

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

Date: Tuesday, May 4, 2021
Start: 10:00 AM
Location: Board Room
Meeting: Special Meeting 10:00 – 11:55 AM

At the Special 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.

Also present were CSEA Labor Relations Specialist Emily Keddy and Kevin Phelix-Bromley and Electric Chief Lineman Christopher Zaidan and Electric Lineman William Bencze.

Absent was Trustee Jason McClain.

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

Into Executive Session Motion by Trustee LaScala, seconded by Trustee Hollingsworth to enter Executive Session at 10:00 am for the purpose of collective bargaining negotiations with Unit III Electric. (Carried 4-0)

Exit Executive Session Motion by Trustee LaScala, seconded by Trustee LeBlanc to exit Executive Session at 10:25 am. (Carried 4-0)

Unit III Members Exited at 10:26 AM It was noted that members of Unit III Electric Department exited the meeting at 10:26 am.

Unit II Members Entered 10:30 am It was noted that Sergeant Geoffrey Carmichael and Police Officer Michael Vaillancourt entered the meeting at 10:30 am.

Into Executive Session Motion by Trustee LaScala, seconded by Trustee Hollingsworth to enter Executive Session at 10:31 am for the purpose of collective bargaining negotiations with Unit II Police. (Carried 4-0)

Unit II Members Exited at 11:25 am It was noted that CSEA Representatives and Unit II Member exited the meeting at 11:25 am.

Exit Executive Session Motion by Trustee LaScala, seconded by Trustee LeBlanc to exit Executive Session at 11:29 am. (Carried 4-0)

Tentative Agreement Reached It was noted that tentative agreements have been reached between the Board of Trustees and Unit II Police and Unit III Electric.

NBRC Grant Submission Authorization Motion by Trustee LeBlanc, seconded by Trustee Hollingsworth to submit a Northern Boarder Regional Commission Grant Application with the following resolution:

VILLAGE OF TUPPER LAKE RESOLUTION IN SUPPORT OF
NORTHERN BORDER REGIONAL COMMISSION GRANT APPLICATION

WHEREAS, a notice of funding availability for the Northern Border Regional Commission 2021 State Economic and Infrastructure Development Investment Program has been announced; and

WHEREAS, the Village of Tupper Lake seeks to construct water, wastewater and electrical system infrastructure improvements essential to redevelopment of the Oval Wood Dish Factory; and

WHEREAS, Oval Wood Dish Factory redevelopment is essential to advancing Tupper Lake's economic goals as identified in the community's Revitalization Strategy and the NCREDC Strategic Plan update; and

WHEREAS, a grant award from the Northern Border Regional Commission (NBRC) would provide the funding needed to proceed with this critical infrastructure project that will provide significant economic benefits to Tupper Lake and the North Country region as a whole; and

WHEREAS, the Village of Tupper Lake Board of Trustees fully supports the proposed funding application;

NOW, THEREFORE, BE IT:
RESOLVED that Mayor Paul A. Maroun, as Mayor of the Village of Tupper Lake, is hereby authorized and directed to file an application for funds to the Northern Border Regional Commission and to sign all binding NBRC investment documents required by the application and grant award.

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 May 4, 2021 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.

Seal of Municipality:

Mary A. Casagrain, Village Clerk/Treasurer

(Carried 4-0)

Resolution of Support
Waiver of NYS Fiber

Right of Way Fee Motion by Trustee LeBlanc, seconded by Trustee Hollingsworth to formally approve the following resolution requesting the rescinding of the NYS Fiber Right of Way Fee as follows:

Resolution 2021-2

Resolution Requesting the Rescinding of the NYS Fiber Right of Way Fee

Whereas, the 2019-2020 New York State budget contained language that enacted a right-of-way use and occupancy fee for any fiber optic cables located in or crossing a state-controlled right of way and authorized the New York State Department of Transportation (DOT) to enter fee bearing permits with fiber optic installers and;

Whereas, the 2019-2020 state budget also added Section 7 of the Transportation Corporation Law, allowing the DOT to charge fiber optic corporations installing and operating the utility lines for fair-market use and occupancy of the state right-of-way and;

Whereas, in early 2020 organizations, businesses, legislators and residents of northern New York became aware of the fee because the DOT started charging the fee and;

Whereas, in the rural counties of the North Country it's virtually impossible to install fiber optic cables for any distance without utilizing or crossing a state right-of-way and development requirements within the Adirondack Park almost entirely preclude installation of broadband in any location other than an existing state right-of-way and;

Whereas, the coronavirus pandemic has caused more people to be working from home and more students to be learning from home, and has increased the use of telemedicine, thus magnifying the need for additional broadband services in unserved and underserved areas so rural residents can engage in everyday activities and;

Whereas, Governor Cuomo, in his 2021 State of the State address championed his Connectivity Agenda which includes, among other provisions, enactment of a requirement for affordable internet for low-income families and a series of actions to promote broadband build-out and market competition and;

Whereas, the Governor said, “And without affordable broadband, people are not just disconnected, they are disenfranchised. Broadband must be available to everyone, everywhere. And in New York we will make sure it is” and;

Whereas, the DOT fiber right-of-way fee is acting as a significant financial deterrent to broadband build-out in rural areas, with some projects already canceled and others put on hold due to the fact that these fees will cost providers hundreds of thousands, and in some cases, millions of dollars annually, and

Now, therefore be it

Resolved, that the Village of Tupper Lake Board of Trustees formally opposes the enactment of the DOT right-of-way fees on fiber optic cable and urges the Governor and the New York State Legislature to rescind the right-of-way use and occupancy fees on fiber cable immediately so that the Governor’s pledge can be fulfilled and the expansion of the fiber network in the North Country can continue in order to serve critically unserved and underserved areas.

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Seal of Municipality:

Mary A. Casagrain, Village Clerk/Treasurer

(Carried 4-0)

Accept W/S Re-Levy
To Taxes

Motion by Trustee Maroun, seconded by Trustee LaScala to accept the Village of Tupper Lake Water & Sewer Re-levy in the amount of \$42,519.56, (Water \$ 0.00, Sewer \$42,519.56).
(Carried 5-0)

Adjournment

Motion by Trustee Hollingsworth, seconded by Trustee LaScala to adjourn the Special Meeting at 11:55 am. (Carried 4-0)

Mary A. Casagrain, Village Clerk/Treasurer