

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

Date: July 21, 2021
Location: Board Room
Meeting: Regular Monthly 6:00-7:15 PM

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

Also present were Electric Superintendent Michael Dominie, Department of Public Works Superintendent Robert Degrace, Police Chief Eric Proulx, Fire Chief Royce Cole, TL Snowmobile Club Members Gary Beaudette and Mark Fidler, available via Zoom were Mercy Living Center Director Madaline Tolliver and News Reporters Dan McClelland and Aaron Cerbone.

Call Monthly Meeting

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

**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.

Police:

Accept June

Monthly Report

Motion by Trustee LaScala, seconded by Trustee LeBlanc to approve the June 2021 Monthly Police Report for the Village and Town of Tupper Lake. (Carried 5-0)

Fire:

Accept June

Monthly Report

Motion by Trustee McClain, seconded by Trustee Hollingsworth to approve the June 2021 Monthly Fire Report. (Carried 5-0)

Appoint Raymond

Fontane & Joshua

Smith

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to appoint Mr. Raymond Fontane and Mr. Joshua Smith to the Volunteer Fire Department. (Carried 5-0)

Open Public Comment

Period:

TL Snowmobile Club

Storage Needs

Mr. Gary Beaudette and Mr. Mark Fidler informed the board that their current storage arrangements with the Town of TL has been troublesome since their (14' x 28') storage shed keeps getting vandalized and they asked if there would be an opportunity to store it near the trail behind the Village garage on McLaughlin Avenue.

DPW Superintendent Robert Degrace stated he might have room near their storage sheds behind the fuel island, later in the week he will walk the property with members of the club to review their request.

Municipal Park

Vandalism

Mayor Maroun addressed the public by describing the damages recently experienced by our park crews, the bathrooms of the Little Loggers facility were damaged and the Gazebo spindles in the park the same. In both cases the offenders were caught and restitution is in the works, but if a resident witnesses any future damages to please let us know.

LGRMIF Grant

Award Acceptance

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to formally accept a grant award in the amount of \$40,670 from NYS Archives for a Local Government Records management Improvement Fund (LGRMIF) grant. The Village of Tupper Lake is the lead on the grant and shared with the Town of Tupper Lake. In addition, we need to formally amend our agreement with Development Authority of the North Country to acknowledge we would be responsible for 50% of the cost of the consultant services to complete the LGRMIF grant or \$5,500.00; the remainder equal portion would be reimbursed by the Town of Tupper Lake to the Village. (Carried 5-0)

2021 DOS LWRP

Resolution

Motion by Trustee LaScala, seconded by Trustee LeBlanc to formally approve the following resolution of support for a 2021 NYS DOS LWRP Consolidated Funding Application as follows:

**RESOLUTION IN SUPPORT OF
2021 DOS LOCAL WATERFRONT REVITALIZATION PROGRAM
CONSOLIDATED FUNDING APPLICATION**

WHEREAS a Notice of Funding Availability for Local Waterfront Revitalization Program grant funds has been made by the Department of State in the 2021 CFA Round; and

WHEREAS the Village of Tupper Lake seeks to advance goals and priority projects of its LWRP Component 2013 Revitalization Strategy and follow up 2015 Park Master Plan, developed with funding from the Local Waterfront Revitalization Program, by continuing to construct enhancements at the Village's waterfront park on the Raquette River; and

WHEREAS these Village of Tupper Lake projects will also be identified as priorities identified in the community's Local Waterfront Revitalization Program and Park Master Plan Update, both of which are currently in development; and

WHEREAS the priorities being advanced by the Village of Tupper Lake are supported by the local community, volunteer groups, and local philanthropic funds, all of which are partners in this effort; and

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

NOW HERE BE IT RESOLVED:

That Mayor Paul Maroun, as Mayor of the Village of Tupper Lake, is hereby authorized and directed to file an application for funds to the New York State Department of State Local Waterfront Revitalization Program.

Be it further resolved that the Mayor is hereby authorized to act on behalf of the Village of Tupper Lake Board in all matters related to this financial assistance, and upon approval of said request, to enter into and execute a state assistance contract for such financial assistance. The attached Resolution shall take effect immediately.

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 21, 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

(Carried 5-0)

MOU ROOST
Website Video
C1000656 EPF

Motion by Trustee Hollingsworth, seconded by Trustee LaScala to formally authorize Mayor Maroun to execute a Memorandum of Understanding with ROOST for the development of web site video content for a Regional Waterfront Grant Key Project Advancement C1000656 EPF Local Waterfront Revitalization Program Grant as proposed. (Carried 5-0)

PILOT Don E. Smith
Apartments

Motion by Trustee Hollingsworth, seconded by Trustee LeBlanc to formally review PILOT proposal from Franklin County IFA for the Donald E. Smith Apartments and formally approve the PILOT Consent Resolution as presented as follows:

PILOT CONSENT RESOLUTION
(Church Street NY LLC Project)

A regular meeting of the Board of Trustees of the Village of Tupper Lake (the “Village”) convened on July 21, 2021 at 6:00 pm

The following resolution was duly offered by Trustee Clint Hollingsworth and seconded by Trustee Leon LeBlanc, to wit:

Resolution No. 2021 - 4

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE (THE “VILLAGE”) CONSENTING TO A PROPOSED PILOT AGREEMENT TO BE PROVIDED BY THE COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY (THE “AGENCY”) IN CONNECTION WITH A CERTAIN PROJECT (AS DESCRIBED BELOW) TO BE UNDERTAKEN BY CHURCH STREET NY LLC

WHEREAS, CHURCH STREET NY LLC, for itself and/or on behalf of an entity or entities to be formed (collectively, the “Company”), has submitted an application to the Agency, requesting that the Agency issue its tax-exempt multi-family housing revenue bonds in a principal amount not to exceed \$5,500,000 (the “Bonds”) for the purpose of financing a certain project (the “Project”) consisting of: (i) the acquisition by the Agency of a leasehold interest in approximately .94 acres of real property located at 15 Church Street in the Village of Tupper Lake, New York (the “Land”, being more particularly described as tax parcel No. 490.75-2-1) along with the existing improvements thereon consisting principally of an approximately 41,000 square foot residential apartment building consisting of approximately fifty (50) one bedroom units, all of which are HUD Section 8 subsidized (the “Existing Improvements”); (ii) the renovation, reconstruction, rehabilitation and operation of the Existing Improvements, together with other related site work, exterior access and egress improvements, curbage, signage, utility and related exterior improvements (collectively, the “Improvements”); (iii) the acquisition of and installation in and around the Land, the Existing Improvements, and Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the “Equipment” and, collectively with, the Land, the Existing Improvements and the Improvements, the “Facility”); (iv) funding all or a portion of the costs of a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs and expenses incidental to the issuance of the Bonds (the costs associated with items (i) through (iv) above being hereinafter referred to as the “Project Costs”) and (v) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the Facility for a period of time and sublease such interest in the Facility back to the Company (the “Straight Lease Transaction”); and

WHEREAS, in connection with the Application, and in furtherance of the proposed Project’s positive financial impacts within the County of Franklin (the “County”) and Village of Tupper Lake (the “Village”), the Company has requested the Agency’s consideration of a deviation from the Agency’s Uniform Tax Exemption Policy (“UTE”) to allow for a Payment-in-lieu-of-Tax Agreement (“PILOT Agreement”) to utilize fixed annual payment amounts and carry an abatement term of thirty-five (35) years (the “PILOT Deviation”, details of which are set forth within Exhibit A, hereto); and

WHEREAS, the Agency and the Company have requested the consent of the Village to the PILOT Deviation pursuant to and in accordance with the Agency’s UTEP based upon (i) the Project’s investment in safe, affordable housing stock within the Village; and (ii) the increased revenues to be realized by the Village under the proposed PILOT Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE AS FOLLOWS:

Section 1. The Village hereby authorizes the Agency to undertake the PILOT Deviation in connection with the Project, as more particularly outlined within Exhibit A, hereto.

Section 2. These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Mayor Paul A. Maroun	[X]	[]	[]	[]
Trustee Leon Leblanc	[X]	[]	[]	[]
Trustee Clint Hollingsworth	[X]	[]	[]	[]
Trustee Jason McLain	[X]	[]	[]	[]
Trustee Ronald LaScala	[X]	[]	[]	[]

The Resolutions were thereupon duly adopted.

Certificate of Recording Officer

This is to certify that I, Mary A. Casagrain, the undersigned Clerk for the Village of Tupper Lake Board of Trustees, attest to the attached Resolution from July 21, 2021 Board of Trustees monthly meeting is a true and correct copy of the original resolution fully recorded in the Minute Book in my office.

Village of Tupper Lake Board of Trustees

In witness whereof, I have hereunto set my hand this 21st day of July 2021.

Official Seal

Mary A. Casagrain, Village Clerk

(Carried 5-0)

Board Minutes Approved
Motion by Trustee Hollingsworth, seconded by Trustee LaScala to approve the board minutes from June 23, 2021. (Carried 5-0)

Code Enforcement: Accept June Monthly Report
Motion by Trustee LaScala, seconded by Trustee LeBlanc to approve the June 2021 Monthly Code Report as presented. (Carried 5-0)

Monthly Grant Support
Code Enforcement Officer Peter Edwards advised the board that he is working closely with Franklin County on two grants, Smart Growth and Main Street Grant and with DANC on our AHC Grant that we are starting to roll out. It is our hopes to be able to help about 12 people with our AHC Grant, home inspections will be begin in early August.

DPW: Facticeau Avenue Drainage Repairs
Department of Public Works Superintendent Robert Degrace advised that his department are working on replacing 560' of 12" drainage pipe on Facticeau Avenue and expect to be completed this week.

Thank You
Park Improvements
Trustee LaScala thanked the Department of Public Works and Electric Department for their assistance in completing improvements to the Municipal Park over the past few weeks on short notice. Motion to formally accept the DPW Monthly Report was moved by Trustee LeBlanc, seconded by Trustee LaScala. (Carried 5-0)

W/WW: NCC Contract Extension Approval
Motion by Trustee Hollingsworth, seconded by Trustee LaScala to formally approve a contract extension for North Country Contractors until June 30, 2022 as presented. (Carried 5-0)

MA Bonjiovanni &
Weydman Change
Orders

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to formally authorize Contract Change Order #2-3 for MA Bonjiovanni, Inc. for a contract increase of \$8,617.00 and Contract Change Order #3-3 for Weydman Electric Inc. for a contract increase of \$18,633.81 as presented for our WWTP & Pump Station 3 Project. (Carried 5-0)

Water Pressure

Data Lakeview Ave. Water/Wastewater Superintendent Mark Robillard presented to the board the water pressure data collected on the residents of Lakeview Avenue this past week. They ranged from 38-46 PSI.

Superintendent Robillard advised he expects to start the work on Lakeview some the end August or early September.

Water Street Water
Pooling Concerns

Water/Wastewater Superintendent Mark Robillard advised there is water pooling in an area towards the end of Water Street following the recent paving of the street. He and the DPW will address it early next month and update the board accordingly.

Electric:
KAS Pre-Demolition
Report Accepted

Motion by Trustee Hollingsworth, seconded by Trustee McClain to formally review and accept the KAS Pre-Demolition Asbestos Inspection Report and formally authorize to proceed with putting the structure out for sale and removal since it no longer serves any municipal purpose and expect fair and equitable payment for the structure. (Carried 5-0)

Recent Outages
Explained

Electric Superintendent Michael Dominie explained we have only a few small outages from the recent storm and one was from a squirrel.

Miscellaneous
Repairs

Electric Superintendent Michael Dominie explained they have three (3) more poles to replacement on Racquette River Drive and then they will move to Old Wawbeek Road to complete tree trimming to the end of the road. In addition, they will make ready for a home at the end of North Little Wolf Road and complete breaker work in the grand stands as needed.

Treasurer:
Approve Warrant

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to approve the July 21, 2021 warrant in the amount of \$1,324,763.88 for payment of the bills and abstracts for the month of June 30, 2021. (Carried 5-0)

Review Cash
Position

Review the monthly cash position for June 30, 2021.

AUD & NYPA
Auditor Visits

It was noted the our accounting firm of BST & Co., Inc. would be visiting in the middle of August and early September to complete our NYS AUD and NYPA reports.

Trustee LaScala
Alcohol Restriction
Rescind Request

Trustee LaScala stated he wants to rescind the no alcohol in the park local law. He explained that it doesn't help commerce.

Mayor Maroun advised our attorney would be here at our meeting next month and he feels we can have him be prepared to discuss the issue further and bring samples if there are any from other municipalities.

Into Executive Session

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to enter Executive Session at 7:05 pm for the purpose 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.

Exit Executive Session

Motion by Trustee LeBlanc, seconded by Trustee LaScala to exit Executive Session at 8:00 pm. (Carried 5-0)

Adjournment

Motion by Trustee LeBlanc, seconded by Trustee LaScala to adjourned the meeting at 8:01 pm. (Carried 5-0)

Mary A. Casagrain, Village Clerk/Treasurer