

Village of Sackets Harbor Board of Trustees  
July 10, 2018  
Regular Meeting  
112 N. Broad St.  
Sackets Harbor, NY 13685

Present: Mayor Molly Reilly, Deputy Mayor Barbara Boulton, Trustee Dan Frechette, Trustee James Bray, Trustee Eric Constance. Also present: Treasurer Jim Yuhas.  
The meeting was called to order with the Pledge of Allegiance at 6:30 pm.

**REVIEW OF MINUTES**

The minutes of the June 12, 2018 meeting were approved as corrected in a motion made by Trustee Bray, seconded by Deputy Mayor Boulton. Vote 5 ayes (Reilly, Boulton, Frechette, Bray and Constance), 0 nays.

**MAYOR'S REPORT**

Mayor Reilly shared a thank you letter from BOCES for hosting a community service student. Letters of support for the water intake project were reported on. She thanked the police and fire departments and the volunteers that staffed the 4<sup>th</sup> of July fireworks. Mayor Reilly was joined by a few community leaders in a tour of some of the area for NYS Assembly Speaker Carl Heastie this morning. Sackets Under the Stars, a program hosted by Hay Memorial Library, had a great turn out. The next one is scheduled for July 27<sup>th</sup>. She reported that she took part in a NYCOM REDC/CFA Webinar. She will be hosting a NNY Realtors walk-about on July 18<sup>th</sup>. The Village received an International Joint Commission report on water levels in the lake and St. Lawrence River. T-Mobile will be placing an antenna on the Town of Hounsfield water tower that is located on Village land. They will require a building on the property and the Village Engineer, Corey Reid, is working on a lease agreement.

Dick Stephens presented a check for \$1,000.00 from the United Presbyterian Church towards the completion of the repairs to the tower clock and bell.

Hannah Heisler, the summer intern for the Village, reported that she has been working on reorganizing the maps and plats in storage, reviewing the websites, researching grants and organizing the upcoming Super Sign-up Event.

**PUBLIC COMMENT**

The meeting was opened to public comment at 6:44 pm. Diana Woodhouse read a statement expressing their disappointment that Trustee Bray is continuing to use Buckley Alley for access to his property.

Mike Lawler was vehement in his insistence that Trustee Bray stay off Buckley Alley, the property that he believes belongs to him.

Deborah Merrell stated that she had read the abstract attached to Mr. Lawler's property and it appears to her that Buckley Alley belongs to Mr. Lawler.

Jay Kramer reported that he plans to continue to do maintenance at Fort Pike Park.

Merle Tousant is concerned that if General Smith Drive is repaved as planned people will drive even faster on that street. He is also concerned about the drainage on that road.

### **TREASURER'S REPORT**

The Treasurer's report was accepted in a motion made by Trustee Frechette and seconded by Deputy Mayor Boulton. Vote 5 ayes (Reilly, Boulton, Frechette, Bray and Constance), 0 nays.

The bills listed on Abstract 2 with vouchers from 101173 through 101248 were paid in a motion made by Trustee Bray and seconded by Trustee Constance.

The Bond Resolution (attached) for the Water Intake Project was introduced by Trustee Bray and seconded by Deputy Mayor Boulton. It was approved in a roll call vote with 5 ayes (Reilly, Boulton, Frechette, Bray and Constance), 0 nays.

The issuance of the Town of Hounsfield water rate letter reflecting no change to the current charge of \$4.00 per thousand gallons of water was approved in a motion made by Deputy Mayor Boulton and seconded by Trustee Constance. Vote 5 ayes (Reilly, Boulton, Frechette, Bray and Constance), 0 nays.

### **NEW BUSINESS**

The application for the Sackets Porch Music Festival was approved contingent upon the completion of page 3 of the application by the Historical Society. The motion was made to approve it by Trustee Bray and seconded by Trustee Frechette. Vote 5 ayes (Reilly, Boulton, Frechette, Bray and Constance), 0 nays.

### **TRUSTEE REPORTS**

**Deputy Mayor Boulton** reported that the Library Summer reading program is underway and the Library Board is working on long term plans. They would like to meet with both the Village Board representatives and the Town of Hounsfield board.

Can Am is still looking for volunteers.

**Trustee Bray** reported from the Tree Committee that Kelly Reinhardt will be submitting the application for a grant for an inventory and management plan.

Pickering Beach Museum is open for the season.

**Trustee Constance** reported that the Marketing Committee meeting has been postponed. He also had questions on the stone hospital, possible shared services with the Town and water certifications, harbor development, other options than the BOCES Energy Program, high grass in the Village, marketing the LDC Property and when the new displays will be ready for the Visitor's Center.

**Trustee Frechette** reported that the Joint Rec Committee will be meeting next week. Construction at the school made it necessary to move the Summer Rec program to St. Andrews Parish Center.

## **DEPARTMENT HEAD REPORTS**

**Lonny Reinhardt, DPW Superintendent,** reported that they have been working on the water meter reading system. They have also been helping the Town of Hounsfield crews repair leaks. Contingent on the weather, the crew will be spraying the trail tomorrow. The new audio system for Main St is on order and should be ready for the Can-Am Festival.

**Corey Reid, Village Engineer,** reported that the WIIA Grant portal is open and we will be submitting an application for the water intake project.

They are starting the design work on the seawall to be ready to go to bid this fall.

WD Malone will be here this week for some of their finish up items on the Main St project.

## **PUBLIC COMMENT**

The meeting was opened for public comment at 7:58 pm.

Tim Scee, Town of Hounsfield, thanked the Village DPW for their help fixing leaks in District 2. He also wanted to go on record that he strongly disagrees with the water rates from the village. He thinks the bills have been overinflated over the years. The town's usage will be coming back down as the leaks are repaired.

Merle Tousant reported that he thinks the LDC property should be cleaned up.

Deborah Morrell thinks the Village should apply for an Economic Development grant to work on the LDC property.

The meeting was adjourned at 8:07 in a motion made by Trustee Constance, seconded by Deputy Mayor Boulton. Vote 5 ayes (Reilly, Boulton, Frechette, Bray and Constance), 0 nays.

Minutes Submitted by

Peggy Kelly  
Village Clerk

## WATER INTAKE IMPROVEMENTS

### BOND AND AUTHORIZATION RESOLUTION

July 10, 2018

A BOND RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN ADDITIONAL AMOUNT OF \$800,000 THE PROCEEDS OF WHICH ARE TO BE USED FOR THE CONSTRUCTION, RECONSTRUCTION OF, AND IMPROVEMENTS TO THE WATER TREATMENT PLANT RAW WATER INTAKE AND PUMPING SYSTEM IN THE VILLAGE OF SACKETS HARBOR INCLUDING REPLACEMENT AND INSTALLATION OF A NEW INTAKE LINE, A NEW INTAKE SCREEN AND A NEW WET WELL STYLE RAW WATER PUMPING SYSTEM, INCLUDING SITE IMPROVEMENTS, ORIGINAL FURNISHINGS, EQUIPMENT, MACHINERY AND APPARATUS (THE "PROJECT"). THIS IS AN INCREASE OF \$800,000.00 TO A PRIOR BOND RESOLUTION ADOPTED OCTOBER 11, 2016, IN THE AMOUNT OF \$3,600,000.

WHEREAS, the Board of Trustees of the Village of Sackets Harbor (the "Board") by bond resolution dated October 11, 2016, authorized the issuance of not to exceed \$3,600,000 in serial bonds of the Village to provide financing for the specific object and purpose of constructing the raw water intake and pumping system in the Village of Sackets Harbor referred to as the "Project".

WHEREAS, the Village of Sackets Harbor previously authorized a Bond Resolution that established the maximum amount to be expended for the Project was the amount of \$3,600,000.

WHEREAS, the Village has received an updated budget from its engineers increasing the costs of the project to \$4,400,000.

WHEREAS, the Board now desires to provide for the authorization and financing of the additional costs of the Project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Sackets Harbor as follows:

Section 1. The Village of Sackets Harbor is hereby authorized to issue up to an additional \$800,000.00 of serial bonds for the specific object and purpose consisting of constructing and improving the water treatment plant raw water intake and pumping system into the Village of Sackets Harbor.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid objects or purposes is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107.00 of the Local Finance Law.

Section 3. The proposed maturity of the bonds shall be in excess of five (5) years.

Section 4. The plan for financing of such revised maximum estimated cost of such specific object and purpose is by issuance of serial bonds not exceeding \$4,400,000. Such serial bonds are authorized by

the issuance of 1.) up to \$3,600,000 in serial bonds as previously authorized by the Bond Resolution dated October 11, 2016; and 2.) by the issuance of \$800,000.00 in serial bonds authorized under the bond resolution, and shall be offset and reduced, on a dollar for dollar basis, by grants or other contributions received in connection with the specific object or purpose.

Section 5. The faith and credit of said Village of Sackets Harbor, Jefferson County, New York are irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. Provisions shall be made annually in the budget of the Village by appropriation for the amortization and redemption of the bonds to mature in such year and the payment of interest, if any, due in such year. Annual taxes and water rents shall be made in each year sufficient to pay the principal of and interest on such bond, becoming due and payable in such year.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, is hereby delegated to the Treasurer, the Chief Fiscal Officer of the Village. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by the Treasurer, consistent with the provisions of the Local Finance Law. The Treasurer is further authorized to elect to sell the Bonds and Bond Anticipation Notes and renewals thereof, providing for substantially level or declining debt service.

Section 7. The Village Treasurer, as Chief Fiscal Officer of the Village, is further authorized to sell all or a portion of the Bonds or Bond Anticipation Notes to RD and/or the EFC in the form prescribed in loan agreements (the "Loan Agreements") between the Village and the EFC and/or RD; to execute and deliver on behalf of the Village Loan and Grant Agreements, Project Financing Agreements, and Letters of Intent with the EFC and/or RD and to accept the definitive terms of Loan and Grant Agreements from EFC and/or RD by executing and delivering Terms Certificates; and to execute such other documents, and take such other actions, as are necessary or appropriate to obtain loans, grants or other forms of debt relief or financial assistance from the EFC and/or RD for all or a portion of the costs of the expenditures authorized by this Resolution, and perform the Village's obligations under its Bonds and Bond Anticipation Notes delivered to the EFC and RD, the Project Financing Agreements and the Loan and Grant Agreements or other agreements providing financial assistance for the Project.

Section 8. The Bonds, and any Bond Anticipation Notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any Bond Anticipation Notes issued in anticipation of the 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. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 9. The validity of the Bonds and Bond Anticipation Notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of the publication of a summary of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution sets forth the declaration of the Village's official intent to reimburse the expenditures authorized by this resolution with the proceeds of the bonds and bond anticipation notes authorized herein as required by Treasury Regulation Section 1.150-2.

Section 11. The Treasurer, as the Chief Fiscal Officer of the Village, is hereby authorized and directed to covenant for the benefit of the bond holder(s) to provide the financial information and operating data and notice of material events required pursuant to 17 Code of Federal Regulations §240.15c 2-12, Municipal Securities Disclosure, and pursuant to the Securities Exchange Act of 1934, as amended.

Section 12. 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 Local Finance Law for the capital purposes described in Section 1 of this Resolution.

Section 13. This Resolution, which takes effect as stated in Section 14, shall be summarized and published in the official newspapers of the Village, together with a notice of the Village Clerk in substantially the form and for the period provided in Section 81.00 of the Local Finance Law.

Section 14. This resolution is adopted subject to permissive referendum in accordance with Section 36.00 of the Local Finance Law and Article 9 of the Village Law. This Resolution shall take effect thirty (30) days after its adoption or, if a petition is filed pursuant to Article 9 of the Village Law, upon the affirmative vote of a majority of the qualified electors of the Village voting on the referendum.

The power to prescribe the terms, form and contents of the Bonds herein authorized is hereby delegated to the Treasurer, the Chief Fiscal Officer of the Village, consistent with this resolution and the provisions of the Local Finance Law.

Dated: July 10, 2018

Introduced by: Trustee Bray

Seconded by: Deputy Mayor Boulton

Voting Aye: Mayor Molly Reilly, Deputy Mayor Barbara Boulton, Trustee Dan Frechette, Trustee James Bray, Trustee Eric Constance

Voting Nay: 0

Absent: 0

Abstained: 0