

**Village of Tupper Lake
Board of Trustees**

Minutes

Date: Monday, December 12, 2016
Location: Board Room
Meeting: Regular 6:00-7:20 PM

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

Also present were Code Enforcement Officer Peter Edwards, Department of Public Works Superintendent Robert Degrace, Police Chief Eric Proulx, Fire Chief Carl Steffen, Volunteer Fire Department Member Nick Rolley and News Reporters Dan McClelland and Kelly Carroll.

Call Regular Meeting
To Order Mayor Maroun called the Regular Meeting to order 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 Colin Gillis.

8th Annual Chad Martin
Tree Lighting Ceremony
12/16/16 Mayor Maroun reminded the Board that the 8th Annual Chad Martin Tree Lighting Ceremony will be held this Friday, December 16, 2016 at 5:00 pm at the Municipal Park Gazebo. Christmas Carols will be sung and the official tree lighting. All are welcomed to attend.

Soil Borings &
Geo-technical
Engineering Services Motion by Trustee LaScala, seconded by Trustee Maroun to authorize Mayor Maroun to execute a proposal for Soil Borings & Geo-technical Engineering Services for the Band Shell Project with QC/QA Laboratories, Inc. for \$3,900.00 and to also authorize an expenditure not to exceed \$3,000.00 for the site recognition for the project to better prepare ourselves for the APA Permit process. (Carried 5-0)

NYS Homes &
Community Renewal
Denial Mayor Maroun announced that we received written notice from NYS Homes & Community Renewal that our CFA application to the New York Main Street Program wasn't funded. We expect to follow-up with them on an exit interview to better understand what the deficiencies were for the denial on January 17, 2017 at 10:00 am if anyone wishes to listen in on the webcast.

Village of TL Housing
Authority Board
Appointment Motion by Trustee LaScala, seconded by Trustee Maroun to appoint Ms. Kathleen Lefebvre to the Village of Tupper Lake Housing Authority Board of Directors effective today. (Carried 5-0)

Approve Minutes Motion by Trustee LaScala, seconded by Trustee Hollingsworth to approve the Board Minutes from November 16th and December 1st, 2016 respectively. (Carried 5-0)

Code:
Accept November
Report Motion by Trustee LaScala, seconded by Trustee Maroun to approve the November 2016 Monthly Code Report. (Carried 5-0)

Lead Safe Training
12/15/16

Code Enforcement Officer Peter Edwards reminded the community that DANC will be hosting another Free Renovation, Repair and Painting Training class scheduled for this Thursday, December 15, 2016 at the ESB Building for Lead-Safe Certification that will be open to all contractors.

TL Joint Planning
Board Public Hearings
Scheduled 12/28/16

Code Enforcement Officer Peter Edwards reported that there will be a Town of Tupper Lake Joint Planning Board Public Hearing on December 28, 2016 at 7:00 pm for our Flanders Park Band Shell Project as well as our 56 Park Street parking Use Permit consideration.

After a brief discussion it was agreed that we would make the following provisions: the parking lot would be lighted, parking would be limited to 2-hours during the hours 8:00 am to 4:00 pm Monday-Friday, no overnight parking in the winter months, and we would make concessions for 1-handicapped parking space.

Vendor Fee –
Meeting of Park
Users

It was noted that in January we would try to schedule a meeting of all the Municipal Park Users to implement a vendor fee of \$25.00 per event fee to help offset ongoing improvements in the park.

Police:
Accept November
Report

Motion by Trustee Maroun, seconded by Trustee Hollingsworth to approve the November 2016 Monthly Police Report for the Village and Town of Tupper Lake. (Carried 5-0)

Vehicle Update
#5011

Police Chief Eric Proulx reported that vehicle #5011 is back in service.

Noise Ordinance
Inquiry

Trustee LaScala asked Police Chief Eric Proulx for a Noise Ordinance Update.

Police Chief Eric Proulx reported that he has been talking to the Assistant DA and the two local justices and there are a few things they need to hash out and expects to have a plan finalized soon.

Fire:
Accept November
Report

Motion by Trustee Maroun, seconded by Trustee LaScala to approve the November 2016 Monthly Fire Report for the Village of Tupper Lake. (Carried 5-0)

Clean Chimney
Reminder

Mayor Maroun reminded the community that it is a good time to ensure that their chimneys are clean and batteries are replaced in their fire and CO2 monitors as the colder weather approaches.

Santa Clara Substation

Open House 12/17/16 Mayor Maroun announced that Saturday, December 17, 2016 the Town of Santa Clara will be hosting an Open House to celebrate the Santa Clara Substation of the Village of Tupper lake Volunteer Fire Department from 1:00 pm to 3:00 pm. All residents and guests are invited to attend.

Santa – Visit Uptown
& Downtown

Mayor Maroun announced that Santa will be visiting the uptown neighborhoods on the evening of 12/19/16 and the junction-downtown neighborhoods on 12/20/16 via fire truck for all the children to see and visit.

TL Volunteer Fire
Department Members
Appointed

Motion by Trustee LeBlanc, seconded by Trustee Maroun to
appoint Mr. Timothy Allen and Mr. Nicholas Boushie to the
Tupper Lake Volunteer Fire Department. (Carried 5-0)

Water/Wastewater:
SEQR Resolution
Water Improvement
Project

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to
formally review and approve SEQR resolution for the Water
Improvement Project as follows:

**RESOLUTION DETERMINING THAT THE PROPOSED VILLAGE OF TUPPER LAKE
WATER SYSTEM IMPROVEMENTS PROJECT
WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT**

WHEREAS, the Village Board of the Village of Tupper Lake is considering a
proposal to construct a water system improvements project, and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the
regulations contained in 6 NYCRR Part 617 adopted pursuant thereto by the Department
of Environmental Conservation of the State of New York, hereafter "SEQRA", the Village
Board must determine whether such proposal may have a "significant impact on the
environment" and therefore require the preparation of an environmental impact
statement; and

WHEREAS, to aid the Village Board in determining whether the proposal may
have a significant impact upon the environment, a full environmental assessment form
(EAF) has been prepared, a copy of which was presented and circulated at the Village
Board's 12/12/16 meeting; and

WHEREAS, pursuant to Part 617, the Village Board has examined the EAF in
order to make a determination as to the potential environmental significance of the
proposal; and

WHEREAS, the New York State Department of Environmental Conservation
(hereafter "NYSDEC") and the New York State Department of Health (hereafter
"NYSDOH") and the Adirondack Park Agency (hereafter "APA") and the Town of Tupper
Lake and the Village of Tupper Lake are the involved agencies as that term is defined in
6 NYCRR Section 617.2(s); and

WHEREAS, no further review is required under SEQRA;

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of
Tupper Lake as follows:

- Based on its examination of the EAF, the criteria set forth in Sections 617.6 and
617.7 of the regulations, and such further investigation as the Village Board has
deemed appropriate, no potential significant adverse impacts are known;
- Consent to proceed with the project will not cause a significant impact on the
environment, and the Village Board will not require the preparation of an
environmental impact statement;
- A negative declaration is to be prepared; and
- The Village Clerk of the Village of Tupper Lake is hereby directed to cause to be filed
and circulated the negative declaration in accordance with the requirements of
SEQRA, a copy of the negative declaration shall be maintained in the Office of the
Village Clerk in a file that will be readily accessible to the public, and the Clerk shall
mail copies, return receipt requested, to:

Office of the Commissioner
Department of Environmental Conservation
625 Broadway
Albany, NY 12233

and, Environmental Notice Bulletin
NYSDEC – Attn: Jack Nasca
625 Broadway, 4th Floor
Albany, NY 12233-1750

and, NYSDOH
Bureau of Public Water Supply
Corning Tower
Empire State Plaza, Room 1142
Albany, NY 12237

and, Adirondack Park Agency
PO Box 99
Ray Brook NY 12977

and, Town of Tupper Lake
120 Demars Boulevard
Tupper Lake, NY 12986

- All subsequent notices concerning this project shall state that a negative declaration pursuant to SEQRA has been issued.

Mary A. Casagrain, Village Clerk/Treasurer

(Carried 5-0)

SEQR Resolution
Wastewater Improvement
Project

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to formally review and approve SEQR resolution for the Wastewater Improvement Project

**RESOLUTION DETERMINING THAT THE PROPOSED VILLAGE OF TUPPER LAKE
SANITARY SEWER & WWTP IMPROVEMENTS PROJECT
WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT**

WHEREAS, the Village Board of the Village of Tupper Lake is considering a proposal to construct a sanitary sewer and wastewater treatment plant improvements project; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations contained in 6 NYCRR Part 617 adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, hereafter “SEQRA”, the Village Board must determine whether such proposal may have a “significant impact on the environment” and therefore require the preparation of an environmental impact statement; and

WHEREAS, to aid the Village Board in determining whether the proposal may have a significant impact upon the environment, a full environmental assessment form (EAF) has been prepared, a copy of which was presented and circulated at the Village Board’s 12/12/16 meeting; and

WHEREAS, pursuant to Part 617, the Village Board has examined the EAF in order to make a determination as to the potential environmental significance of the proposal; and

WHEREAS, the New York State Department of Environmental Conservation (hereafter “NYSDEC”) and the Adirondack Park Agency (hereafter “APA”) and the Town of Tupper Lake and the Village of Tupper Lake are the involved agencies as that term is defined in 6 NYCRR Section 617.2(s); and

WHEREAS, no further review is required under SEQRA;

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Tupper Lake as follows:

- Based on its examination of the EAF, the criteria set forth in Sections 617.6 and 617.7 of the regulations, and such further investigation as the Village Board has deemed appropriate, no potential significant adverse impacts are known;
- Consent to proceed with the project will not cause a significant impact on the environment, and the Village Board will not require the preparation of an environmental impact statement;
- A negative declaration is to be prepared; and
- The Village Clerk of the Village of Tupper Lake is hereby directed to cause to be filed and circulated the negative declaration in accordance with the requirements of SEQRA, a copy of the negative declaration shall be maintained in the Office of the Village Clerk in a file that will be readily accessible to the public, and the Clerk shall mail copies, return receipt requested, to:

Office of the Commissioner
 Department of Environmental Conservation
 625 Broadway

Albany, NY 12233

and,
 Environmental Notice Bulletin
 NYSDEC – Attn: Jack Nasca
 625 Broadway, 4th Floor
 Albany, NY 12233-1750

and,
 Adirondack Park Agency
 PO Box 99
 Ray Brook NY 12977

and,
 Town of Tupper Lake
 120 Demars Boulevard
 Tupper Lake, NY 12986

- All subsequent notices concerning this project shall state that a negative declaration pursuant to SEQRA has been issued.

Mary A. Casagrain, Village Clerk/Treasurer

(Carried 5-0)

Bond Resolution for
 Wastewater Improvements
 \$6,421,578

Motion by Trustee LaScala, seconded by Trustee Maroun to formally approve a the following Bond Resolution for the issuance of bonds and notes not to exceed \$6,421,578 for the purpose of paying the costs of the Village of Tupper Lake's Sewer Improvement Project as follows:

BOND RESOLUTION DATED DECEMBER 12TH, 2016 AUTHORIZING THE ISSUANCE OF SERIAL BONDS AND NOTES IN ANTICIPATION OF THE ISSUANCE THEREOF AND/OR STATUTORY INSTALLMENT BONDS AND NOTES IN ANTICIPATION OF THE ISSUANCE THEREOF, OF THE VILLAGE OF TUPPER LAKE, NEW YORK, IN THE COUNTY OF FRANKLIN, PURSUANT TO THE PROVISIONS OF THE LOCAL FINANCE LAW OF THE STATE OF NEW YORK AND PURSUANT TO APPLICABLE PROVISIONS OF THE VILLAGE LAW OF THE STATE OF NEW YORK IN AN AMOUNT NOT TO EXCEED \$6,421,578.00 FOR THE PURPOSE OF PAYING THE COSTS OF THE VILLAGE OF TUPPER LAKE'S SEWER IMPROVEMENTS, THE TOTAL COST OF WHICH IS NOT TO EXCEED THE SUM OF \$6,421,578.00.

WHEREAS, the Village Board of the Village of Tupper Lake, County of Franklin, New York, has heretofore at this meeting adopted a resolution authorizing the issuance of obligations of the Village of Tupper Lake, New York, in the County of Franklin, in the sum of \$6,421,578.00 for the purpose of paying the costs of the improvements to the Sewage Collection System and the Waste Water Treatment Plant in the Village of Tupper Lake, the total cost of which is not to exceed the sum of \$6,421,578.00.

WHEREAS, no other outstanding obligations of the Village of Tupper Lake, New York have been previously issued by the Village for or with respect to such purpose; and

WHEREAS, the Village board of the Village of Tupper Lake, New York, now desires to provide for the issuance of obligations of the Village of Tupper Lake, New York, and it now desires to provide for other matters with respect to such purpose;

BE IT, THIS 12th day of December, 2016.

RESOLVED, by the Village Board of the Village of Tupper Lake, County of Franklin, New York, as follows:

Section #1. The Village of Tupper Lake, in the County of Franklin, New York, shall issue its serial bonds or statutory installment bonds of the aggregate principal amount not to exceed the sum of \$6,421,578.00, and notes in the anticipation of the issuance thereof, pursuant to the Local Finance Law of the State of New York including but not limited to Section 169.00 of such Local Finance Law, in order to finance the specific purpose hereinafter described.

Section #2. The specific purpose to be financed pursuant to this resolution is to pay the costs of the improvements of the Sewage Collection System and the Waste Water Treatment Plant in the Village of Tupper Lake the total cost of which is not to exceed the sum of \$6,421,578.00.

Section #3. The maximum estimated cost of such purpose as estimated by the Village Board is \$6,421,578.00 and the plan of financing thereof is by the issuance of a maximum of \$6,421,578.00 in serial bonds, statutory installments bonds, and/or bond anticipation notes issued in anticipation of such serial bonds and statutory installments bonds, from any grants or other financial assistance obtained from the United States Department of Agriculture, Rural Development, the New York Dormitory Authority and/or the New York State Environmental Facilities Corporation and/or from any municipal contributions from the Village of Tupper Lake. Pursuant to Section 107.00(d)(3) of the Local Finance Law of the State of New York, current funds are not required to be provided prior to the issuance of any serial bonds, statutory installment bonds or bond anticipation notes issued in anticipation of such bonds.

Section #4. It is hereby determined that said purposes is an object or purpose described in Section 11.00 of the Local Finance Law of the State of New York and that the probable useful life of said purpose is forty (40) years. The final redemption date of said bond to be issued will not extend beyond forty (40) years from the date of their initial issuance. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section #5. Subject to the terms and conditions of this resolution, and the Local Finance Law of the State of New York, the power to authorize Bond Anticipation Notes in anticipation of the issuance of the Serial Bonds or Statutory Installment Bonds authorized by this resolution and the renewal of said notes and the power to prescribe the terms, form and contents of such Serial Bonds or Statutory Installment Bonds and of such Bond Anticipation Notes and the power to sell and to deliver such Serial Bonds or Statutory Installment Bonds and Bond Anticipation Notes issued in anticipation of the issuance of such Serial bonds or Statutory Installment Bonds and the power to sell and deliver bonds providing for substantially level or declining annual debt service is hereby delegated to the Village Treasurer as the Chief Fiscal Officer of the Village of Tupper Lake, County of Franklin and State of New York. The Chief Fiscal officer of the Village of Tupper Lake is hereby authorized to sign any Serial Bonds or Statutory Installment Bonds issued pursuant to this resolution and any Bond Anticipation Notes and renewals' thereof including but not limited to those set forth in Section 169.00 of the Local Finance Law issued in anticipation of the issuance of said Serial Bonds or Statutory Installment Bonds, and the Village Clerk is hereby authorized to affix the corporate seal of the Village of Tupper Lake, New York, to any Serial Bonds or Statutory Installment Bonds and any Bond Anticipation Note and to attest such seal.

Section #6. The Village Treasurer is hereby further authorized, at his/her sole discretion, to execute a project finance agreement and any other agreements with the New York State Department of Health 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 purpose described in Section 2 hereof, or a portion thereof, by a serial bond, a statutory installment 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 #7. The faith and credit of the Village of Tupper Lake, New York, is hereby irrevocably pledged for the payment of the principal of and interest on such Serial Bonds or Statutory Installment Bonds and any Bond Anticipation Notes and renewals thereof issued in anticipation of the issuance of such bonds as the same shall respectively become due and payable. 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 purposes described in this resolution. The Village of Tupper Lake 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 by this resolution with the proceeds of the bonds and bond anticipation notes authorized herein.

Section #8. This resolution or a summary hereof shall be published by the Village of Tupper Lake, County of Franklin, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York. The validity of the Serial Bonds or Statutory Installment Bonds and of any Bond Anticipation Notes and renewals thereof issued in anticipation of the

issuance of such Serial Bonds or such Statutory Installment Bonds issued hereunder may be contested only if:

- 2014 Such obligation is authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2015 If the provisions of law which should have been complied with as of the date of publication of such resolution were 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
- 2016 Such obligation is authorized in violation of the provisions of the Constitution.

Section #9 This resolution is not subject to referendum pursuant to Section 36.00 of the Local Finance Law of the State of New York and the Village Law of the State of New York.

(Carried 5-0)

ESTOPPEL NOTICE

The Village Board of the Village of Tupper Lake, County of Franklin, New York, on the 12th day of December, 2016 adopted a resolution pursuant to the Local Finance Law of the State of New York a summary of which is as follows:

To issue its serial bonds or statutory installment bonds in the aggregate principal amount not to exceed \$6, 421,578 .00 along with notes in anticipation of the issuance thereof pursuant to the Local Finance Law of the State of New York in order to finance the cost of the Village of Tupper Lake's reconstruction and/or improvement of the Sewage and Waste Water Collection System and the Waste Water Treatment Plant in the Village of Tupper Lake, the total cost of which is not to exceed the sum of \$6,421,578.00, and a probable useful life of Forty (40) years. A complete copy of such resolution is filed at the office of the Village Clerk of the Village of Tupper Lake, Franklin County, New York and is available for public inspection during regular business hours.

The validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Village of Tupper Lake, County of Franklin, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

MARY A. CASAGRAIN, VILLAGE CLERK
VILLAGE OF TUPPER LAKE

Assistance to Town of
Tupper Lake

Mayor Maroun thanked the W/WW Crews for their hard work helping the Town of Tupper Lake during their recent sewer flooding problems.

DPW:

Wi-Fi

Station

Department of Public Works Superintendent Robert Degrace advised that his crews have completed the installation of the Wi-Fi Station that Clarkson University Students constructed.

Skating Rink & Snow

Hill Preparations

Department of Public Works Superintendent Robert Degrace advised that his crews have been working on getting the skating rink ready and then they will start preparing for the snow hill. The Town of Tupper Lake has offered to help groom the hill once it is constructed. The anticipated hours of operation will be 7-days a week from 12:00 Noon to 8:00 pm.

Electric:

Electric Account

Discharge

Motion by Trustee LaScala, seconded by Trustee Maroun to authorize the discharge of a deceased customer's electric balance in the amount of \$54.20. (Carried 5-0)

MEUA Special Meeting

& Voting Delegate

Motion by Trustee Hollingsworth, seconded by Trustee LaScala to authorize Electric Superintendent Marc Staves, Village Clerk/Treasurer and the Deputy Village Treasurer to attend a Special Meeting of the MEUA to be held on January 25, 2017 in East Syracuse for the purpose of REC and ZEC explanation and cost reviews. In addition to approve the following resolution authorizing Mr. Staves to be the Village of Tupper Lake's voting delegate as follows:

RESOLUTION

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 Special Meeting of the Municipal Electric Utilities Association of New York State has been called on January 25, 2017, 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 Marc Staves be and is hereby designated as the accredited delegate of the Village of Tupper Lake, New York.

On roll call: Affirmative: 5 Negative: 0

I certify that the Board of Trustees of the Village adopted this resolution Tupper Lake, New York on the 12th day of December, 2016.

Signature _____

Seal: _____

Title _____

(Carried 5-0)

Treasurer:

Approve Warrants

Motion by Trustee LaScala, seconded by Trustee Hollingsworth to approve the December 12, 2016 warrant in the amount of \$234,324.69 for payment of the bills and abstracts for the month of November, 2016. (Carried 5-0)

**Review Cash
Position Tabled**

The monthly cash position for November 30, 2016 was not reviewed because it wasn't available at the time of the monthly meeting

**Mandatory Work Place
Violence & Sexual
Harassment Safety
Training Completed**

It was noted that we have completed our mandatory Work Place Violence and Sexual Harassment Safety Training on Monday, December 5, 2016. We are working on scheduling another class to address those employees and board members that did not have the time to attend in the coming month.

Holiday Closures

As a reminder, the Village Offices and Departments will be closed on Monday, December 26 and January 2 in observance of Christmas and New Years.

Executive Session

None.

**Snowmobile
Sympathies**

Trustee LaScala took a moment to offer our deepest sympathies to the Rascoe family in Lake Clear that lost their 12 year old daughter in a recent snowmobile accident.

Adjournment

Motion by Trustee Maroun, seconded by Trustee Hollingsworth to adjourn at 6:40 PM. (Carried 5-0)

Mary A. Casagrain, Village Clerk/Treasurer