fire blankets she has seen. The Fire Department will look into them and possibly do a fundraiser.
- Tree Lighting is December 8th. We can do it on Conger Blvd over by the Gazebo.
- Fire Department Food Drive with Santa collecting on December 16th. Hopefully working with the post Office to put bags on mail boxes for food.

## Joint Recreation

Trustee Conger reviewed the Joint Recreation report (attached to the minutes):

## Groton Youth Commission

Trustee Conger reviewed the GYS report (attached to the minutes):

## Code Office

Ted Skibinski - Code Officer submitted his report attached to the minutes.

## Presentation & Discussion Items

- Seth Walpole discussed that on Linderman and Sykes Avenue a lot of fast moving traffic. Especially when kids are walking at night 7-8pm. We will need to see if we can lower the speed limit.

## Action Items

- Building change orders #2 & #3 were reviewed after the last meeting and the contract was reviewed to note that the Village would cover any unforeseen costs due to unknown ground conditions #10-d. Change order #7 was presented. This Change order is to install a fire rated coil up door between the kitchen and apparatus bay at a cost of \$6,725.00 and includes a counter \$1,975.00. Trustee Conger made a motion to accept change orders #2, #3, seconded by Trustee Morey, all in favor, carried. We will hold off on #7 until the fire department can discuss.
- Trustee Conger made a motion to adopt a resolution to return unpaid taxes of \$32,144.88 with interest and penalties of \$2,639.59 for a total of \$34,784.47 to Tompkins County. seconded by Trustee Walpole, all in favor, carried.
- Trustee Conger made a motion to approve travel for Angela Conger to attend the NYGFOA Conference April 17-19, 2024 at the Albany Marriott seconded by Trustee Morey, all in favor, carried.

- Trustee Walpole made a motion to approve the 2024 Fire Contract for \$159,500 and Ambulance Contract \$180,500 with Town of Groton, seconded by Trustee Conger, all in favor, carried.
- There has been discussion and concerns of the cars that do not slow down in the school zone area of the High School. We have contacted the NYS DOT to inquire on the process to allow an in the street sign. NYS DOT sent an application in and also called to discuss. They asked if we would be able to provide a crossing guard for this area. Trustee Conger made a motion to apply for the sign and recommend the school provide a crossing guard seconded by Trustee Morey, all in favor, carried.
- Trustee Conger made a motion to approve and to have Mayor sign the Gadabout Contract for \$4,200 seconded by Trustee Morey, all in favor, carried.
- Trustee Walpole made a motion to approve the Municipal Solutions agreement for work on the WWTP financing seconded by Trustee Morey, all in favor, carried.
- Trustee Walpole made a motion to approve the SWPPP for the New Municipal Building from Tim Buhl, seconded by Trustee Conger, all in favor, carried.
- The High School Ag Department contacted the office to ask permission to take over the community garden and make it a school garden. The Board plans to make it all grass and will be removing the building and barrels due to several past attempts that have not been successful.
- NYCOM request to have municipalities to contact their member of the House of Representatives and vote "NO" to the amendment that would cut CDBG funds by 50%. Trustee Walpole made a motion to send a letter to Marcus J. Molinaro, seconded by Trustee Morey, all in favor, carried.

8:14pm Trustee Conger made a motion to move into executive session to discuss specific employee items. Seconded by Trustee , all in favor.

8:30pm Trustee Conger made a motion to move out of executive session, seconded by Trustee Walpole, all in favor, carried.

Trustee Conger made a motion to increase Angela Conger's wage by \$1 per hour once she has successfully completed her Business Administration classes in December, seconded by Trustee Walpole, all in favor carried.

Trustee Conger made a motion to increase Ashlyn McCarty's wages by \$0.50 per hour once she has successfully completed the code classes in December and begins training for Deputy Clerk, seconded by Trustee Walpole, all in favor carried.

8:35pm Trustee Walpole made a motion to adjourn.

Respectfully submitted,

Nancy Niswender  
Village Clerk-Treasurer/Administrator

## **Electric Department Report**

**November 13, 2023**

### **Work Completed**

- Jack & Carson attended their final class of apprentice training for this year
- Trimmed trees
- Repaired street lights & security lights
- Hooked up new service
- Safety school in Endicott
- Repaired circulating pump on boiler at the Fire Station
- Repaired exit lights and emergency lights for annual inspections
- Repaired chemical line at the sewer plant
- Installed conduit at the new village office
- Helped DPW with water leak on Main St
- Read meters
- Non pay shut off's
- Removed & reattached meter boxes for siding job at 203 E. Cortland St
- Changed out stopped meter at 610 Elm St
- Cut down dead tree on Elm St.
- Udig NY markouts
- Worked with EMA on VFD install at sewer plant
- Removed limbs near wire at 110 Mack St. for tree removal
- 302 Elm St. – no power – (customer breaker)
- Engineering workshop
- Changed bulbs on decorations.



# Village of Groton

143 E Cortland Street, PO Box 100 ♦ Groton, NY 13073

Phone: 607-898-3966 ♦ Fax No. 607-898-4177

TDD: New York State Relay 1-800-662-1220

e-mail: [customerservice@grotonny.org](mailto:customerservice@grotonny.org)

Mayor.....	Christopher J. Neville
Trustees.....	Elizabeth T. Conger
	Michael G. Holl
	Jean E. Morey
	Terrance E. Walpole
Clerk-Treasurer/Administrator.....	Nancy Niswender
Dept. of Public Works Supv.....	Chad M. Shurtleff
Electric Utility Supv.....	Stephen E. Teeter
Police OIC .....	Lt. Troy Boice
Code Enforcement Officer .....	Ted Skibinski
Director of Recreation.....	Becky Koenig

## Department of Public Works October 16 – November 17, 2023

### Completed Work/Projects:

- Annual service of trucks and equipment
- General maintenance and repairs at the water plants
- Completed the fall flushing of fire hydrants
- Repair a water main break on Main St.
- Repair plugged chemical lines at the sewer plant
- Picking up leaves everyday
- Repair bearings on the auger at the sewer plant
- Water samples, read water meters
- Garage maintenance

### Schedule of Work

- Repair fire hydrants from fall flushing
- Finish leaf collection
- Finish preparing trucks for winter
- Install water & sewer to the new fire station

Village of Groton

Fuel Usage Report in Gallons

Dates: 11/17/2023

	<b>Unleaded</b>	<b>Diesel</b>
DPW	204	222
Electric	116	26
Fire	174	16
Police	342	

## Groton WWTP Update

- Insulated exposed chemical lines on SBR's
- Increased solid production (solids loading has increased to the plant. Doing some testing to see where the loading is coming from. Will be speaking with David from Chatham on production at facility.)
- Getting quote on seals for mixer in SBR #1 (will be doing seal repair in house)
- Built insulated box around peroxide drum for winter.
- Temporary line installed for slack plus chemical. Line has been blown out with air and descaled with chemicals. (Line is leaking underground. Cannot use until repairs are made.)
- Repairs were made to outdoor sludge auger. (DPW)
- Response from village on Industrial use. Village needs to discuss steps moving forward with Industrial permit with Adam from GHD.
- Raised mixers and cleaned. Replaced lift cable on mixer in SBR #1
- Installed heater in digester splitter box to prevent freezing.
- Continuing to prepare for cold weather.

**Board Meeting – Monday, November 20, 2023**

**Ted Skibinski, Code Enforcement Officer**

**Reporting and Accomplishments:**

1. Life Safety Inspections completed – 19.
2. Code Violation letters sent in November – 2.
3. Building Permits opened in November – 4.
4. Building Permits closed in November – 1.
5. Active Building Permits – 24.
6. Legacy Building Permits – 14.
7. Building Permits 2023 Total – 57.

**Groton Joint Recreation Committee**  
**November 14, 2023**

Scott Weeks called the meeting to order at: 5:34pm

**Present were:**

Rec Director Becky Koenig  
Scott Weeks  
Crystal Young  
Leon Brockway  
Elizabeth Conger  
Angela Conger

**Absent**

Jennifer Foote-Dean

The minutes were reviewed from the October 3rd meeting.

Motion made to approve the minutes by: Leon Brockway  
2nd by: Elizabeth Conger  
carried.

The financials from September and October were reviewed.

Motion made to approve the financials by: Leon Brockway  
2nd by: Elizabeth Conger  
carried.

**Recreation Director Report**

See Director Becky Koenig's Report attached

Updates to report:

**Winter Planning**

- 1st day hike is scheduled for 2024. Recreation Director Becky has been working with Shana Snyder and the Boy Scouts. They will do fire pits and smore's. The Jr/Sr PTO will provide hot chocolate.

- Cabin Fever is March 2nd. Recreation Director Becky is looking to have more interactive events for kids. She will reach out to school groups and others to see if they would like to do a presentation or fun activity. She will still have vendors but not as main focus.

**Professional Development**

Motion made to approve Recreation Director Becky Koenig to take

Water Safety Instructor course for \$550:

Elizabeth Conger  
2nd by: Leon Brockway  
carried.



## **Discussion/Action Items**

An extensive conversation was had regarding building use and equipment use at the school, and how we can build a good relationship so it's not a hardship everytime we request something, It

- was also discussed to meet with school Superintendant Margo Martin and Athletic Director Mark Triolo. Leon Brockway will have an initial conversation with Margo Martin and schedule a time for them to meet with the Recreation Committee.

- Crystal Young asked about programming at the senior center. It was suggested to do chair yoga, card day, Pitch and Yucker. Patty Miller is the contact.

## **Open Discussion:**

None

Motion to adjourn: 7:00pm

made by: Crystal Young

2nd by: Leon Brockway

Next meeting

December 5,2023

Submitted by:

Angela Conger

Village of Groton

Deputy Treasurer



## Groton Joint Recreation Committee Becky Koenig- Director Report November 2023

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### Winter Planning

- Trunk or Treat- Oct 31<sup>st</sup> 5-7pm @ Conger Blvd. 23 Trunks- ~400 kids
- Yoga- (Tues pm/Thurs am classes)- Charging \$40 registration for 6 week/12 class session. 9 participants.
- POUND and Kickboxing classes (Mon/Thurs pm). Will run another round in Dec with a registration fee. \$10 per 3week/3 class session.
- Cayuga Climbs- Sept Family Night (20 participants) & Oct Teen Night opened to all and filled.
- Adult Co-rec Basketball- Avg 10-15 participants per night.
- Basketball registration- Combined 3<sup>rd</sup>/4<sup>th</sup> grade for both girls and boys. Practice starts this week.
- The Wrestling Clinic starts this week. 30 kids registered.
- Wrestling season starts Dec. 25 players registered so far.
- Adult Co-Rec Volleyball will start after the holidays.

### Other Planning

- Concert Series committee meeting- Bands and Food Trucks are booked.
- Cabin Fever performers-Lily Pad Theater, DJ Kelly, Sir James Balloons, Roller skating, photo booth, Science Center, Cayuga Nature center. All booked.
- The Vision Statement is updated on the website.
- Fr. Gagnier is willing to discuss the use of the church fields. Working to set up a meeting with all decision makers.
- MyRec software meetings start in the first week of December. Should be running by the first of February.

### Grants:

- |                                 |                   |
|---------------------------------|-------------------|
| • Summer Concert Grant:         | Submitted Request |
| • Community Celebrations Grant: | Submitted Request |
| • Community Foundation:         | AWARD \$3,500     |
| • United Way:                   | AWARD \$1,500     |

### Professional Development

- **Youth Mental Health First Aid:** Monday, 10/16/23. Attended. Was a very valuable course. Good resources

*Program Manager*

*Cornell Cooperative Extension Coordinator*  
Shelley Lester  
Athena Steinkraus, Asst. Coordinator

*Tompkins County Youth Services*  
Kate Shanks-Booth  
Rick Alvord

*Youth Representative*  
Ellie Dykeman  
Maddie Perkins

# Groton Youth Commission

143 Cortland St, Groton, NY 13073

*Chair*  
Glenn E. Morey

*Vice Chair*  
Elizabeth T. Conger

*Board Members*  
Kayla Esparza  
Pegi Ficken  
Brian Klumpp  
Sara Knobel  
Kristin Prugh

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## Meeting Minutes November 1, 2023

The November 1<sup>st</sup> meeting of the Groton Youth Commission was called to order by chairman Glenn Morey. Members present were Elizabeth Conger vice chairman, Kristin Prugh (and Violet), Kayla Esparza, Brian Klumpp, Co-op Extension Coordinator Sheley Lester, Rural Youth Services Rep Richard Alvord, Youth Rep Ellie Dykeman and Maddie Perkins. Excused was Pegi Ficken.

### Secretary's Minutes:

Minutes for October 4th, 2023 were accepted on a motion by Kayla, seconded by Brian and carried.

**Report: Shelley Lester:** A new program Director has been hired, Keith Davenport. He starts on November 13<sup>th</sup> for orientation and training. He will start programming in January. Glenn attended the interview and was impressed with great answers from him.

**Report: Rick Alvord:** The Tompkins Count budget passed, including OTR from Rural Youth Services. A recognition dinner as held and Glenn and Betty were recognized for their years of service to the Youth Commission- Glee has 34 years, Betty has 23 years.

**New Business:** Issue in the community. A topic presented by Chairman Glenn. Situations like the antisemitism on Cornell campus. Also, the mass shooting in Lewiston Maine. It is noted that there are social workers in both schools. Hoping that both students and parents are kept informed of these services.


Meeting adjourned at 7:30 PM

Next meeting is December 6<sup>th</sup>, 2023 @ 7:00PM

Submitted by  
Elizabeth Conger  
Vice Chair

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**GADABOUT**  
TRANSPORTATION SERVICES, INC.  
A Voluntary Transportation Service for Older and  
Disabled Tompkins County Residents

November 13, 2023

Village of Groton  
Attn: Nancy Niswender  
P.O. Box 100  
143 E Cortland St.  
Groton, NY 13073

Dear Ms. Niswender and Mr. Neville,

Gadabout has appreciated the support received from the Village of Groton over the past years.

In 2022 Gadabout had 893 rider-trips originating in the Village. Of these trips, 268 were for people using wheelchairs, 534 were for people with disabilities, and 91 were for elderly ambulatory riders. This represents a 15% increase in ridership from 2021.

We would like to request the same amount for 2024 as last year. We understand the many financial uncertainties the pandemic has brought to the community. Through all this, Gadabout has been able to maintain its vital service by taking people to medical appointments, life sustaining treatments, and grocery shopping.

Gadabout Transportation Services provides transportation for elderly (over 60 years of age) and disabled residents of Tompkins County. The actual cost per ride is over \$30.00. The amount requested will help offset the costs associated with operations.

We look forward to continuing our service to the residents of the Village.

Sincerely,



Kristen Wells  
Executive Director

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**Municipal  
Solutions, Inc.**  
Municipal Financial Advisors

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July 10, 2023

Chris Neville, Mayor  
Village of Groton  
143 E. Cortland Street, P.O. Box 100  
Groton, New York 13073

Dear Mayor Neville:

Municipal Solutions, Inc. is pleased to submit this proposal in connection with the Village of Groton's proposed Wastewater Treatment Plant project for your consideration and approval.

Per the Municipal Securities Rulemaking Board's (MSRB) Rule G-42, we must have a current contract in place prior to work commencing. This contract must state fair market value rates and fees and be accepted by both the municipality and Municipal Solutions, Inc. We must, under rule G-42, show that we've acted in good faith with the issuer and to ensure the accuracy of representation in our contracts regarding the agreed upon scope and fees, whether the contract be a Preliminary Authorization to Proceed or a Full Contract.

The Securities and Exchange Commission (SEC) enforces the rules and regulations set by the MSRB. Municipal Solutions, Inc. is registered as a recognized municipal advisor with the SEC (MS ID #867-00383) and the MSRB (MS ID #K0173) as mandated by the Dodd-Frank Wall Street Reform and Consumer Protection Act (the Dodd-Frank Act).

This proposal is divided into the following parts:

- I. Fiscal Services
- II. Conflicts of Interest and Other Required Disclosures
- III. Miscellaneous

**I. Fiscal Services**

The following items will be completed under this portion of the contract, if appropriate and as requested:

- 1) Work with the engineer, establish a monthly cash flow for the term of the project.
- 2) Review and approve of the budget to be used by EFC for short-term closing.
- 3) Assist the Village in securing a NYS Department of Environmental Conservation emergency loan.
- 4) Assistance with the preparation of EFC application materials and coordination of short-term closing with Village Officials, Bond Counsel, Village Attorney, and EFC.

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*Municipal Solutions, Inc. is a Member of the National Association of Municipal Advisors*

62 Main Street, LeRoy, NY 14482 Phone: 585-768-2136 Fax: 585-394-4092  
2528 State Route 21, Canandaigua, NY 14424 Phone: 585-394-4090 Fax: 585-394-4092  
[www.municipalsolution.com](http://www.municipalsolution.com)

- 5) Preparation of an engineering Request for Qualifications.
- 6) Assist with MWBE requirements and EFC compliance for emergency loan.
- 7) Assist in the preparation of information, development of an operating budget and cash flow that may be used for public or internal discussions in connection with the project.
- 8) Attend construction or other meetings, as required.
- 9) Advise the Village on required principal and interest payments at budget time.
- 10) Complete a time-frame calendar for all items to be completed in connection with an anticipated borrowing.
- 11) Prepare various maturity schedules for Village officials to determine repayment of anticipated borrowed funds for planning purposes.
- 12) Coordinate board adoption of the bond resolution and other legal documents that may be required.
- 13) Compliance with IRS, MSRB and SEC regulations, reviews, and updates.
- 14) Application to secure CUSIP numbers for borrowings, as required.
- 15) Convert financial documents into useable formats for processing, if necessary.
- 16) Advise Village of additional funding opportunities that may arise for project. A separate contract will be submitted for the preparation of any funding applications not included in this contract.
- 17) Provide other financial consulting services as may be requested by the Village.

Fiscal Services will be billed at the current hourly rate of \$160 plus reimbursable expenses.

The total fee for this contract based on the current project scope is estimated to be \$20,000. This includes prior work for the development of the project. If the estimated total fee is exhausted due to unanticipated changes in project plans, scope or timeline, we reserve the right to amend this agreement through project completion.

If there are services performed beyond the scope of the project, or if the project ceases for any reason, an invoice for work completed will be due at the current hourly rate plus expenses.

The fees may be adjusted annually based on the U.S. Bureau of Labor and Statistics Consumer Price Index – All Urban Consumers.

Invoices will be submitted periodically. Payment is expected within 45 days of the invoice date.

## II. Conflicts of Interest and Other Required Disclosures

Rule G-42 of the Municipal Securities Rulemaking Board requires us to provide you with certain disclosures regarding conflicts of interest and other required disclosures (the "Disclosures"). Those Disclosures are attached hereto in Appendix A. We further covenant and agree to provide to the Village updated Disclosures as required by Municipal Securities Rulemaking Board Rule G-42 to the extent any arise after the date of this letter. The Disclosures, and each delivery thereof, as provided from time to time, shall be incorporated by reference as of the date thereof into this letter to the same extent as if set forth herein.

We at Municipal Solutions, Inc. operate with a core value of honesty and integrity in all aspects of our business. We pride ourselves in our competent and friendly staff and our services go above and beyond what our contracts call for. We do our very best to keep costs down and pass any savings back to our clients. If you have any concerns that are not addressed in this contract, we would be happy to discuss them with you at your convenience.

## III. Miscellaneous

Municipal Solutions, Inc. agrees to comply with the funding agency requirements of the New York State Environmental Facilities Corporation related to MWBE participation.

Upon acceptance of this proposal, please execute and return one copy to our LeRoy office located at 62 Main Street, LeRoy, New York 14482 following the next Board meeting. The terms set forth above are subject to change if we do not receive a signed contract within 30 days. This contract will remain in effect until terminated by either party. You have the right to terminate this contract for any reason at any time.

We agree to promptly amend or supplement this letter to reflect any material changes or additions to the agreement evidenced by this letter.

If you should have any questions concerning this proposal, please do not hesitate to contact me. We look forward to our continued working relationship with the Village.

Sincerely,



Jeffrey R. Smith, President  
Certified Independent Professional Municipal Advisor

JRS/slw

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**Village of Groton, New York  
Contract Dated July 10, 2023  
Wastewater Treatment Plant Project  
Accepted by:**

Signature: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Date: \_\_\_\_\_



## APPENDIX A

### VILLAGE OF GROTON, NEW YORK Contract Dated July 10, 2023 Wastewater Treatment Plant Project

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#### DISCLOSURE OF CONFLICTS OF INTEREST

Municipal Securities Rulemaking Board Rule G-42 requires us, as your municipal advisor, to provide written disclosure to you about material conflicts of interest.

We have determined, after exercising reasonable diligence, that we have no known material conflicts of interest that would impair our ability to provide advice to the Village in accordance with our fiduciary duty to municipal entity clients. The attached paragraphs outline areas of potential conflicts of interest we have reviewed to make this no material conflict of interest determination.

Our proposal includes compensation for municipal advisory activities to be performed that is contingent on the size or closing of any transaction as to which Municipal Solutions, Inc. is providing advice, the potential conflicts that could occur as a result of this pricing compensation are outlined below.

#### FORMS OF COMPENSATION AS POTENTIAL CONFLICTS

The forms of compensation for municipal advisors vary according to the nature of the engagement and requirements of the client, among other factors. Various forms of compensation present actual or potential conflicts of interest because they may create an incentive for an advisor to recommend one course of action over another if it is more beneficial to the advisor to do so. This document discusses various forms of compensation and the timing of payments to the advisor.

**Fixed fee** - Under a fixed fee form of compensation, the municipal advisor is paid a fixed amount established at the outset of the transaction. The amount is usually based upon an analysis by the client and the advisor of, among other things, the expected duration and complexity of the transaction and the agreed-upon scope of work that the advisor will perform. This form of compensation presents a potential conflict of interest because, if the transaction requires more work than originally contemplated, the advisor may suffer a loss. Thus, the advisor may recommend less time-consuming alternatives, or fail to do a thorough analysis of alternatives. There may be additional conflicts of interest if the municipal advisor's fee is contingent upon the successful completion of a financing, as described below.

**Hourly fee** - Under an hourly fee form of compensation, the municipal advisor is paid an amount equal to the number of hours worked by the advisor times an agreed-upon hourly billing rate. This form of compensation presents a potential conflict of interest if the client and the advisor do not agree on a reasonable maximum amount at the outset of the engagement, because the advisor does not have a financial incentive to recommend alternatives that would result in fewer hours

worked. In some cases, an hourly fee may be applied against a retainer (*e.g.*, a retainer payable monthly), in which case it is payable whether or not a financing closes. Alternatively, it may be contingent upon the successful completion of a financing, in which case there may be additional conflicts of interest, as described below.

**Fee contingent upon the completion of a financing or other transaction** - Under a contingent fee form of compensation, payment of an advisor's fee is dependent upon the successful completion of a financing or other transaction. Although this form of compensation may be customary for the client, it presents a conflict because the advisor may have an incentive to recommend unnecessary financings or financings that are disadvantageous to the client. For example, when facts or circumstances arise that could cause the financing or other transaction to be delayed or fail to close, an advisor may have an incentive to discourage a full consideration of such facts and circumstances, or to discourage consideration of alternatives that may result in the cancellation of the financing or other transaction.

**Fee paid under a retainer agreement** - Under a retainer agreement, fees are paid to a municipal advisor periodically (*e.g.*, monthly) and are not contingent upon the completion of a financing or other transaction. Fees paid under a retainer agreement may be calculated on a fixed fee basis (*e.g.*, a fixed fee per month regardless of the number of hours worked) or an hourly basis (*e.g.*, a minimum monthly payment, with additional amounts payable if a certain number of hours worked is exceeded). A retainer agreement does not present the conflicts associated with a contingent fee arrangement (described above).

**Fee based upon principal** - Under this form of compensation, the municipal advisor's fee is based upon a percentage of the principal amount of an issue of securities (*e.g.*, bonds). This form of compensation presents a conflict of interest because the advisor may have an incentive to advise the client to increase the size of the securities issue for the purpose of increasing the advisor's compensation.

From time to time, Municipal Solutions, Inc. does provide municipal advisory assistance to surrounding municipalities including, but not limited to, the towns of Dryden, Genoa, and Lansing, and the villages of Dryden, Freeville, Interlaken, Marathon, Moravia, and Trumansburg. Municipal Solutions, Inc. is not aware of any material conflicts of interest that this relationship would bring to our fiduciary responsibility to the Village as of the date of this Agreement. If Municipal Solutions, Inc. becomes aware of any conflict of interest that could interfere with our fiduciary obligations to the Village, Municipal Solutions, Inc will notify the Village that a conflict has been identified and we will meet with the Village to discuss the impacts of the conflict and possible methods to resolve the identified conflict areas.

## **RELIANCE ON OUTSIDE INFORMATION**

In formulating our recommendations as it comes to the issuance of municipal securities, we often have to rely on information provided by outside sources such as engineering firms, architectural firms, CPAs, attorneys, and other professional entities, as well as the municipality itself. We must rely on the expertise and professional knowledge of these entities in that the information they are providing is reasonable and correct. As part of our fiduciary duty to our clients, we will do our best to make sure this

is the case. If we feel that the information provided to us is inaccurate, inconsistent or incomplete, we will ensure to tell you before providing any recommendations based on the material.

### **LEGAL OR DISCIPLINARY EVENTS**

Municipal Solutions, Inc. is registered as a “municipal advisor” pursuant to Section 15B of the Securities Exchange Act and rules and regulations adopted by the United States Securities and Exchange Commission (“SEC”) and the Municipal Securities Rulemaking Board (“MSRB”). As part of this registration, we are required to disclose to the SEC information regarding criminal actions, regulatory actions, investigations, terminations, judgments, liens, civil judicial actions, customer complaints, arbitrations and civil litigation involving Municipal Solutions, Inc. Pursuant to MSRB Rule G-42, Municipal Solutions, Inc. is required to disclose any legal or disciplinary event that is material to the Village’s evaluation of Municipal Solutions, Inc. or the integrity of its management or advisory personnel.

We have determined that no such event exists.

Copies of Municipal Solutions, Inc. filings with the United States Securities and Exchange Commission can currently be found by accessing the SEC’s EDGAR Company Search Page which is currently available at <https://www.sec.gov/edgar/searchedgar/companysearch.html> and searching for either Municipal Solutions, Inc. or for our CIK number which is 0001612999.

The MSRB has made available on its website ([www.msrb.org](http://www.msrb.org)) a municipal advisory client brochure that describes the protections that may be provided by MSRB rules and how to file a complaint with the appropriate regulatory authority.

# ACTION ALERT

## Proposed House Amendment Would Cut CDBG Funding by 50%

November 7, 2023

Representative Glenn Grothman of Wisconsin has offered a FY 2024 budget amendment that would cut funding for HUD's Community Development Block Grant formula grants program by \$1.65 billion (50%). As NYCOM members know, the CDBG program is the key ongoing source of federal aid provided to states, cities, villages, towns and counties. The full House of Representatives is currently considering the FY 2024 Transportation, Housing and Urban Development, and Related Agencies funding bill (also known as THUD).

NYCOM urges you to **contact your member of the House of Representatives** and ask that they vote NO on the Grothman amendment that would slash CDBG funding in half. It is **particularly important that you do so** if you are located within the congressional district of Representative D'Esposito, Garbarino, LaLota, Langworthy, Lawler, Malliotakis, Molinaro, Santos, Stefanik, Tenney or Williams.