

**Village of Tupper Lake
Board of Trustees**

Minutes

Date: Monday, December 4, 2023
Location: Board Room
Meeting: Organizational
6:00-7:12 PM

At the Organizational Meeting of the Board of Trustees held this date, the following were present: Mayor Mary Fontana, Trustees Leon LeBlanc, Eric Shaheen, David Maroun, Jason McClain and Village Clerk/Treasurer Mary A. Casagrain.

Also present were News Reporters Dan McClelland and Oliver Reil.

Call to Order and Agenda Established Mayor Mary Fontana called the Organizational Meeting to order and established the agenda.

Pledge of Allegiance Pledge of allegiance to the flag.

Public Health Officer Appointment Motion by Trustee LeBlanc, seconded by Trustee Shaheen to appoint April McLain as Public Health Officer for the Village of Tupper Lake for 2023-2024 official year. (Carried 4-1, Trustee McClain “Abstained”)

Appointments of Office: Mayor Mary Fontana read the appointments aloud and a motion was made by Trustee LeBlanc, seconded by Trustee Shaheen to make the following appointments:

- Appoint Eric Shaheen as Deputy Mayor for the Village of Tupper Lake for 2023-2024 official year
- Appoint David Maroun to oversee the Municipal Park for the Village of Tupper Lake for 2023-2024 official year
- Appoint Mary Fontana to oversee the Police Department for the Village of Tupper Lake for 2023-2024 official year
- Appoint Leon LeBlanc to oversee the Office and Department of Public Works for the Village of Tupper Lake for 2023-2024 official year
- Appoint Jason McClain to oversee the Fire and Water/Wastewater Departments for the Village of Tupper Lake for 2023-2024 official year
- Appoint Eric Shaheen to oversee the Electric Department and the Municipal Park for the Village of Tupper Lake for 2023-2024 official year
- Appoint Mary A. Casagrain as Village Clerk/Treasurer for the Village of Tupper Lake for 2023-2024 official year
- Appoint Kyle Fuller as Deputy Village Clerk for the Village of Tupper Lake for 2023-2024 official year
- Appoint Melissa Dominic as Deputy Village Treasurer for the Village of Tupper Lake for 2023-2024 official year
- Appoint Nathan Race as Village Attorney for the Village of Tupper Lake for 2023-2024 official year
- Appoint Leonard Young as Acting Police Justice for the Village of Tupper Lake for 2023-2024 official year
- Appoint Jon Kopp as Village Historian for the Village of Tupper Lake for 2023-2024 official year
- Appoint Laurie J. Fuller as Registrar of Vital Statistics until December 31, 2023 and effective January 1, 2024 Mary Kay Strack as Registrar of Vital Statistics for the Village of Tupper Lake for 2023-2024 official year

- Appoint Mary A. Casagrain as **Records Access Officer** for the Village of Tupper Lake for 2023-2024 official year
- Appoint Carl Steffen as **Emergency Management Coordinator** for the Village of Tupper Lake for 2023-2024 official year. (Carried 5-0)

Official

Undertakings:

- Motion by Trustee LeBlanc, seconded by Trustee Maroun to formally approve the following official undertakings as follows:
 - Designates the Community Bank, N.A. and Greene County Bank as official depositories of and for all funds for the Village of Tupper Lake for 2023-2024 official year
 - Designate the Tupper Lake Free Press as the official newspaper and the Adirondack Daily Enterprise if a timely need for publishing exist for the Village of Tupper Lake for 2023-2024 official year
 - Designates Jessica Eggsware as Official for Assessment and Property Tax Roll items for the Village of Tupper Lake for 2023-2024 official year. (Carried 5-0)

Meeting Dates:

- Motion by Trustee Shaheen, seconded by Trustee Maroun to formally approve the following meeting dates as follows:
 - Designate the Third Monday of each month at 6:00 pm as the Regular Meeting of the Board of Trustees for the Village of Tupper Lake for 2023-2024 official year
 - Designate December 1st or the First Monday in December as the Organizational Meeting of the Board of Trustees for the Village of Tupper Lake for 2023-2024 official year, which ever falls first on a week day. (Carried 5-0)

Policy Review:

- Motion by Trustee Shaheen, seconded by Trustee LeBlanc to formally approve the following policy review, resolutions to adopt at organizational meeting, municipal attendance and advance payments as follows:
 - Designate attached **Procurement Procedures / Price Quotes** as the current policy in effect
 - Designate current **Board Policies** as the current policies in effect
 - Establish reimbursement rate for mileage, it currently is .655 per mile

Resolutions to Adopt at

Organizational Meeting:

- **WHEREAS** the Board of Trustees has determined **special meetings** can be called and held, and

WHEREAS the Mayor alone or at least three Trustees acting together can call the meeting, and

WHEREAS the news media and public will be given notice as soon as practicable after the calling of the special meeting

NOW THEREFORE BE IT RESOLVED the Board of Trustees of the Village of Tupper Lake authorize special meetings, and

THIS RESOLUTION shall take effect immediately.

Municipal Attendance:

- **WHEREAS** there is to be during the coming year official meetings, conferences, workshops, and training sessions, and

WHEREAS it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences, workshops, or training sessions benefits the municipality, and

NOW THEREFORE BE IT RESOLVED the Board of Trustees of the Village of Tupper Lake shall hereby authorizes officers and

employees to attend official meetings, conferences, workshops, and training sessions.

THIS RESOLUTION shall take effect immediately.

Advance Payments:

- **WHEREAS** the Board of Trustees has determined to authorize payment(s) in advance of audit of claims for public utility services; postage; freight and express charges; and claims with discounts which would be lost, and

WHEREAS all such claims shall be presented at the next regular Board of Trustees Meeting for audit, and

WHEREAS the Village Clerk and Mayor who oversees the Village Office will review and sign all such claims at time of payment, and

WHEREAS the claimant and officer(s) incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees, and

NOW THEREFORE BE IT RESOLVED the Board of Trustees of the Village of Tupper Lake authorizes payment(s) in advance of audit of claims for public utility services; postage; freight and express charges; and claims with discounts which would be lost; and all such claims shall be presented at the next regular Board of Trustees Meeting for audit; and the Village Clerk and Mayor who oversees the Village Office will review and sign all such claims at time of payment; and the Claimant and officer(s) incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

THIS RESOLUTION shall take effect immediately.
(Carried 5-0)

Disclose Conflict
Of Interest

Mayor Fontana formally disclosed that she works for One Group who insures and represents the Village of Tupper Lake with NYMIR; it was noted that she is not our account manager or the executive on our account.

Approve Bond
Resolution For
Acquisition of
Equipment For
\$77,000

Motion by Trustee LeBlanc, seconded by Trustee Maroun to formally approve the following bond resolution as proposed:

BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF TUPPER LAKE, FRANKLIN COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE VILLAGE TO FINANCE THE ACQUISITION OF EQUIPMENT FOR USE BY THE VILLAGE'S DEPARTMENT OF PUBLIC WORKS; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$105,112.46; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$77,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION

WHEREAS, the Board of Trustees (the "Board of Trustees") of the Village of Tupper Lake, Franklin County, New York (the "Village") is planning to finance the acquisition of equipment for use by the Village's Department of Public Works consisting of (i) one skid steer loader (the "Loader") and (ii) one pickup truck (the "Truck" and, collectively with the Loader, the "Project") at a total maximum cost of \$77,000;

WHEREAS, the Board of Trustees 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 the aforementioned specific object or purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Tupper Lake, Franklin County, New York (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 undertake the Project, as hereinabove described, at a total estimated cost not to exceed \$105,112.46, and to issue up to \$77,000 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 the estimated cost of said specific object or purpose, or bond anticipation notes in anticipation of such bonds.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$105,112.46, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$77,000 in serial bonds of the Village authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds, (ii) the application of \$28,112.46 directly from the Village Water and Wastewater Departments to be applied towards one-half of the cost of the Loader, and (iii) 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 3. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is fifteen (15) years, pursuant to subdivision 28. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued pursuant to Section 1 of this resolution 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.

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 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 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 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 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"). Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law. 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 this Board of Trustees, 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 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 purchasers 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 affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board of Trustees.

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. The Board of Trustees determined that the actions authorized by the resolution and the adoption thereof collectively constitute 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 need be taken by the Board of Trustees as a condition precedent to the adoption of the resolution.

SECTION 14. Pursuant to Section 36.00(a)(5) of the Law, this resolution is not subject to permissive referendum and shall take effect immediately upon its adoption.

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

	<u>AYE</u>	<u>NAY</u>
Trustee Eric Shaheen	X	
Trustee Leon Leblanc	X	
Trustee Jason McClain	X	
Trustee David Maroun	X	
Mayor Mayr Fontana	X	

The resolution was thereupon declared duly adopted by a vote of 5 ayes and 0 nays.

Date: December 4, 2023
(Carried 5-0)

Into Executive Session

Motion by Trustee Shaheen, seconded by Trustee LeBlanc to enter Executive Session at 6:15 pm for the purpose of discussing collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law) for the CSEA Unit II Police and to discuss pending litigation. (Carried 5-0)

Exit Executive Session

Motion by Trustee LeBlanc, seconded by Trustee Maroun to exit Executive Session at 7:11 pm. (Carried 5-0)

Adjournment

Motion by Trustee LeBlanc, seconded by Trustee McClain to adjourn at 7:12 pm. (Carried 5-0)

Mary A. Casagrain, Village Clerk/Treasurer