

26-16-05

**RESOLUTION TO FURTHER AMEND THE AGREEMENT WITH  
HARRIS BEACH PLLC (C012022) TO PROVIDE BOND COUNSEL SERVICES  
IN CONNECTION WITH THE ANTICIPATED ISSUANCE OF SERIAL BONDS  
OR OTHER FINANCING OF INFRASTRUCTURE IMPROVEMENTS**

**WHEREAS**, the Regulating District sought and obtained in Resolution 22-04-01 Board approval to engage Harris Beach PLLC to provide bond counsel services in connection with the anticipated issuance of serial bonds to finance infrastructure improvements; and

**WHEREAS**, the Regulating District sought and obtained in Resolution 23-11-03 Board approval to amend the scope of services covered by C012022 in light of the extraordinary service Harris Beach PLLC has provided in connection with the legal elements of actual and anticipated financings of Regulating District infrastructure improvements; and

**WHEREAS**, the Regulating District further sought and obtained in Resolution 24-17-03 Board approval to invoke the first of two one-year options to extend the agreement with Harris Beach PLLC and amended the not to exceed amount on the agreement to \$60,000; and

**WHEREAS**, the Regulating District further sought and obtained in Resolution 25-10-03 Board approval to invoke the second of two one-year options to extend the agreement with Harris Beach PLLC and amended the not to exceed amount on the agreement to \$75,000; and

**WHEREAS**, the Regulating District will continue to rely on this excellent service provided by Harris Beach PLLC (now Harris Beach Murtha) as it works through the conversion of its short-term financing of the Indian Lake Dam Rehabilitation Project with the New York State Environmental Facilities Corporation to a long-term financing arrangement upon completion of the Project; and

**WHEREAS**, the execution of and compliance with the Regulating District's financing arrangements with the New York State Environmental Facilities Corporation require ongoing opinions and services provided by bond counsel throughout the existence of the financing arrangement; and

**NOW THEREFORE BE IT RESOLVED**, that the Board of the Regulating District hereby authorizes the Executive Director to negotiate and execute a fourth amendment to Contract C012022 with Harris Beach Murtha in the amount of \$45,500.00, plus approved disbursements, bringing the not-to-exceed contract value to \$120,500.00 and extends the agreement for a three-year period; and

**BE IT FURTHER RESOLVED**, said contract amendment is subject to review and approval by the New York State Attorney General.

Approved as to form:



Robert P. Leslie  
General Counsel

Motion was made by Mr. Reagan and seconded by Mr. Hayes that the Resolution be approved.

Present and voting:

<u>MEMBER</u>	<u>AYE</u>	<u>NOE</u>	<u>ABSTAIN</u>
Mr. Finkle.....	<u>  X  </u>	<u>      </u>	<u>      </u>
Mr. Hayes.....	<u>  X  </u>	<u>      </u>	<u>      </u>
Mr. DeWitt.....	<u>  X  </u>	<u>      </u>	<u>      </u>
Mr. Bird.....	<u>  X  </u>	<u>      </u>	<u>      </u>
Mr. Candido.....	<u>  X  </u>	<u>      </u>	<u>      </u>
Mr. Reagan.....	<u>  X  </u>	<u>      </u>	<u>      </u>
Ms. Allen.....	<u>  X  </u>	<u>      </u>	<u>      </u>