

Village of Tupper Lake
Board of Trustees
Minutes

Date: Thursday, September 12, 2019
Start: 3:30 PM
Location: Board Room
Meeting: Special Meeting 3:30– 4:28 PM

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

Also present were resident Water/Wastewater Superintendent Mark Robillard and News Reporter Dan McClelland.

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

Thomas J. Fee
Appointed Full-Time
Police Officer Motion by Trustee LaScala, seconded by Trustee Hollingsworth to appoint Mr. Thomas J. Fee as a full-time Police Officer.
(Carried 5-0)

Section 211 Civil
Service Waiver Motion by Trustee LaScala, seconded by Trustee Hollingsworth to formally approve a Section 211 Civil Service Waiver for Sgt.
Sgt. Geoffrey Carmichael. (Carried 5-0)
Carmichael

Police Vehicle
Bond Resolution

At a regular meeting of the Board of Trustees of the Village of Tupper Lake, Franklin County, New York, duly held at the Village Hall, 53 Park Street, Tupper Lake, New York 12986, on September 12, 2019.

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

The following resolution was offered by Trustee Ronald LaScala, who moved its adoption, seconded by Trustee 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 ACQUISITION OF ONE REPLACEMENT POLICE VEHICLE; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$44,599.75; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$44,599.75 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 \$44,599.75 in serial bonds of the Village to finance the acquisition of one replacement police vehicle for use by the Village’s Police Department (the “Project”), at an estimated maximum cost of \$44,599.75; and

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

THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (the "Village") HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Village is hereby authorized to undertake the acquisition of one replacement police vehicle for use by the Village's Police Department. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$44,599.75, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$44,599.75 in serial bonds of the Village authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) 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 2. Serial bonds of the Village in the principal amount of \$44,599.75 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned class of objects or purposes.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned specific object or purpose is three (3) years, pursuant to subdivision 77(first). 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 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 10. 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 11. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 12. 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 13. 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 David Maroun	X
Trustee Clint Hollingsworth	X
Trustee Ronald LaScala	X

(Carried 5-0)

NYS Unified Court System JCAP Grant Submission Approval #091219 A

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to formally approve the following resolution for the submission of a NYS Unified Court System JCAP Grant:

WHEREAS: The Village of Tupper Lake wishes to ensure the highest level of service and professionalism; and

WHEREAS: The Village of Tupper Lake continues to aggressively search for and secure funding assistance for the Village Court; and

WHEREAS: The Village Justice has identified a funding opportunity and need to acquire certain office equipment and renovation to the courtroom facilities, now therefore be it

RESOLVED: that the Village Board of the Village of Tupper Lake does hereby support and approve a grant request to the New York State Unified Court System Justice Assistance Program, and be it further

RESOLVED: that such request shall not exceed \$30,000.00

(Carried 5-0)

Into Executive Session

Motion by Trustee Maroun, seconded by Trustee LaScala to enter Executive Session at 3:35 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. Also to discuss a possible land negotiation for purchase. (Carried 5-0)

Exit Executive Session

Motion by Trustee LaScala, seconded by Trustee LeBlanc to exit Executive Session at 4:27 pm. (Carried 5-0)

Electric Superintendent

Michael Dominic

6-Month Raise

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to approve increasing Electric Superintendent Michael Dominic's salary to \$65,000.00 now that he has completed his 6-month anniversary effective immediately. (Carried 5-0)

Water/Wastewater

Helper Appointment

John Yaworski

Motion by Trustee LeBlanc, seconded by Trustee LaScala to appoint Mr. John Yaworski to the position of Water/Wastewater Helper effective September 30, 2019. (Carried 5-0)

Adjournment

Motion by Trustee LaScala, seconded by Trustee LeBlanc to adjourn the Special Meeting at 4:28 pm. (Carried 5-0)

Mary A. Casagrain, Village Clerk/Treasurer