

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

Date: Wednesday, March 21, 2018
Location: Board Room
Meeting: Public Hearings & Regular Monthly 5:45-7:30 PM

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

Trustee David Maroun was absent from the public hearings and monthly meeting.

Also present were Code Enforcement Officer Peter Edwards, Electric Superintendent Marc Staves, Police Chief Eric Proulx, Department of Public Works Superintendent Robert Degrace, Fire Chief Royce Cole, Residents Amanda Amell, Vickie Dukette, James Lanthier, Jan Yaworski, Michelle Dukette, William Vaillancourt, Ronald Allen Sr., Ronald Allen Jr., Julie Annie LaMora, Mark Jessie, Joseph Hockey, Jenifer Hockey, Town of Tupper Lake Supervisor Patricia Littlefield, and News Reporters Ian Roantree and Aaron Carbone.

Call Public Hearing
To Order 5:45 pm

Mayor Maroun called the first Public Hearing to order for the purpose of hearing the public's comments concerning proceedings to remove an unsafe building and collapsed structure on premise reputedly owned by Aimee Johnson located at 16 McFarland Avenue, Tax Map No. 490.67-7-1.

Call Public Hearing
To Order 6:00 pm

No comments from the public and hearing closed at 5:50 pm.
Mayor Maroun called the second Public Hearing to order for the purpose of hearing the public's comments concerning the discontinuance of that portion of Balsam Street lying southerly and westerly on Main Street and the unopened portion of Balsam Street "paper street" and amend the Village's official map to discontinue and cease use of the same.

Ronald Allen Sr.

Mr. Ronald Allen Sr. advised that he worried that his easement will be null and voided if we discontinued use of Balsam Street and that he is not in favor of sale to Raquette River Brewing.

Will Vaillancourt

Mr. Will Vaillancourt advised that he lives at 136 Main Street and is worried about the current conditions that are created by the brewery. He advised he has trouble exiting his driveway.

Joseph Hockey

Mr. Joseph Hockey advised that the brewery has plans to create parking for 140 vehicles on the Sarazan property but need access along the unopened portion of Balsam Street and that project is permitable by the APA.

Town of Tupper Lake
Supervisor Littlefield

Town of Tupper Lake Supervisor Patricia Littlefield stated she and her board felt it was a good idea to release the road to the adjoining property owners to improve or use instead of using taxpayers monies to improve. Town will not need to plow, Village will not need to sweep or improve the unopened portion of Balsam Street to accommodate one tax paper.

She noted that the existing driveway between Mr. Allen's properties could be used as a common driveway to access the back property and Ottawa Avenue will not need to open alleviating all concerns.

Ronald Allen Sr.	Mr. Ronald Allen Sr. added that tax monies put the infrastructure in and taxpayers improved it and it is wrong to give it away.
Mayor Maroun	Mayor Maroun advised he received a written letter from Mr. and Mrs. Paul Mitchell that privatizing the road would have an adverse impact on the parcel of land that they own on the south side of Ottawa Avenue therefore were not in favor of the sale.
Mark Jessie	Mr. Mark Jessie stated that there is access from the other end of Ottawa Avenue for Mr. Allen to access his property and the elimination of Balsam Street abandonment will not negatively impact him.
Ronald Allen Sr.	Mr. Ronald Allen Sr. added that he would rather put in 100' of road vs. 500' of road.
Trustee LaScala	Trustee LaScala stated that the board hears their concerns and no decision will be made tonight but wanted to hear both sides.
Mayor Maroun	Mayor Maroun advised that the Franklin County Attorney is working with our Village Attorney Mr. Nathan Race to interpret "paper streets" legal easements.
Joseph Hockey	Mr. Joseph Hockey stated for the record that the Mitchell property has access from several other roads, for example Ottawa Avenue, Berkley Avenue and Underwood Road and the disuse of Balsam Street really shouldn't be a concern to him.
Close Hearing	Motion by Trustee LaScala, seconded by Trustee LeBlanc to close the public hearing at 6:15 pm.
Call Regular Meeting To Order	Mayor Maroun called the Regular Meeting to order at 6:15 pm.
Pledge	Pledge of allegiance to the flag and a moment of silence and prayer for the safe return of missing teen Colin Gillis.
Open Comment: Amanda Amell	Ms. Amanda Amell shared with the Village Board that the Family and Friends of Jamie Rose Martin are planning to host a 5K walk/run on Saturday, May 12, 2018 from 9:00 am to 12: Noon to benefit the future education of domestic violence prevention in Tupper Lake. Motion by Trustee Hollingsworth, seconded by Trustee LaScala to formally approve use of our property and streets for the 5K event. (Carried 4-0)
Resolution of Support NYS Adk Park State Land Master Plan W/Alternative 6	Motion by Trustee LaScala, seconded by Trustee Hollingsworth to formally adopt a resolution of support of the State of New York's efforts to revise the Adirondack Park State Land Master Plan to clarify the definition of travel corridor classification and the corresponding guidelines for management and use to facilitate the completion of the Adirondack Rail Trail between Lake Placid, Saranac Lake and Tupper Lake and to support Alternative 6 as proposed:

RESOLUTION SUPPORTING THE STATE OF NEW YORK'S EFFORTS TO REVISE THE ADIRONDACK PARK STATE LAND MASTER PLAN TO CLARIFY THE DEFINITION OF A TRAVEL CORRIDOR CLASSIFICATION AND THE CORRESPONDING GUIDELINES FOR MANAGEMENT AND USE TO FACILITATE THE COMPLETION OF THE ADIRONDACK RAIL TRAIL BETWEEN LAKE PLACID, SARANAC LAKE AND TUPPER LAKE & ALTERNATIVE 6

WHEREAS, the Village of Tupper Lake has passed several resolutions supporting the construction of a multi-use trail from Remsen to Lake Placid; and

WHEREAS, if constructed the Adirondack Rail Trail would create a recreational opportunity for local residents and visitors alike; and

WHEREAS, the Adirondack Rail Trail will bring immense economic, health, safety, and quality of life benefits to the North Country, and will create new jobs and opportunities for regional economic development. The Adirondack Rail Trail would be unparalleled in the Northeast, and would further bolster the region's reputation as a premier destination for bicycling and other trail-based tourism in the Adirondack Park; and

WHEREAS, we support the preferred Alternative 6 to Revise Travel Corridors definition and guidelines for management and use to allow rail and rail trail use on the Remsen-Lake Placid travel corridor and future State-owned railroad corridors with existing rails; and

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of Tupper Lake hereby urges the State of New York to quickly amend the State Land Use Master Plan so the Remsen-Lake Placid travel corridor can be used for both travel and for recreation. We further urge that all additional steps be taken to allow for the trail's rapid completion.

The above resolution was adopted at a meeting of the Village Board of Trustees for the Village of Tupper Lake held on March 21, 2018 in Tupper Lake, NY.

Moved by: Trustee Ronald LaScala
Seconded by: Trustee Clint Hollingsworth
All voted "aye": (Carried 4-0)

Seal:

Mary A. Casagrain
Village Clerk/Treasurer

(Carried 4-0)

Big Tupper Brewing
July 20, 2018
Event Approval

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to authorize Big Tupper Brewing to close off Cliff Avenue on July 20, 2018 from 6:30 pm to 10:30 pm for the return of an outdoor music event featuring Double Axel and to lift the alcohol ban for the event. (Carried 4-0)

Mary Chapman
Woulf Avenue
East Parcel

Motion by Trustee LaScala, seconded by Trustee LeBlanc to formally accept the purchase bid price of \$17,500.00 for the sale of the Woulf Avenue East Property (the former back trailer park) to Ms. Mary Chapman since the property served no municipal purpose and the Village Board deemed the sale price was fair and equitable. (Carried 4-0)

Resolution Opposing
Governor Cuomo's
Proposal Regarding
Taxation of State Forest
Preserve Lands

Motion by Trustee LaScala, seconded by Trustee Hollingsworth opposing the following resolution against Governor Cuomo's 2018 Budget Review Bill to change the law regarding taxation of State Forest Preserve Lands as follows:

Resolution No. 032118

Offered by Trustee Ronald LaScala, seconded by Trustee Clint Hollingsworth

Relating to Opposing Governor Cuomo's Proposal Contained In the 2018 Budget Review Bill to Change the Law Regarding Taxation of State Forest Preserve Lands From the Current Locally Assessed System to a Payment In Lieu of Taxes ("PILOT") System Administered and Controlled Solely By the State of New York

WHEREAS: New York State-owned lands are currently assessed by each local municipality substantially the same way as is private land and current law provides that this is the exclusive province of the municipality and its local assessors; and

WHEREAS: The Governor's 2018 Budget Review Bill proposes to change the local assessment of state forest preserve lands in the Adirondacks and Catskills from the current locally assessed system to a Payment In Lieu of Taxes (PILOT) method capped at 2% per year, or the increase in the level of assessment by means of an allowable levy growth factor, whatever is lower, and

WHEREAS: This method will be centrally controlled by the State, and be based upon a formula, rather than increases or decreases in the actual market value of the lands as is the current methodology; and

WHEREAS: The proposal is an extreme usurpation of the ability of local municipalities to assess and tax real property within their jurisdictions to raise revenue upon which they rely in order to provide important and necessary services to their constituents; and

WHEREAS: This proposal will result in the loss of revenue by the local municipalities and will shift the burden to local taxpayers; and

WHEREAS: Recent state land purchases in the Adirondacks have increased state ownership to more than 2.6 million acres of the 6 million acre Adirondack Park, with the state controlling an additional 800,000 acres by state conservation easements purchased in the last 40 years; and

WHEREAS: The residents, businesses and municipalities located within the Adirondack Park are already unreasonably and unfairly constrained and prohibited from using the vast majority of the property located in the Park for commercial, industrial, and residential purposes, which has resulted in the inability of municipalities within the Park to attract and sustain business and development, resulting in extreme and unfair loss in tax revenue; and

WHEREAS: In addition to the current prohibitive laws which restrict business, development and growth in the Adirondack Park, the State of New York has increasingly saddled its municipalities with state mandates expecting them to find ways to fund these mandates with little or no help from the state, coupled with the current law which requires no greater than a 2% tax cap on municipal budgets; and

WHEREAS: The most economically beneficial use of state forest preserve land is prohibited by the New York State Constitution "Forever Wild" clause, and state conservation easement lands cannot be used for economically beneficial uses, other than forestry and recreation; and

WHEREAS: The New York State Real Property Tax Law has required the state to pay taxes on forest preserve lands, in part, in recognition of the negative impact of "Forever Wild" forest preserve lands on the economies of municipalities; and

WHEREAS: In the past, local governments have been able to support land acquisition proposals because of the certainty created by the Ad Valorem Tax payments; and

WHEREAS: Franklin County and its municipalities are concerned by a change from the current means of assessing state forest preserve lands on an Ad Valorem basis to a capped PILOT system, which will be the first step to phasing out payments of forest preserve lands to local municipalities and school districts which would catastrophically affect the ability of the municipalities and school districts to function and is considered as one more mechanism by the state to insure that business and development is curtailed in the Adirondack Park, eventually resulting in the migration of the population from the Park; NOW, THEREFORE, BE IT

RESOLVED: That the Village of Tupper Lake is vehemently opposed to the 2018 Budget Review proposal to convert forest preserve taxation from the current municipal based assessment method to a capped Payment in Lieu of Taxes program, and strongly and urgently implores the New York State Legislature and Governor Cuomo to continue the current means of assessment of state forest preserve land by the local municipalities; and, be it

FURTHER RESOLVED: That a copy of this resolution be forwarded to Governor Cuomo, Senator Little, Assemblyman Jones and the New York State Association of Counties.

Mayor Paul A. Maroun	Aye
Trustee Leon LeBlanc	Aye
Trustee Ronald LaScala	Aye
Trustee Clint Hollingsworth	Aye

(Carried 4-0)

STATE OF NEW YORK
COUNTY OF FRANKLIN

SS

This is to certify that I, Mary A. Casagrain, the undersigned Clerk of the Village of Tupper Lake, have compared the foregoing copy of the resolution with the original on file in this office and which was adopted by the said Village of Tupper Lake on the 21st day of March, 2018 and that the same is a correct and true transcript of the original resolution and of the whole thereof

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Village of Tupper Lake this 21st day of March, 2018.

Seal:

Clerk of the Village of Tupper Lake

(Carried 4-0)

Board Minutes
Approved

Motion by Trustee LaScala, seconded by Trustee LeBlanc to approve the board minutes from February 13, 2018 & February 23, 2018 respectively. (Carried 4-0)

Code Enforcement:
Accept February
Monthly Report

Motion by Trustee LaScala seconded by Trustee Hollingsworth to approve the February 2018 Monthly Code Report. (Carried 4-0)

Zombie Grant
Update

Code Enforcement Officer Peter Edwards advised that he and Melissa McManus are working with the Village of Malone to advance the Zombie Grant initiative from Governor Cuomo.

16 McFarland Avenue
Unsafe & Dangerous

Motion by Trustee Hollingsworth, seconded by Trustee LaScala to authorize the Village or proceed with removal of the 16 McFarland Avenue property and to proceed with an abatement assessment for demolition. (Carried 4-0)

NY Planning Federation
Training

Motion by Trustee LaScala, seconded by Trustee LeBlanc to authorize Code Enforcement Officer Peter Edwards and Planning Board Member Jan Yaworski to attend the NY Planning Federation Conference April 23, 2018 in Bolton Landing. It is a one day training class. (Carried 4-0)

Police:

Accept February
Monthly Report

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to approve the February 2018 Monthly Police Report for the Village and Town of Tupper Lake. (Carried 4-0)

Speed Sign
Update

Police Chief Eric Proulx presented the board with speed sign quotes and the NYS DOT specification for the breakaway posts. He advised he will be working with Northwood Engineering to draft the necessary permits to allow the devices etc. It was so moved by Trustee LaScala, seconded by Trustee Hollingsworth to proceed with the permitting through Northwood Engineering. (Carried 4-0)

Vehicle Replacement
Ford F150

Motion by Trustee LaScala, seconded by Trustee LeBlanc to formally authorize the purchase of a Ford F150 Police Vehicle off of state contract for \$44,000.00 to replace the totaled vehicle from insurance recovery monies and worker compensation monies. (Carried 4-0)

2018 Sgt. Dana Scholarship
Announced

Police Chief Eric Proulx announced that this year to a graduating high school senior they have established a Sgt. Dana Scholarship Fund to a senior perusing a criminal justice career.

June 2, 2018 K-9 Golf Tournament will be held on June 2, 2018 at the Tupper Lake Golf Course.

Fire: Police Chief Eric Proulx announced that the annual K-9 Golf Tournament will be held on June 2, 2018 at the Tupper Lake Golf Course.

Accept February Monthly Report Motion by Trustee LaScala, seconded by Trustee Hollingsworth to approve the February 2018 Monthly Fire Report. (Carried 4-0)

Fire Vehicle Delivery Fire Chief Royce Cole advised the board that the new fire truck arrived February 28, 2018 and cross training is being completed.

New Cancer Insurance Requirement Fire Chief Royce Cole advised the board that Governor Cuomo signed into law a new mandate requiring municipalities to purchase cancer coverage for their interior fire fighters at a cost that could be as much as \$350 per person. This new mandate will be funded in our new FY2018-19 Budget.

DPW: Schooling Ithaca Motion by Trustee Hollingsworth, seconded by Trustee LaScala to authorize Robert Degrace to attend the 2018 Highway School June 4-6, 2018 in Ithaca New York. (Carried 4-0)

Winter Snow Pickup Coordination Department of Public Works Superintendent Robert Degrace took the time to thank the Town and Village crews for their hard work and long hours assisting with the snow pickup.

Band Shell Update Department of Public Works Superintendent Robert Degrace advised the board that he crew is working closely with volunteer forces Lemieux Contracting and Kentile Excavating moving earth and hauling stone as the project advances nicely.

Garbage Bag Size Restrictions Mayor Maroun asked the board for their support in restricting the Garbage Bag Size for our curb side garbage pickup to no more than a 15 gallon bag in light of recent worker compensation claims due to the use of contractor bags and weights. It was so moved by Trustee LaScala, seconded by Trustee Hollingsworth to restrict the bag size to 15 gallon maximum as proposed effective April 1, 2018. (Carried 4-0)

Water/Wastewater: Restated Bond Resolution Waste Water Treatment Plant \$6,421,578 Motion by Trustee LaScala, seconded by Trustee Hollingsworth to Formally approve a restated Bond Resolution authorizing the Village to undertake improvements to the Sewage Collection System and the Waste Water Treatment Plan tin the Village not to exceed \$6,421,578 in Serial Bonds as proposed:

At a regular meeting of the Board of Trustees of the Village of Tupper Lake, Franklin County, New York, held at the Village Hall, 53 Park Street, Tupper Lake, New York, 12986, on March 21, 2018.

PRESENT: Mayor Paul A. Maroun
Trustee Ronald LaScala
Trustee Clint Hollingsworth
Trustee Leon LeBlanc

ABSENT: Trustee David Maroun

The following resolution was offered by Trustee Ronald LaScala, who moved its adoption, seconded by Clint Hollingsworth, 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 IMPROVEMENTS TO THE SEWAGE COLLECTION SYSTEM AND THE WASTE WATER TREATMENT PLANT IN THE VILLAGE; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$6,421,578; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$6,421,578 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION

WHEREAS, the Board of Trustees (the "Board of Trustees") the Village of Tupper Lake, Franklin County, New York (the "Village") is considering undertaking certain improvements to the Village's sewage collection system, such improvements consisting of (i) pumping capacity upgrades in the Demars Boulevard Pump Station #3, (ii) the installation of a parallel 18" force main downstream of Pump Station #3, (iii) upgrades to the interceptor sewer along NYS Route 3 and Water Street to the waste water treatment plant, (iv) improvements to the waste water treatment plant, consisting of the conversion to a liquid chlorine disinfection and dechlorination system, influent raw waste water treatment pump and control building upgrades, the reconstruction and installation of clarifiers and clarifiers and the installation of a new Supervisory Control and Data Acquisition (SCADA) system, and (v) all appurtenant and related facilities related to the foregoing, including site improvements, original furnishings, equipment, machinery, apparatus and other improvements incidental thereto (collectively, the "Project"), all at a total estimated cost not to exceed \$6,421,578; and

WHEREAS, by resolutions adopted on October 3, 2016 and December 12, 2016, the Board: (i) declared itself lead agency for purposes of conducting an environmental review of undertaking the proposed improvements to be included within the system, in accordance with the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617) (collectively, "SEQRA"); (ii) determined that the undertaking of such improvements constituted a "Type I" action within the meaning of SEQRA; and (iii) determined that the actions to be taken in connection with the proposed improvements would not cause significant adverse impact on the environment and issued a "Negative Declaration" to such effect in accordance with the provisions of SEQRA; 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 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 undertake the Project as hereinabove described and issue up to \$6,421,578 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 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 \$6,421,578, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$6,421,578 in serial bonds of the Village authorized to be issued pursuant to 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 for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision 4. 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 Village Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village (the "Village Treasurer"). 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, in connection with bonds and bond anticipation notes issued under the authority of Section 1 hereof, the power to contract with and issue bonds and bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law and to approve the terms, form and content of such bonds and bond anticipation notes, consistent with the provisions of the Law, is hereby delegated to the Village Treasurer. 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 Village Board, then the power of the Village Board 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 Village Treasurer is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or a bond anticipation note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.

SECTION 9. 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 10. 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 11. 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.

SECTION 12. 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 13. 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 14. 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 15. 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:

	<u>AYE</u>	<u>NAY</u>
Mayor Paul A. Maroun	X	
Trustee Ronald LaScala	X	
Trustee Clint Hollingsworth	X	
Trustee Leon LeBlanc	X	

Date: March 21, 2018

STATE OF NEW YORK)
COUNTY OF FRANKLIN) ss.:

I, the undersigned Village Clerk of the Village of Tupper Lake, Franklin County, New York (the "Village") DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting Village Clerk of the Village and the custodian of the records of the Village, including the minutes of the proceedings of the Board of Trustees, and am duly authorized to execute this certificate.
2. A regular meeting of the Board of Trustees of the Village was held on March 21, 2018, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board.
3. Attached hereto is a true and correct copy of a Bond Resolution duly adopted at a regular meeting of the Board of Trustees held on March 21, 2018 and entitled:

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE VILLAGE TO UNDERTAKE IMPROVEMENTS TO THE SEWAGE COLLECTION SYSTEM AND THE WASTE WATER TREATMENT PLANT IN THE VILLAGE; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$6,421,578; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$6,421,578 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION

4. That said meeting was duly convened and held and that said resolution was duly adopted in all respects in accordance with the law and regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board of Trustees was present throughout said meeting, and a legally sufficient number of members (2/3's of the Board of Trustees) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.
5. Public Notice of the time and place of said meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of the State of New York, and that all members of said Board had due notice of said meeting and that the meeting was in all respects duly held and a quorum was present and acted throughout.
6. The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Village of Tupper Lake this 21st day of March, 2018.

VILLAGE OF TUPPER LAKE

Seal:

By:

Mary A. Casagrain, Village Clerk

(Carried 4-0)

Harris Beach PLLC
Local Counsel Service

Agreement Approved Motion by Trustee LaScala, seconded by Trustee Hollingsworth to authorize Mayor Maroun to execute a proposal from Local Counsel Services from Harris Beach PLLC in connection with improvements to the Village's Sewage and Waste Water Treatment Plant as proposed. (Carried 4-0)

Electric:

Letter of Intent

CSEA Negotiations

It was noted that the Village Board received a letter of intent to negotiate for Unit III CSEA Collective Bargaining unit and the first meeting will be held on Tuesday, April 10th beginning at 9:30 am.

Mutual Aid Update

Electric Superintendent Marc Staves advised the board that his crews have been called upon for mutual aid assistance twice in the last month, March 3rd to Central Hudson and March 21st to Rye. He thanked his men for their assistance and cooperation.

Bitcoin Moratorium
Talks

Electric Superintendent Marc Staves advised NYPA is studying the effects of Bitcoin draws on systems like ours that have cheap hydro. He advised he will have sample resolutions for our next meeting to further restrict Bitcoin Farms for consideration and approval.

Band Shell Lighting

Electric Superintendent Marc Staves advised the board that he has the specifications for the lighting of the new band shell and the IEPP estimates are complete and the lighting order will be placed on April 1, 2018 to allow time for installation in coordination with the timber framers.

MEUA Semi-Annual
Meeting

Motion by Trustee Hollingsworth, seconded by Trustee LaScala to authorize the MEUA to be our voting delegate and to cast our vote at the Semi-Annual Meeting to be held April 11th and 12th in Syracuse as follows:

RESOLUTION

At a regular meeting of the Board of Trustees of the Village of Tupper Lake, held on Wednesday, April 11, 2018, the following resolution was adopted:

Moved by Trustee LaScala, seconded by Trustee Hollingsworth,

WHEREAS, the Electric Superintendent Marc Staves of the Village of Tupper Lake, New York is a municipal member of the Municipal Electric Utilities Association of New York State, and

WHEREAS, the Semi-Annual Conference of the Municipal Electric Utilities Association of New York State has been called on April 11-12, 2018 to be held at the Embassy Suites Hotel, 6646 Old Collamer Road, East Syracuse, New York, 13057 and,

WHEREAS, in accordance with the bylaws of the Municipal Electric Utilities Association of New York State, each municipal member may cast one vote on each transaction properly brought before this meeting.

NOW THEREFORE BE IT RESOLVED, that the MEUA Executive Committee be and is hereby designated as the accredited delegate of the Village of Tupper Lake, New York.

On roll call: Affirmative: 4 Negative: 0

I certify that the Board of Trustees of the Village adopted this resolution Tupper Lake, New York on the 21st day of March 2018.

Signature _____

Seal: _____

Title _____

(Carried 4-0)

Old Bucket Truck
Puerto Rico

Electric Superintendent Marc Staves advised that the old bucket truck that we sold on Auctions International has arrived in Puerto Rico and is being used by crews to do the necessary repairs to restore electricity to the area.

Treasurer:

Approve Warrant

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to approve the March 21, 2018 warrant in the amount of \$493,707.33 for payment of the bills and abstracts for the month of February 2018. (Carried 4-0)

Review Cash

Position

Review the monthly cash position for February 28, 2018.

General Fund

Budget Transfers

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to formally approve budget transfer as proposed totaling \$237,178.30 for the General Fund. (Carried 4-0)

Set Annual Budget

Public Hearing

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to set the Annual Budget Public Hearing for FY2018-19 Budgets for April 10, 2018 at 6:00 pm. (Carried 4-0)

Eric & Trevor Short

Accolade

Trustee LaScala wanted to give a positive accolade to two graduates of Tupper Lake High School for their continued accomplishments. Mr. Eric Short and his brother Mr. Trevor Short both are school teachers and head coaches of youth hockey teams who exemplify what Tupper Lake promotes through hard work and dedication to youth sports.

Band Shell

Trustee Hollingsworth announced that the Band Shell project has officially broke ground.

Enter Executive

Session

Motion by Trustee Hollingsworth, seconded by Trustee LaScala to enter Executive Session at 7:16 pm to discuss pending litigation. (Carried 4-0)

Exit Executive

Session

Motion by Trustee LaScala, seconded by Trustee LeBlanc to exit Executive Session at 7:29 pm. (Carried 4-0)

Adjournment

Motion by Trustee Hollingsworth, seconded by Trustee LaScala to adjourn at 7:30 pm. (Carried 4-0)

Mary A. Casagrain, Village Clerk/Treasurer