Village of Tupper Lake
Board of Trustees
Minutes

Date:	Monday, April 11, 2016	
Start:	5:15 PM	
Location:	Board Room	
Meeting:	Special Meeting	5:15 – 7:16 PM

At the Special Meeting of the Board of Trustees held this date, the following were present: Mayor Paul A. Maroun, Trustees Thomas Snyder, Leon LeBlanc, Ronald LaScala, David Maroun and Village Clerk/Treasurer Mary A. Casagrain.

Also present were Electric Superintendent Marc Staves, Department of Public Works Superintendent Robert Degrace, Water/Wastewater Superintendent Mark Robillard, Fire Chief Carl Steffen, New Reporters Thomas Salitsky and Daniel McClelland.

Call to Special Meeting To Order

Mayor Maroun called the Special Meeting to order and established the agenda.

Establish Next Budget Work Session

Motion by Trustee Maroun, seconded by Trustee Snyder to establish Thursday, April 14, 2016 as our next budget work session for the Fire, Police and Water/Wastewater Departments. (Carried 5-0)

Discuss Water Rate Increase

The board briefly discussed the a proposed water rate increase to offset the needed additional revenues to support our capital improvements both for the NYS DOT Betterments and the Ground Water Supply Project.

Several scenarios were discussed and Trustee Snyder recommended we try and get Carrie Tuttle with DANC here in the next few days to finalize viable scenarios to share with the Town of Tupper Lake.

21 High Street Re-advertise Bid

Mayor Maroun noted that we received no bids on the sale of the 21 High Street property. He recommended we re-advertise with a new floor instead of the appraisal value completed earlier this year.

After a brief discussion it was decided that we would call our attorney in the morning to discuss what his recommendation is.

Woulf Avenue Re-advertise Bid

Motion by Trustee LeBlanc, seconded by Trustee LaScala to re-advertise the Woulf Avenue property at the same time we advertise the 21 High Street property. (Carried 5-0)

Diane Medema & Mary Lou Robideau

Ms. Diane Medema and Ms. Mary Lou Robideau entered the special meeting at 5:30 pm.

Budget Work Session for DPW & Electric Departments

First we reviewed the DPW portion of the General Fund budget.

Mayor Maroun asked Electric Superintendent Marc Staves if he has the room in his budget to purchase a new vehicle so the DPW Department would be able to have his old vehicle. He asked that he research it further and let us know before the end of the month. If that can be done we will be able to remove 22,000 from A5110.200 Street Equipment.

We reviewed the DPW Budget line item by line item.

Motion by Trustee Maroun, seconded by Trustee LeBlanc to remove Vachereau Street from the list of street to be replaced in this year's budget due to NYS DOT's Reconstruction Project as well as the sidewalks.

Ms. Mary Lou Robideau

Ms. Mary Lou Robideau asked if the Village would consider replacing the other end of Lindsay Avenue now that we are no longer rebuilding Vachereau Street.

Department of Public Works Superintendent Robert Degrace stated he and Water/Wastewater Superintendent Mark Robillard would get together and do an inventory of Lindsay Avenue and a few other streets to make a recommendation at our next budget work session.

Motion by Trustee LeBlanc, seconded by Trustee Maroun to make the following adjustments to the General Fund Budget:
A5142.400 Snow Removal Contractual -2,000 less 30 tons of salt
A7140.120 Park OT -3,000
A8160.120 Refuse OT -500

Garbage Hauler Permits

Trustee LaScala asked if we could charge a permit fee for private garbage haulers with in the Village. It could serve as a revenue source.

Advertise Auctions International Surplus Equipment

Motion by Trustee Maroun, seconded by Trustee LaScala to deem the following equipment as surplus and place them for sale on Auctions International as follows:

- 2003 Chevy Malibu
- 120V Surplus Generator
- 1986 Chevy w/Dump
- 15 Foot Dump Body
- 1996 Leeboy Paver
- Ferguson Roller
- 2002 Chevy Pickup

(Carried 5-0)

Next we discussed the Electric Department budget.

$132,000 Bond Resolution

Motion by Trustee LaScala, seconded by Trustee Maroun to approve the following Bond Resolution for the purpose of issuing serial bonds in the amount of $132,000 to finance the acquisition of one tandem axle dump truck as follows:

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE ISSUANCE OF $132,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE THE ACQUISITION OF ONE TANDEM AXLE DUMP TRUCK

WHEREAS, the Board of Trustees (the "Board") the Village of Tupper Lake, Franklin County, New York (the "Village") proposes to authorize the issuance of $132,000 in serial bonds of the Village to finance a portion of the estimated cost of the acquisition of one Tandem Axle Dump Truck (the "Project"); and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Village's serial bonds and bond anticipation notes to be issued to finance said appropriation.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees (the "Board of Trustees") of the Village of Tupper Lake, Franklin County, New York (the "Issuer" or the "Village") (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Village is hereby authorized to issue $132,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance a portion of the estimated cost of the Project.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is $132,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (a) the issuance of $132,000 in serial bonds of the Village, or bond anticipation notes issued in anticipation of such serial bonds, authorized to be issued pursuant to Section 1 of this resolution, (b) grant monies expected to be received by the Village, and (c) to the extent necessary, the levy and collection of taxes on all the taxable real property in the Village, to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is five (5) years, pursuant to subdivisions 28. and 91. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall <u>not</u> be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village subject to applicable statutory limits, if any. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Village Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to

issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village (the "Village Treasurer"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for any of the other objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 11. The Project constitutes a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations thereunder ("SEQRA"), and as such no further actions need to be undertaken under SEQRA in connection with the approval of the Project, the adopt of this Bond Resolution, or the financing thereof.

SECTION 12. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 13. This resolution shall take effect immediately and the Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Village for such purpose.

The following vote was taken and recorded in the public or open session of said meeting:

	AYE	NAY
Mayor Paul A. Maroun	X	
Trustee Thomas Snyder	X	
Trustee Leon LeBlanc	X	
Trustee David Maroun	X	
Trustee Ronald LaScala	X	

(Carried 5-0)

Local Law #1-2016 Tax Levy Limit Override Approved

Motion by Trustee Maroun, seconded by Trustee LeBlanc to approve Local Law #1-2016 entitled Tax Levy Limit Override. (Carried 3-2, Trustees Snyder and LaScala voted "Nay")

Electric Department Budget Review

Next we discussed the Electric Department budget.

Electric Superintendent Mark Staves reviewed his department's accomplishments during the current fiscal year and what his special projects and plans were for the 2016-17 fiscal year.

Into Executive Session

Motion by Trustee LaScala, seconded by Trustee Maroun to enter into Executive Session at 6:45 pm for the purpose of discussing the history of a particular person(s) leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation. (Carried 5-0)

Electric Line Worker Start Date

After a brief discussion concerning Franklin County Civil Service's review of a Full-time Line Worker's application it was noted that we had to re-advertise the position waiving the residency requirement for applicants. This necessitates the need for the board to re-appointment Mr. Chad Montana to the position of Line Worker provisionally pending a civil service exam to be announced at a later date effective April 8, 2016, it was so moved by Trustee LaScala, seconded by Trustee Maroun to re-appoint Mr. Chad Montana effective April 8, 2016. (Carried 5-0)

Sick Leave Absence W/WW Employee

After assessing the need to bring back Mr. Roger Demars for part of 2016 due to an employee's scheduled sick leave for surgery it was so moved by Trustee Maroun, seconded by Trustee LeBlanc to rehire Mr. Roger Demars as a laborer for the Water/Wastewater Department effective April 25, 2016. (Carried 5-0)

Advertise Summer Helper for Park

Motion by Trustee Maroun, seconded by Trustee LeBlanc to advertise for a part-time summer laborer for the Municipal Park. (Carried 5-0)

Exit Executive Session

Motion by Trustee LeBlanc, seconded by Trustee Snyder to exit Executive Session at 7:15 pm. (Carried 5-0)

Adjournment

Motion by Trustee LeBlanc, seconded by Trustee Snyder to adjourn the Special Meeting at 7:16 pm. (Carried 5-0)

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Mary A. Casagrain, Village Clerk/Treasurer