

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

Date: Monday, November 16, 2015
Location: Board Room
Meeting: Regular 6:00-8:09 PM

At the Regular Meeting of the Board of Trustees held this date, the following were present: Mayor Paul A. Maroun, Trustees Rick Donah, Leon LeBlanc, Thomas Snyder, David Maroun and Village Clerk/Treasurer Mary A. Casagrain.

Also present Police Chief Eric Proulx, DPW Superintendent Robert Degrace, Fire Chief Carl Steffen, Volunteer Fire Fighter Mark Arsenaault, Royce Cole, Code Enforcement Officer Peter Edwards, Town of Tupper Lake Supervisor Patricia Littlefield entered at 6:30 pm, 12th Graders Heath Benware, Taylor Proulx, Emily and Christine Schroeder, Thomas Sexton, Boy Scouts Kerry and Patrick Cote, and Mitchell Harriman, Residents Ronald Lascala, Scott Gravlin, Dan Brown, Cory Kenniston, and Jay Skiff, Town of Tupper Lake Recreation Director Michael Fritts , News Reporters Rich Rosentreter and Thomas Salitsky.

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

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

Rehabilitation of
Washington Street Mr. Dan Brown from the Tupper Lake Central School District and TL Youth Baseball and Softball Organization was present to ask the Village Board to assist them in rehabilitating the Washington Street Baseball Field and in seeking the necessary approvals for the reconstruction. He advised that they are working with an engineering firm AES and the TL Rotary Club to undertake the necessary improvements to make the field more viable for league play. They are in the process of putting together a working budget and the core fundraising efforts and they presented drafted plans for the project. Mr. Brown advised that they are also working with Mr. Maynard Peroza and Mr. Rick Dattola who couldn't make it this evening and also a local contractor Kentile's Excavating.

Mayor Maroun advised Mr. Brown that the State of New York Department of Transportation own the park property and that he would follow-up with them in the coming days. Mayor Maroun also advised Mr. Brown that the Franklin County Division of Youth may be able to provide between \$2,500-3,000 in financial assistance.

Scott Gravlin
Snow Sculptures Mr. Scott Gravlin was present to ask for authorization to organize a snow sculpture event the same weekend of the Fire & Ice Competition set for February 20th, 2016 in the Municipal Park. It was so moved by Trustee Maroun, seconded by Trustee LeBlanc to approve Mr. Gravlin's request. (Carried 5-0)

Open Comment
Period: There were no comments from the public during open comment period.
No Comments

ARISE Fund
Raiser Cancelled
It was noted that the ARISE Organization has cancelled their fund raising event planned for the Multi-Use Recreation Trail, stating that they just didn't have enough time to organize it and it is too close to the Snow Ball Fundraising Event.

Municipal Park Draft
Master Plan
As a reminder, the community is invited to participate in a community meeting on Monday, November 23rd, 2015 to offer their comments on the Municipal Park Draft Master Plan at the Goff Nelson Memorial Library basement beginning at 6:00 pm.

Technical Services
Agreement W/DANC
Motion by Trustee LeBlanc, seconded by Trustee Snyder to authorize the Village of Tupper Lake's Mayor, Paul A. Maroun to execute a technical services agreement with the Development Authority of the North Country and the Town of Tupper Lake for the water system capital improvement project. (Carried 5-0)

Approve Minutes
Motion by Trustee Donah, seconded by Trustee Snyder to approve the Board Minutes from October 19 and November 3, 2015 meetings respectively. (Carried 5-0)

Code:
Accept October
Report
Motion by Trustee Donah, seconded by Trustee Snyder to approve the October 2015 Monthly Code Report. (Carried 5-0)

187 Park Street
Demolition
Code Enforcement Officer Peter Edwards reported that the 187 Park Street Unsafe and Dangerous Building is 90% completed and expects the project site to be seeded and hayed in the coming week.

APA Visit
Multi-Use Connector
Trail Project
Code Enforcement Officer Peter Edwards reported that the APA are expected to visit tomorrow to walk the Multi-Use Connector Trail to help us make concessions for snowmobile access for the winter months in going around the bridges along the project.

Police:
Accept October
Report
Motion by Trustee Snyder, seconded by Trustee LeBlanc to approve the October 2015 Monthly Police Report. (Carried 5-0)

Bruce Nason Appointed
PT Police Officer
Motion by Trustee Maroun, seconded by Trustee LeBlanc to appoint Mr. Bruce Nason to the position of part-time police officer effective November 16, 2015. (Carried 5-0)

NYMIR Insurance
Denial McClelland
Motion by Trustee LeBlanc, seconded by Trustee Maroun to authorize payment to Mr. Daniel McClelland for the damages to his apartment building door as a result of the structural fire at 187 Park Street in the amount of \$373.80. It was noted that NYMIR denied the claim because of our \$10,000 deductible. (Carried 5-0)

Winter Parking
Ban In Effect
Chief of Police Eric Proulx took the time to notify the public that the winter parking ban is in effect until April 15, 2016 between the hours of 2:00 am to 6:00 am.

Fire:
Accept October
Report
Motion by Trustee Donah, seconded by Trustee Snyder to approve the October 2015 Monthly Fire Report. (Carried 5-0)

Investigation for Pumper
Replacement
Fire Chief Carl Steffen advised the board that he spoke with the Peru Fire District and they are firm on the asking price of \$30,000

for the used pumper. He advised that the truck has a new poly tank, rebuilt motor and pump and the membership have offered to cover up to an additional \$5,000 to cover the hoses and additional equipment for the vehicle to replace #165 that has failed pump testing. It was so moved by Trustee Donah, seconded by Trustee LeBlanc to retire #165 and replace it with the Peru Fire District vehicle as an emergency situation. (Carried 4-1, Trustee Snyder “Nay”)

Town of TL Supervisor
Littlefield Entered at
6:30 pm

Fire Chief Carl Steffen and Volunteer Fire Department Member Mark Arsenault brought Town of Tupper Lake Supervisor Ms. Patricia Littlefield up to speed on the discussions surrounding vehicle replacements up to this point. It was noted that Ms. Littlefield stated she and Joint Fire Protection Committee are well aware of the needs of the department and support the emergency purchase of the used vehicle from the Peru Fire District.

Jacob Zeallor &
Joshua Clement
Appointed

Motion by Trustee Maroun, seconded by Trustee Donah to appoint Mr. Jacob Zeallor and Mr. Joshua Clement to the Tupper Lake Volunteer Fire Department, Inc. (Carried 5-0)

Thank-you

Fire Chief Carl Steffen took a moment to thank Trustee Rick Donah for all his efforts in securing the new facility for the Fire Department.

DPW:
Snow Storage
OWD

Department of Public Works Superintendent Robert Degrace advised the board that we have secured the use of the property behind the Town of Tupper Lake Offices on Demars Blvd. for snow storage this winter.

Winter Salt & Sand
Ready

Department of Public Works Superintendent Robert Degrace advised the board that we have received our salt and our winter sand is all set for the winter season.

Little Logger’s Bathroom

Ready for Ice Skating Department of Public Works Superintendent Robert Degrace advised the board that we received the mats for the floors in the Little Logger’s Bathroom for this winter’s ice skating season and we have the snow fence for the basketball courts.

Water/Wastewater:
5-Year SIB
Resolution Vacuum
Truck

Motion by Trustee Snyder, seconded by Trustee Maroun to formally approve a bond resolution for the issuance of a five-year statutory installment bond for the purchase of a new vacuum truck in the amount of \$244,637.00 as follows:

At a regular meeting of the Board of Trustees of the Village of Tupper Lake, Franklin County, New York, held at the Village Offices, 53 Park Street, Tupper Lake, New York, 12986 on November 16, 2015.

PRESENT: Mayor Paul A. Maroun
Trustee Leon Le Blanc
Trustee Thomas Snyder
Trustee David Maroun
Trustee Richard Donah

The following resolution was offered by Trustee Thomas Snyder, who moved its adoption, seconded by Trustee David Maroun, to-wit:

**BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW
YORK (THE "VILLAGE"), AUTHORIZING THE ISSUANCE OF
\$244,637 IN SERIAL BONDS OF THE VILLAGE TO FINANCE
THE ACQUISITION OF ONE VACUUM TRUCK**

WHEREAS, the Board of Trustees (the "Board") the Village of Tupper Lake, Franklin County, New York (the "Village") proposes to authorize the issuance of \$244,637 in serial bonds of the Village to finance a portion of the estimated cost of the acquisition of one vacuum truck, consisting of one mobile combination sewer cleaning machine mounted on a truck, for use by the Village's sewer and water departments (the "Project"); 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 said appropriation.

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 issue \$244,637 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 the Project.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$329,637, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (a) the issuance of \$244,637 in serial bonds of the Village, or bond anticipation notes issued in anticipation of such serial bonds, authorized to be issued pursuant to Section 1 of this resolution, (b) the application of \$85,000 expected to be received by the Village from the trade-in or sale of an existing cleaning truck, and (c) the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds or notes 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 objects or purposes is five (5) years, pursuant to subdivisions 28. and 89. of paragraph a. of Section 11.00 of the Law.

SECTION 4. 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 5. 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 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"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for any of the other objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of

paragraph 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 purchaser 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 effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 11. The Project constitutes a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations thereunder ("SEQRA"), and as such no further actions need to be undertaken under SEQRA in connection with the approval of the Project, the adopt of this Bond Resolution, or the financing thereof.

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

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 Leon Le Blanc	X	
Trustee Thomas Snyder	X	
Trustee David Maroun	X	
Trustee Richard Donah	X	

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

I, the undersigned Village Clerk of the Village of Tupper Lake, DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting Village Clerk of the Village of Tupper Lake, Franklin County, New York (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 of Tupper Lake, Franklin County, State of New York, was held on November 16, 2015, 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 meeting of the Board of Trustees held on November 16, 2015 and entitled:

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE ISSUANCE OF \$244,637 IN SERIAL BONDS OF THE VILLAGE TO FINANCE THE ACQUISITION OF ONE VACUUM TRUCK

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 1976 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 16th day of November, 2015.

[SEAL]

Mary A. Casagrain, Village Clerk

(Carried 5-0)

Electric:
Moratorium on
Electric Heat PH
Set

Motion by Trustee Snyder, seconded by Trustee Donah to set a public hearing for December 1, 2015 at 6:15 pm for the 90-day extension of the Electric Moratorium. (Carried 5-0)

Treasurer:

Approve Warrants

Motion by Trustee Snyder, seconded by Trustee Maroun to approve the November 16, 2015 warrant in the amount of \$736,317.90 for payment of the bills and abstracts for the month of October, 2015. (Carried 5-0)

Review Cash

Review the monthly cash position for October 31, 2015.

Position

Set Organizational
Meeting 12/1/15

It was noted that the Annual Organizational Meeting will be held on Tuesday, December 1, 2015 at 6:00 pm.

Health Insurance

Buy-Out Offered

Motion by Trustee Snyder, seconded by Trustee Maroun to approve a health insurance buy-out to our employees for the coverage year of 2016. (Carried 5-0)

Meal Allowance

Discussion

Sample meal allowance policies from Sunmount and Franklin County were presented for review to the Village Board. Further discussion was tabled a future meeting for review.

Mayor Maroun

ESB Cost Explanation

Clarified

Mayor Maroun took a moment to explain to those in attendance that the tentative fire protection contract for the Town of Tupper Lake now has the fire services rate at .43 cents and the capital cost for the building at .21 cents. He added that we have an additional

fire contract with the Town of Santa Clara in the amount of \$44,300 that comes off the top of the capital cost and is shared by all Town of Tupper Lake Residents. He stated that he is proud of the public safety building and command center it works for our police and fire departments. It was a team effort by our DPW, Electric and W/S Departments, it was necessary and he appreciates what we have.

Thanks to Trustee
Donah

Mayor Maroun and Village Trustees thanked Trustee Donah for his service to the community. Trustee Donah also thanked the Village Employees and Board for the experience.

Into Executive
Session

Motion by Trustee Maroun, seconded by Trustee LeBlanc to enter into Executive Session at 7:15 pm for the purpose of discussing information relating to the employment history of several individuals who may be considered for future employment. Also to discuss collective bargaining negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law). (Carried 5-0)

Electric Utility
Superintendent
Appointment
Marc Staves

Motion by Trustee Maroun, seconded by Trustee Snyder to appoint Mr. Marc Staves to the position of Electric Utility Superintendent effective today, November 16, 2015 at a starting salary of \$54,000.00 annually. It was noted that after once year or once the civil service test is offered, which ever comes first he would brought up to an annual salary of \$58,000.00. (Carried 5-0)

CSEA Negotiations
November 3, 2015
Tentative Agreement

Motion by Trustee Maroun, seconded by Trustee LeBlanc to ratify and authorize Mayor Maroun to execute a tentative agreement with CSEA Unit II Police for a 4-year contract period. (Carried 4-1, Trustee Snyder "Abstain")

CSEA Negotiations
November 3, 2015
Tentative Agreement

Motion by Trustee LeBlanc, seconded by Trustee Maroun to ratify and authorize Mayor Maroun to execute a tentative agreement with CSEA Unit I DPW, W/S & Office for a 3-year contract period. (Carried 4-1, Trustee Snyder "Abstain")

Melissa McManus
Appointed Community
Dev. Director

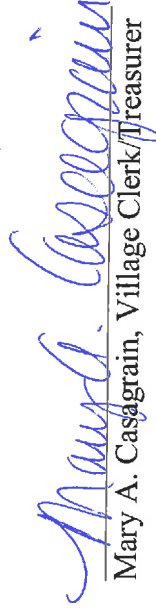
Motion by Trustee Maroun, seconded by Trustee LeBlanc to appoint Ms. Melissa McManus to the position of Community Development Director, effective January 1, 2016 at an annual salary of \$90,000.00, a formal contract will follow for execution. It was noted that the appointment was contingent upon grant funds to support the position in whole. (Carried 5-0)

Exit Executive
Session

Motion by Trustee Maroun, seconded by Trustee LeBlanc to exit Executive Session at 8:08 pm. (Carried 5-0)

Adjournment

Motion by Trustee LeBlanc, seconded by Trustee Snyder to adjourn at 8:09 pm. (Carried 5-0)


Mary A. Casagrain, Village Clerk/Treasurer