

**Village of Tupper Lake
Board of Trustees
Minutes**

Date: Wednesday, January 15, 2020
Location: Board Room
Meeting: Regular Monthly 6:00-6:49 PM

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

Also present were Electric Superintendent Michael Dominic, Police Chief Eric Proulx, Code Enforcement Officer Peter Edwards, Water/Wastewater Superintendent Mark Robillard, Department of Public Works Superintendent Robert Degrace, Fire Department Chief Royce Cole and Volunteer Fire Department Member Nick Rolley, Mercy Healthcare Administrator Madeline Tolliver, Eagle Scouts Candidates Jace Clement and Brandon Flagg, residents Marc Staves, James Lanthier and Jan Yaworski and News Reporters Dan McClelland and Aaron Cerbone.

Call Regular Meeting
To Order and Agenda
Established

Mayor Maroun called the Regular Meeting to order and established the agenda at 6:00 pm.

Pledge & Moment
Of Silence

Pledge of allegiance to the flag and a moment of silence and prayer for the safe return of missing teen Colin Gillis.

Open Comment
Period:

Marc Staves

Retired Electric Superintendent Marc Staves was present to inform the board that he recently had concerns with Spectrum/Time Warner Cable and a robo call automatically charging his cable bill.

Mr. Staves advised the board that had he not been persistent with Spectrum/TWC he would not have gotten his bank account reimbursed. He felt it necessary to alert other residents that they too may have been victim of the phone scam unbeknown to them. In his case he was erroneously charged an additional \$30.00 charge on his billing statement.

Mayor Maroun advised if he didn't receive a refund to let him know so that he could set a meeting with representatives from Spectrum/TWC to address the issue.

Future Eagle
Scout Troop 23
Project

Future Eagle Scout recipient Mr. Jace Clement asked for permission to submit a project to the Boy Scouts for improvements in our Municipal Park as his Eagle Scout Project. The proposed improvements would be to the new dugouts and bleachers for the anticipated "River Pigs" arrival and would be planned for early this spring. It was so moved by Trustee LaScala, seconded by Trustee Maroun to authorize the Eagle Scout project for consideration as proposed. (Carried 5-0)

Fire Department
Thank You

Mayor Maroun took the time to thank the surrounding fire departments for their mutual aid in saving a structure on Little Wolf in the past week. The Saranac Lake, Piercefield and Paul Smiths Fire Departments were thanked.

ROOST Social
Hotel Saranac

ROOST's 2020 Annual Meeting and Winter Social honoring Betty Little's 25-year career representing the North Country is scheduled for January 23, 2020. Each Board Member expressed that they would like to attend as well as the Code Enforcement Officer.

Board Minutes
Approved

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to approve the board minutes from December 18, 2019 and January 8, 2020's meetings respectively. (Carried 5-0)

Court:
2019 Court Records
& Dockets

Motion by Trustee LaScala, seconded by Trustee LeBlanc to formally approve the submitted court records and dockets for the Village of Tupper Lake Justice Court as submitted by Village Justice Delair examined for Calendar Year End December 31, 2019 for compliance with Section 2019-a of the Uniform Justice Court Act of New York State. (Carried 5-0)

Code Enforcement:
Accept December
Monthly Report

Motion by Trustee Hollingsworth seconded by Trustee Maroun to approve the December 2019 Monthly Code Report as presented. (Carried 5-0)

Northern Adirondack
Code Enforcement
Official Training

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to authorize Peter Edwards to attend the Northern Adirondack Code Enforcement Official training in Lake Placid March 2-5, 2020. (Carried 5-0)

Police:
Accept December
Monthly Report

Motion by Trustee LaScala, seconded by Trustee Maroun to approve the December 2019 Monthly Police Report for the Village and Town of Tupper Lake. (Carried 5-0)

SIB Police Vehicle
Bank of Greene
County

Motion by Trustee LaScala, seconded by Trustee Maroun to formally approve the low bid to The Bank of Greene County who's bid was 1.98% for a 23-year SIB for the Police vehicle purchase.

Miscellaneous
Updates - Bail
Reform

Police Chief Eric Proulx advised he was managing for now the changes due to the bail reform and will keep the board apprised of any new discoveries.

Police Academy Candidates are a good fit and doing well in school.

Fire:
Accept December
Monthly Report

Motion by Trustee LaScala, seconded by Trustee Maroun to approve the December 2019 Monthly Fire Report. (Carried 5-0)

ISO Representative
Visit

Fire Chief Royce Cole advised the board that a representative from the NYS ISO visited last week and as part of his review we need to complete some hydrant testing which will be completed in the spring as part of a review for both the Fire Department and Water Departments respectively.

Fire Chief Royce Cole also advised that they have met all the requirements for the best ISO rating for Santa Clara Fire District as possible.

Thank-you

Fire Chief Royce Cole thanked the Line Crew and Police Departments for a great save on Little Wolf and to the Fire Department Officers under Nick Rolley; they covered the scene greatly as well as thanked all Mutual Aid attendees.

DPW:

Bond Resolutions
Sanding Truck

Motion by Trustee LaScala, seconded by Trustee LeBlanc to formally approve a Bond Resolution for \$90,693 for the purchase of a sanding truck as follows:

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE ACQUISITION OF ONE SANDING TRUCK; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$90,693; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$90,693 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION

WHEREAS, the Board of Trustees (the "Board") the Village of Tupper Lake, Franklin County, New York (the "Village") proposes to authorize the issuance of \$90,693 in serial bonds of the Village to finance the acquisition of one sanding truck for use by the Village's Department of Public Works (the "Project"), at an estimated maximum cost of \$90,693; 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 a portion of the cost of the aforementioned specific object or purpose.

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 finance the acquisition of one sanding truck for use by the Village's Department of Public Works at a maximum cost of \$90,693, and to issue serial bonds of the Village (including statutory installment bonds) in the principal amount of \$90,693 or bond anticipation notes in anticipation of such bonds, 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 the cost of the aforementioned specific object or purpose.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$90,693, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$90,693 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) unless paid from other sources, 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 object or purpose is five (5) years, pursuant to subdivisions 28. and 89. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued shall not 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 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 Village Treasurer of the Village, the chief fiscal officer of the Village (the "Village 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 Village Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The Village 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 Village Treasurer is hereby further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution 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 affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board of Trustees.

SECTION 11. The Board of Trustees hereby determines that the Project constitutes a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA with respect to the Project need be taken by the Board of Trustees as a condition precedent to the adoption of this resolution.

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. The Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, 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 14. This resolution shall take effect immediately

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

	AYES:	NAYS:
Mayor Paul A. Maroun	X	
Trustee Leon LeBlanc	X	
Trustee Ronald LaScala	X	
Trustee David Maroun	X	
Trustee Clint Hollingsworth	X	

(Carried 5-0)

Raymond “Mammy”
Villeneuve Plaque
Replacement

Motion by Trustee LeBlanc, seconded by Trustee Hollingsworth to formally approve replacement of a bronze plaque dedicating the brick building now referred to as the Little Loggers restroom facility to the memory of the late Raymond “Mammy” Villeneuve from 1967.

W/WW:

Park Street Water
Tower Garage &
Miscellaneous

It was noted by Superintendent Mark Robillard that his department have completed replacement of the sheathing, wiring, and in the process of painting the inside of the Park Street Water Tower Garage. They are also completing some carpentry work and inventory shelving at the wastewater treatment facility in their spare time. In addition, he advised his department have roughly 50 more water check valves to remove.

Trustee LaScala reminded the public that we are not going to charge by the gallon for water used, the water meters are only for meeting a requirement to the NYS DEC.

Electric:

Recent Outage Electric Superintendent Michael Dominie reported that the recent outage to Charland Road was the result of a squirrel.

Amended and Restated

Bond Resolution for the

Municipal Garage

Motion by Trustee Hollingsworth, seconded by Trustee LaScala to formally approve an amended and restated bond resolution for the Municipal Garage Capital Project not to exceed \$3,400,000.00 as follows:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (THE “VILLAGE”), AMENDING AND RESTATING IN ITS ENTIRETY A BOND RESOLUTION OF THE VILLAGE DATED MARCH 20, 2019, AUTHORIZING THE CONSTRUCTION OF A NEW MUNICIPAL ELECTRIC DEPARTMENT GARAGE AND OFFICE BUILDING; ESTIMATING THAT THE TOTAL COST THEREOF IS \$3,400,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$3,100,000 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, New York (the “Village”), by a bond resolution adopted on March 20, 2019 (the “Original Bond Resolution”) authorized the issuance of serial bonds and bond anticipation notes of the Village in the principal amount of \$2,700,000 to finance a portion of the cost of the construction of an approximately 15,000 square-foot one-story Municipal Electric Department garage and office building on lands owned by the Village located at 195 McLaughlin Avenue in the Village, including the demolition of the existing Department of Public Works building and fuel shed located thereon, the construction and installation of related site improvements, other appurtenant and related improvements and all incidental costs, improvements and services in connection therewith and the financing thereof (collectively, the “Original Project”);

WHEREAS, by resolution adopted on January 16, 2019, the Board acting as lead agency under the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation adopted thereunder (collectively, “SEQRA”), (i) determined that the actions included in the Project constitute an “Unlisted” action within the meaning of SEQRA, and (ii) that the Project will not have a significant adverse impact on the environment and adopted a negative declaration under SEQRA to such affect; and

WHEREAS, the Village has learned that, due to increases in certain construction costs, the estimated maximum cost of the Project has increased from \$3,000,000 to \$3,400,000; and

WHEREAS, the Board now intends to amend and restate the Original Bond Resolution in its entirety pursuant to the terms of this resolution for the purpose of (i) increasing the maximum estimated cost of the Project from \$3,000,000 to \$3,400,000; (ii) appropriating said increased amount; (iii) increasing the maximum principal amount of bonds authorized thereunder to finance the cost of the Project from \$2,700,000 to \$3,100,000; and (iv) restating the plan of finance set forth therein.

NOW, THEREFORE, 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), TO AMEND AND RESTATE THE ORIGINAL BOND RESOLUTION IN ITS ENTIRETY, TO READ AS FOLLOWS:

SECTION 1. The Village is hereby authorized to undertake the Project, at a total estimated cost not to exceed \$3,400,000, consisting of the construction of an approximately 15,000 square-foot one-story Municipal Electric Department garage and office building on lands owned by the Village located at 195 McLaughlin Avenue in the Village, including the demolition of the existing Department of Public Works building and fuel shed located thereon, the construction and installation of related site improvements, other appurtenant and related improvements and all incidental costs, improvements and services in connection therewith and the financing thereof, and to issue up to \$3,100,000 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 said specific object or purpose, or bond anticipation notes in anticipation of the such bonds.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$3,400,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$3,100,000 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, (ii) the expenditure of \$300,000 in current funds of the Village, and (iii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Village to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty-five (25) years, pursuant to subdivision 12(a)(2)(b) of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued pursuant to Section 1 of this resolution shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

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 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 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 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 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"). Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes 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 this Board of Trustees, 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 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 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 Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board of Trustees.

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:

	AYE:	NAY:
Mayor Paul A. Maroun	X	
Trustee Leon LeBlanc	X	
Trustee Ronald LaScala	X	
Trustee David Maroun	X	
Trustee Clint Hollingsworth	X	

(Carried 5-0)

Bucket Truck

Bond Resolution

Motion by Trustee Hollingsworth, seconded by Trustee LaScala to formally approve a bond resolution for the purchase of a new bucket truck for \$260,037.00 as proposed:

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE ACQUISITION OF ONE BUCKET TRUCK; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$260,037; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$260,037 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION

WHEREAS, the Board of Trustees (the "Board") the Village of Tupper Lake, Franklin County, New York (the "Village") proposes to authorize the issuance of \$260,037 in serial bonds of the Village to finance the acquisition of one bucket truck for use by the Village's Department of Public Works (the "Project"), at an estimated maximum cost of \$260,037; 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 a portion of the cost of the aforementioned specific object or purpose.

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 finance the acquisition of one bucket truck for use by the Village's Department of Public Works at a maximum cost of \$260,037, and to issue serial bonds of the Village (including statutory installment bonds) in the principal amount of \$260,037 or bond anticipation notes in anticipation of such bonds, 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 the cost of the aforementioned specific object or purpose.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$260,037, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$260,037 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) unless paid from other sources, 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 object or purpose is five (5) years, pursuant to subdivisions 28. and 89. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued shall not 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 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 Village Treasurer of the Village, the chief fiscal officer of the Village (the "Village 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 Village Treasurer, as the chief fiscal officer of the Village.

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

SECTION 9. The Village Treasurer is hereby further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution 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 affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board of Trustees.

SECTION 11. The Board of Trustees hereby determines that the Project constitutes a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA with respect to the Project need be taken by the Board of Trustees as a condition precedent to the adoption of this resolution.

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. The Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, 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 14. This resolution shall take effect immediately

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

	AYES:	NAYS:
Mayor Paul A. Maroun	X	
Trustee Leon LeBlanc	X	
Trustee Ronald LaScala	X	
Trustee David Maroun	X	
Trustee Clint Hollingsworth	X	

(Carried 5-0)

Mutual Aid Massena

Cancelled

Electric Superintendent Michael Dominic advised the board that the possible Mutual Aid for Massena Electric was cancelled due to the fact that the ice storm never hit them.

Treasurer:

Approve Warrant Motion by Trustee LaScala, seconded by Trustee Hollingsworth to approve the January 15, 2020 warrant in the amount of \$314,972.76 for payment of the bills and abstracts for the month of December 2019. (Carried 5-0)

Review Cash

Position

Review the monthly cash position for December 31, 2019.

Into Executive
Session

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

Exit Executive
Session

Motion by Trustee LeBlanc, seconded by Trustee LaScala to exit Executive Session at 6:48 pm. (Carried 5-0)

Adjournment

Motion by Trustee LeBlanc, seconded by Trustee LaScala to adjourn at 6:49 pm. (Carried 5-0)

Mary A. Casagrain, Village Clerk/Treasurer