Board of Trustees
Minutes

Date:	Monday, July 6, 2015	
Location:	Board Room	
Meeting:	Special	4:00 – 4:30 PM

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

Also present were News Reporters Mary Peryea and Thomas Salitsky.

Call Special Meeting to Order & Establish Agenda

Mayor Paul Maroun called the Special Meeting to order and established the agenda at 4:00 pm.

SEQRA Multi-Use Trail Connector Project

Motion by Trustee Snyder, seconded by Trustee Maroun to formally approve a resolution under SEQRA for the Village of Tupper lake Multi-use Trail Connector Project as follows:

The following resolution was offered by Trustee Thomas Snyder, who moved its adoption, seconded by Trustee David Maroun, to-wit:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (THE "VILLAGE"), PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT CONCERNING THE VILLAGE OF TUPPER LAKE MULTI-USE TRAIL CONNECTOR PROJECT.

WHEREAS, the Board of Trustees (the "Board") of the Village of Tupper Lake, Franklin County, New York (the "Village") is considering undertaking the funding of certain aspects of a project that includes the implementation of a portion of the "Junction Pass" segment of the Village of Tupper Lake's Multi-Use Recreation Trail and Transportation Network. The action contemplated by this resolution will encompass the conversion of approximately 1.4 miles of an abandoned railroad bed for pedestrian and bicycle use that will entail among other actions, the construction of an 8 foot wide stone dust trail, two segments of boardwalk to span existing wetland areas, and appropriate trail signage and site amenities; in addition, segments of five local streets will be used to provide improved pedestrian and bicycle facilities to connect the off-road portion of the referenced trail to various destinations throughout the Village (referred to hereafter as "the Project" or "the Village of Tupper Lake Multi-Use Trail Connector"). The Village of Tupper Lake Multi-Use Trail Connector routing follows the rail bed of the former New York and Ottawa Railroad, linking the Junction and the Adirondack Scenic Railroad to the Raquette Pond Municipal Parks and the Village's Central Business District. The Project's western terminus is at the site of the train depot serving the Adirondack Scenic Railroad in the Junction (Faust). The Depot is a public use facility, and an informal trail connection to New York State Route 3 (Main St.) presently runs through the Depot site — this connection is planned to be formalized by others. The Project will link to the Waterfront Municipal Park through an existing plaza to access DeMars Boulevard and a new crossing and access point to the Park. The Project will provide connections to the Village business district, High School, L.P. Quinn Elementary and the Wild Center using existing on street sections including Park Street (NYS Route 3/30), McLaughlin Avenue, Pleasant Avenue, Boyer Avenue, and Hosley Avenue; and

WHEREAS, the Board, is considering the impact of the Project on the environment in accordance with the New York State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law and associated regulations, including implementing regulations 6 N.Y.C.R.R. 617.1 et seq. ("SEQRA") the scope of which is summarized above and is set forth in more detail below and in various documents associated with the Project which are incorporated herein by reference, and which are identified with more specificity below, and the Board is required to undertake such review under SEQRA and consider such impacts prior to resolving to provide funding for the Project; and

WHEREAS, the location of the Project is within the Village and Town of Tupper Lake, Franklin County New York as more fully described herein (the "Project Site"); and

WHEREAS, pursuant to SEQRA, the Board is required to complete its environmental review of the Project prior to consideration of any resolution to provide funding for the Project which is proposed to include the Village funding for work to be completed to convert the abandoned railroad bed and provide amenities as referenced. The Board has determined the Project constitutes an Unlisted Action under SEQRA, and it has determined that the Board shall act as lead agency for the Project, and in accordance with such designation of the Project, the Board has conducted an uncoordinated review of the Project in accordance with applicable SEQRA regulations; and

WHEREAS, pursuant to the required SEQRA review undertaken for the Project, the Board has completed a Short Environmental Assessment Form ("EAF") dated April 30, 2015 including parts 1 and 2 of the EAF and it has reviewed the responses thereto, and it has also reviewed the following documents associated with the Project including: the Adirondack Park Agency ("APA") Determination under APA Project Order and Permit No. 2015-12 dated June 15, 2015 (hereinafter "the June 2015 APA Determination"); New York State Department of Transportation documentation reviewing the impact of Project including under SEQRA and under federal law pursuant to the National Environmental Policy Act (NEPA) under which the Project was reviewed as an Automatic Categorical Exclusion pursuant to 23 CFR 771.117 (c); the New York State Department of Environmental Conservation's Jurisdictional Determination (pursuant to DEC No. 5-1620-00417/00001) dated May 29, 2015 regarding the Project's application to disturb wetlands, Correspondence dated May 12, 2015 from the United States Army Corps of Engineers stating that the impact on wetlands associated with the Project will be authorized under Army Corps of Engineers nationwide general permit No. 42, wetland delineations completed by Barton and Loguidice DPC concerning the Project as well as the Stormwater Pollution Prevention Plan dated January 2015 prepared by Barton and Loguidice and submitted to the New York State Department of Environmental Conservation and any previous resolutions concerning the Project; and

WHEREAS, the Board has considered each of the public outreach activities undertaken by the New York State Department of Transportation and other agencies, if any associated with the Project; and

WHEREAS, the Board has considered the impact on the environment of the Project, including as detailed in the documents referenced above and as set forth in more detail below, by undertaking a thorough review of the conditions and issues associated with the construction, development and operation of the Project; and

WHEREAS, the Board resolves based upon the information contained in the referenced documentation as well as based on the other information as detailed herein and based upon the Notice of Negative Declaration made pursuant to this resolution that for purposes of making this determination under SEQRA, the Project will not result in any significant adverse impact to the environment for the reasons which are set forth herein as follows:

Name of Action: The Village of Tupper Lake Multi-Use Trail Connector Project.

Involved Agency: The Board of the Village of Tupper Lake, Franklin County, New York is making this determination and issuing this finding as lead agency for the Project after undertaking an uncoordinated review of it.

Type of Action: Unlisted.

Description of Action:

The Project includes the construction and implementation of a portion of the "Junction Pass" segment of the Village of Tupper Lake's Multi-Use Recreation Trail and Transportation Network and is proposed to include the conversion of approximately 1.4 miles of an abandoned railroad bed for pedestrian and bicycle use that will entail the construction of an 8 foot wide stone dust trail, construction of two segments of boardwalk to span existing wetland areas, and the placement of appropriate trail signage and site amenities. In addition, the Project is proposed to encompass segments of five local streets that are proposed to be used to provide improved pedestrian and bicycle facilities to

connect the off-road trail to various destinations throughout the Village.

Location of Project (Location where Project Work Is Proposed):

The location where the Project work will be undertaken is partially within the Village of Tupper Lake, Franklin County, New York as well as partially within the Town of Tupper Lake, Franklin County and encompasses approximately 1.4 miles of an abandoned railroad bed for as well as portions of five local streets located in the Village. The Project's western terminus is at the site of the train depot serving the Adirondack Scenic Railroad in the Junction (Faust), portions of New York State Route 3 (Main St.) and link to the Waterfront Municipal Park through an existing plaza to access DeMars Boulevard and a new crossing and access point to the Park. The Project will provide connections to the Village business district, High School, L.P. Quinn Elementary and the Wild Center using existing on street sections including Park Street (NYS Route 3/30), McLaughlin Avenue, Pleasant Avenue, Boyer Avenue, and Hosley Avenue (previously referred to as "the Project Site").

NOW THEREFORE BE IT RESOLVED:

Upon a thorough review and due consideration by the Board of the various documents identified in the above Whereas clauses, including, but not limited to the completed Short Environmental Assessment Form ("EAF") dated April 30, 2015 including parts 1 and 2 of the EAF, the June 2015 APA Determination; NYSDOT documentation concerning the Project, the New York State Department of Environmental Conservation's jurisdictional determination dated May 29, 2015 on wetlands issues, and the United States Army Corps of Engineers' correspondence dated May 12, 2015 indicating that the wetland disturbance associated with the Project is permissible under an applicable Army Corps permit, review of the wetland delineation associated with the Project as well as the Stormwater Pollution Protection Plan for it prepared by the Village's consultants and the review of other information referenced in the Wherefore clauses which are incorporated herein by reference and reiterated as though fully set forth herein.

NOW, THEREFORE the Board makes the following findings:

1. The Board has considered the Project pursuant to the parameters and criteria set forth in applicable provisions found under 6 N.Y.C.R.R. §§ 617.2 and 617.3.

2. The Board has classified its review and approval of the Project as an Unlisted Action pursuant to applicable regulations and criteria, including under SEQRA.

3. The Board has reviewed the documents referenced herein, as well as reviewing the various plans, regulations and criteria associated with the Project, including the plans for same on file with the Village and has considered the criteria set forth in 6 N.Y.C.R.R. § 617.7(c). Based upon its

review of the foregoing information and documentation, including on the referenced documents including the plans for the Project on file for construction of same, the completed EAF, and the Adirondack Park Agency's June 2015 Determination, the NYSDOT SEQRA documentation and the approvals issued by the New York State Department of Environmental Conservation and the United States Army Corps of Engineers regarding Project wetlands issues, the wetland delineation completed for the Project and the Stormwater Pollution Protection Plan completed and any comments available pursuant to public outreach concerning the Project and after analyzing the potential relevant areas of environmental concern finds that the Project will not result in a significant adverse impact on the environment for the following reasons:

Impacts from Drainage/Stormwater:

a) The Project will not have a potentially significant adverse impact from drainage or storm water because sediment and erosion controls shall be properly installed and maintained in accordance with Adirondack Park Agency approved plans and in accordance with the applicable requirements under the New York State Pollutant Discharge Elimination System program, including the general permit regulating stormwater discharges during construction. Further such features, including erosion control measures will be installed to be operational following construction as appropriate. Further, the requirements of the Stormwater Pollution Prevention Plan filed for the Project on behalf of the Village shall be implemented including being incorporated into construction and following construction as appropriate. In addition, enhancements to drainage structures (including extension or enhancement of ditches) along the proposed trail will be implemented as appropriate/

Impacts to Wetlands:

b) The Project will not have a potentially significant adverse impact on wetlands, as any activities that may impact wetlands will be relatively insignificant, as a minor amount of fill will be added to a wetland during construction as proposed in the Project plans, and any such activity and impact will be mitigated in accordance with approvals issued for the Project by the Army Corps of Engineers and by the New York State Department of Environmental Conservation. In sum, any minor impacts to wetlands from the use of a an insignificant amount of fill proposed will be mitigated during construction of the Project by among other measures, removing approximately 700 square feet of fill (associated with logs) currently located in the existing wetlands. Further any potential impacts will be avoided where possible and pursuant to the Adirondack Park Agency Determination dated June 2015 other wetlands located on or near the Project Site will not be impacted.

Impacts to Vegetation, Soils and Slopes:

c) The Project will not result in any potentially significant adverse impacts to vegetation or soils. Further, due to the topography in the vicinity of the proposed Project (trail) being relatively flat, no impacts to steep slopes or similar features is anticipated. Vegetation will not be disturbed to any significant degree because the majority of the trail is located on an abandoned railroad bed as well as several streets which are largely free of vegetation so no clearing on the public portions of the trail, including the railroad bed associated with the Project is anticipated. Further, any activities to remove vegetation on private property will be minimized as much as practicable.

Impacts to Land and Community Character:

d) There will be no potentially significant adverse impacts to land or to community character because the prominent features associated with the Project are consistent with local and/or regional plans for the area, and such use associated with the Project will not conflict with current uses nearby the Project.

Impacts to sensitive or protected areas:

e) The Project will not result in any potentially significant adverse impacts as the result of impacts to critical environmental areas, as none were identified as part of the Village's completion of the EAF submitted and reviewed in this matter.

Impacts to Air Quality:

f) The Project will not result in any potentially significant adverse impacts to air quality because no significant increase to traffic from development and operation of the Project is anticipated.

Impacts on Historic or Archaeologic Resources:

g) The Project will not have any potentially significant adverse impact on properties listed or eligible for listing on applicable registers of historic places as applicable documentation reviewed has not revealed the presence of such structures in proximity to the Project site and/or no such structures would be impacted by the Project.

Impacts from Traffic and Noise:

h) The Project will not result in any potentially significant adverse impact from increases or changes in traffic or noise levels. As construction of the walking and biking trail associated with the Project is not anticipated to increase to any material degree the number of motor vehicle trips in the vicinity of the Project Site. Further, there is no anticipated significant impact from noise associated with construction or operation of the Project.

Impacts to Threatened or Endangered Species:

i) The Project will not create a potentially significant adverse impact on threatened or endangered species, as the construction of the walking and biking trail associated with the Project in not anticipated to have any material effect on such species under applicable law, including any species identified as located or potentially located in proximity to the Project Site.

NOW THEREFORE BE IT FURTHER RESOLVED:

Based on the foregoing, the Board finds that the Project will not have a significant adverse environmental impact in accordance with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and, in particular, pursuant to the criteria set forth at 6 N.Y.C.R.R. § 617.7(b) and (c) of such regulations and law. The Board thus issues a Negative Declaration pursuant to SEQRA and directs the following be undertaken and/or makes the following additional findings.

1. A Notice of Negative Declaration shall be filed and/or published to the extent required by the SEQRA regulations, and/or as the Board may deem advisable, including by providing or posting a copy of this resolution as appropriate. The findings and conclusions relating to the determination of significance contained within the Notice of Negative Declaration the Resolution of Negative Declaration herein as hereby adopted and incorporated by reference. This Resolution has been prepared in accordance with Article 8 of the New York Environmental Conservation Law and associated regulations including 6 N.Y.C.R.R. 617.1 et seq. by the Village Board of the Village of Tupper Lake.

2. This resolution and any notice hereof that may be appropriate will be filed and published in accordance with applicable law and as may otherwise be deemed appropriate by the Board.

3. The requirements of SEQRA have been satisfied.

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

	AYES	NAYS
Mayor Paul Maroun	X	
Trustee Thomas Snyder	X	
Trustee Richard Donah	X	
Trustee David Maroun	X	
Trustee Leon LeBlanc	X	

(Carried 5-0)

$400,000 Bond Resolution Multi-Use Trail Connector Project

Motion by Trustee Maroun, seconded by Trustee LeBlanc to approve a bond resolution for the issuance of $400,000 in serial bonds for the construction of the Village of Tupper Lake Multi-Use Trail Connector Project as follows:

The following resolution was offered by Trustee Thomas Snyder, who moved its adoption, seconded by Trustee LeBlanc, to-wit:

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE ISSUANCE OF UP TO $400,000 IN SERIAL BONDS OF THE VILLAGE TO UNDERTAKE THE CONSTRUCTION OF THE VILLAGE OF TUPPER LAKE MULTI-USE TRAIL CONNECTOR; STATING THE MAXIMUM ESTIMATED COST THEREOF IS $1,074,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO $400,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION

WHEREAS, the Board of Trustees (the "Board") of the Village of Tupper Lake, Franklin County (the "Village") proposes to undertake the construction of the Village of Tupper Lake Multi-Use Trail Connector within the Village along the railbed of the former New York and Ottawa Railroad, linking the "Junction" hamlet of the Village and the Adirondack Scenic Railroad to the Raquette Pond Municipal Parks and the Central Business District, with a western terminus at the site of the train depot serving the Adirondack Scenic Railroad, and with said trail linking to the Waterfront Municipal Park through an existing plaza to access DeMars Boulevard and a new crossing and access point to such park, including connections at various points (collectively, the "Project") and to authorize the issuance of $400,000 in serial bonds of the Village to finance the cost of the Project; and

WHEREAS, by resolution dated on July 6, 2015, adopted immediately prior to the consideration of this resolution, the Board determined that the Project (i) constitutes an Unlisted Action within the meaning of the State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (6 NYCRR Part 617) (collectively, "SEQRA") and (ii) that such Project will not have a significant adverse environmental impact and issued a negative declaration pursuant to SEQRA with respect to such 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 undertake the Project, consisting of the construction of the Village of Tupper Lake Multi-Use Trail Connector within the Village along the railbed of the former New York and Ottawa Railroad, linking the "Junction" hamlet of the Village and the Adirondack Scenic Railroad to the Raquette Pond Municipal Parks and the Central Business District, with a western terminus at the site of the train depot serving the Adirondack Scenic Railroad, and with said trail linking to the Waterfront Municipal Park through an existing plaza to access DeMars Boulevard and a new crossing and access point to such park, including connections at various points. The estimated maximum cost of the aforementioned specific object or purpose, including all costs incidental thereto or in connection with the financing thereof, is $1,074,000 and said amount, to the extent not previously appropriated, is hereby appropriated therefor. The plan for the financing thereof shall consist of (i) the expenditure of $608,000 in grant funds received and to be received with respect to to Project, (ii) the expenditure of $66,000 in available funds of the Village, (iii) the issuance of up to $400,000 in serial bonds of the Village (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"), or bond anticipation notes issued in anticipation thereof, to finance said appropriation, and (iv) 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 2. Serial bonds of the Village in the principal amount of $400,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance said appropriation.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned specific object or purpose is fifteen (15) years, pursuant to subdivision 19(c). 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 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 Treasurer, as the chief fiscal officer of the Village (the "Treasurer"). Such notes shall be of such terms, form and contents as may be prescribed by said Treasurer consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose 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 this resolution and/or with bonds to be issued for one or more 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 Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The 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 Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers 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 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. In accordance with Section 36.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Nine of the Village Law of the State of New York (the "Village Law"). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board of Trustees, to post and publish a notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

SECTION 12. In accordance with the Village Law, this resolution will take effect thirty (30) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) of the qualified electors of the Village, as shown on the Village's register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed, a proposition for approval of this resolution shall be submitted at a regular election held not less than ten (10) and not more than sixty (60) days after the filing of such petition.

SECTION 13. 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 14. As soon as reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

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

	AYES	NAYS
Mayor Paul A. Maroun	X	
Trustee Thomas Snyder	X	
Trustee Richard Donah	X	
Trustee David Maroun	X	
Trustee Leon LeBlanc	X	

(Carried 5-0)

$80,000 Bond
Resolution Ornamental
Street Lighting

Motion by Trustee Snyder, seconded by Trustee Maroun to approve a bond resolution for the issuance of $80,000 in serial bonds for the construction and installation of Ornamental Street Lighting along State Routes 3 & 30 within the Village as follows:

The following resolution was offered by Trustee Thomas Snyder, who moved its adoption, seconded by Trustee David Maroun, to-wit:

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE ISSUANCE OF UP TO $80,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE THE COST OF THE CONSTRUCTION AND INSTALLATION OF ORNAMENTAL STREET LIGHTING ALONG STATE ROUTES 3 AND 30 WITHIN THE VILLAGE

WHEREAS, the Board of Trustees of the Village of Tupper Lake (the "Board of Trustees") is considering the construction and installation of ornamental street lighting along State Routes 3 and 30 within the Village (the "Project"); and

WHEREAS, by resolution dated on January 15, 2015, the Board determined that the Project (i) constitutes an Unlisted Action within the meaning of the State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (6 NYCRR Part 617) (collectively, "SEQRA") and (ii) that such project will not have a significant adverse environmental impact and issued a negative declaration pursuant to SEQRA with respect to such project; and

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

THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (the "Village") HEREBY RESOLVES (by the affirmative 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 $80,000 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 the estimated cost of the construction and installation of ornamental street lighting along State Routes 3 and 30 within the Village .

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is $80,000, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of (i) the issuance of the $80,000 in serial bonds of the Village authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned specific objects or purposes is five (5) years, pursuant to subdivision 35. of paragraph a. of Section 11.00 of the Law.

SECTION 4. 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 Section 1 of this resolution.

SECTION 5. 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 Section 1 of this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the

proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

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 without legal or constitutional limitation as to rate or amount. 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 bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Board of Trustees 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 relating 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 Treasurer of the Village, the chief fiscal officer of the Village (the "Treasurer"). Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Village, then the power of the Board of Trustees to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Treasurer of the Village, as the chief fiscal officer of the Village.

SECTION 8. The Treasurer of the Village 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 anticipating thereof, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The intent of this resolution is to give the Treasurer of the Village 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 this Board of Trustees.

SECTION 10. 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.

SECTION 11. 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.

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

	AYES	NAYS
Mayor Paul A. Maroun	X	
Trustee Thomas Snyder	X	
Trustee Richard Donah	X	
Trustee David Maroun	X	
Trustee Leon LeBlanc	X	

(Carried 5-0)

$1,000,000 Bond Resolution Electric Improvements to Utility Facilities

Motion by Trustee Snyder, seconded by Trustee Maroun to approve a bond resolution for the issuance of $1,000,000 in serial bonds for the improvements to the Village's Municipal Electric Utility Facilities as follows:

The following resolution was offered by Trustee Thomas Snyder, who moved its adoption, seconded by Trustee David Maroun, to-wit:

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE VILLAGE TO UNDERTAKE THE IMPROVEMENTS TO THE VILLAGE'S MUNICIPAL ELECTRIC UTILITY FACILITIES; STATING THE MAXIMUM ESTIMATED COST THEREOF IS $1,000,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO $1,000,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION

WHEREAS, the Board of Trustees (the "Board") of the Village of Tupper Lake, Franklin County (the "Village") proposes to undertake the modification, reconfiguration or new construction of municipal electric utility facilities for the Village, including the reconfiguration, modification of existing, and construction of new 13.20Y/7.62kV electric utility overhead and underground distribution facilities, including all related ancillary and appurtenant facilities, improvements, equipment, machinery and apparatus, the purchase of land or rights in land in connection therewith, and all other incidental costs and expenses in connection with the financing thereof (collectively, the "Project") and to authorize the issuance of $1,000,000 in serial bonds of the Village to finance the cost of the Project; and

WHEREAS, by resolution dated on January 15, 2015, the Board determined that the Project (i) constitutes an Unlisted Action within the meaning of the State Environmental Quality Review Act and the regulations of the Department of Environmental Conservation promulgated thereunder (6 NYCRR Part 617) (collectively, "SEQRA") and (ii) that such project will not have a significant adverse environmental impact and issued a negative declaration pursuant to SEQRA with respect to such 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 undertake the Project, consisting of the modification, reconfiguration or new construction of municipal electric utility facilities for the Village, including the reconfiguration, modification of existing, and construction of new 13.20Y/7.62kV electric utility overhead and underground distribution facilities, including all related ancillary and appurtenant facilities, improvements, equipment, machinery and apparatus, the purchase of land or rights in land in connection therewith, and all other incidental costs and expenses in connection with the financing thereof. The estimated maximum cost of the aforementioned specific object or purpose, including all costs incidental thereto or in connection with the financing thereof, is $1,000,000 and said amount, to the extent not previously appropriated, is hereby appropriated therefor. The plan for the financing thereof shall consist of (i) the issuance of up to $1,000,000 in serial bonds of the Village (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"), or bond anticipation notes issued in anticipation thereof, to finance said appropriation, (ii) the partial repayment of such bonds or bond anticipation notes with $500,000 in grant monies expected to be received by the Village from the State of New York Department of Transportation, and (iii) 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 2. Serial bonds of the Village in the principal amount of $1,000,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance said appropriation.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned specific object or purpose is thirty (30) years, pursuant to subdivision 5. 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 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 Treasurer, as the chief fiscal officer of the Village (the "Treasurer"). Such notes shall be of such terms, form and contents as may be prescribed by said Treasurer consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose 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 this resolution and/or with bonds to be issued for one or more 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 Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The 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 Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers 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 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. In accordance with Section 36.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Nine of the Village Law of the State of New York (the "Village Law"). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board of Trustees, to post and publish a notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

SECTION 12. In accordance with the Village Law, this resolution will take effect thirty (30) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) of the qualified electors of the Village, as shown on the Village's register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed, a proposition for approval of this resolution shall be submitted at a regular election held not less than ten (10) and not more than sixty (60) days after the filing of such petition.

SECTION 13. 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 14. As soon as reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

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

	AYES	NAYS
Mayor Paul A. Maroun	X	
Trustee Thomas Snyder	X	
Trustee Richard Donah	X	
Trustee David Maroun	X	
Trustee Leon LeBlanc	X	

Date: July 6, 2015

(Carried 5-0)

Land Use License Amendment Lyme Timberlands I, LLC

Motion by Trustee Snyder, seconded by Trustee Maroun to authorize Mayor Maroun to execute an amendment to our Land Use License with Lyme Timberlands I, LLC to extend the term one additional year from 6/25/15 to 6/25/16 as proposed. (Carried 5-0)

2015 Main Street
Program Grant Letter
Of Support

Motion by Trustee LeBlanc, seconded by Trustee Snyder to approve a resolution of support for the 2015 Main Street Program Grant Funding Application as follows:

RESOLUTION IN SUPPORT OF
2015 MAIN STREET PROGRAM GRANT FUNDING APPLICATION

WHEREAS, the New York State Office of Homes and Community Renewal is offering NY Main Street (NYMS) Program grant funds in this year's Consolidated Funding Application, and

WHEREAS, obtaining Main Street Program funding for façade renovations and streetscape enhancement will advance the goals of the Village's 2013 Revitalization Strategy and 2007 Economic Development Strategy, and

WHEREAS, the proposed funding will leverage ongoing public and private efforts to enhance the community's curb appeal along the Adirondack Scenic Byway, a key goal of the recently completed Tupper Lake Tourism Destination Handbook; and

WHEREAS, this project advances the Vision and the Strategies of the North Country Regional Economic Development Council Strategic Plan by improving a key regional tourism destination and implementing local community revitalization plans.

WHEREAS, the Village of Tupper Lake Board of Trustees fully supports the proposed projects included in the funding application; and

WHEREAS, the Village of Tupper Lake will support and leverage this project through donation of Codes Enforcement Officer and administrative staff time; and

NOW HERE BE IT RESOLVED:

That Mayor Paul A. Maroun is hereby authorized and directed to file an application to the New York State Office of Homes and Community Renewal for funds from the 2015 Main Street Program and upon approval of said request to enter into and execute a state assistance contract for such financial assistance.

CERTIFICATE OF RECORDING OFFICER

I, Mary A. Casagrain, the duly qualified and acting Clerk of the Village of Tupper Lake, New York, do hereby certify that the attached resolution was adopted at a regular meeting of the Tupper Lake Village Board held on July 6, 2015 and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

_____
(Signature of Clerk)

Seal of Municipality

(Carried 5-0)

MJ Raymond
Construction, LLC
Repair Estimate

Motion by Trustee Snyder, seconded by Trustee LeBlanc to authorize Mayor Maroun to execute an estimate for repairs to the Little Logger's Park Playground in the amount of $5,390 with MJ Raymond Construction, LLC. (Carried 5-0)

Peter Boushie
Floor and Table
Sanding

Motion by Trustee Donah, seconded by Trustee Snyder to authorize Mayor Maroun to execute a proposal for the sanding and coating of the Village Offices Board Room floor and Board Room table for a total of $1,240.00. (Carried 5-0)

Adjournment

Motion by Trustee Snyder, seconded by Trustee LeBlanc to adjourn at 4:30 pm. (Carried 5-0)

_____
Mary A. Casagrain, Village Clerk/Treasurer