Board of Trustees Village of Black River, New York



Regular Meeting
August 7, 2023

- -Call to order.
- -Pledge of Allegiance.
- -Approval of minutes of the 7/3/23 regular meeting and 7/10/23 & 7/24/23 special meetings
- -Public Comment.
- -Police Department Report.
- -Code Enforcement Report & review of related correspondence.
- Clerk-Treasurer's Report.
- -Superintendent's Report.

Correspondence Received:

A) Troy & Banks

B) Judith Perkins

Re: Telephone review

Re: Thank you letter

<u>Correspondence Sent:</u>

New Business:

A) Bond resolution

Unfinished Business:

- -Reports from Standing Committees.
- -Reports from Special Meetings.
- -Authorize payment of bills; adjournment.

Village of Black River Board of Trustees Regular Meeting July 3, 2023



Mayor Dishaw called the meeting to order at 6:00 p.m.

<u>Present:</u> <u>Absent</u>

Mayor Francis Dishaw Trustee Gary McCullouch

Trustee Corey Decillis Trustee Bonnie Proven Trustee Randy Lake Superintendent Les Willia

Superintendent Les Williams Clerk Treasurer Kristin Williams

A motion was made by Trustee Decillis, seconded by Trustee Proven to open the public hearing for the one-year moratorium on solar over 50kw at 6:01 p.m. The motion was carried.

A motion was made by Mayor Dishaw, seconded by Trustee Lake to adopt the following resolution:

Resolved, that Levi Brownell be hired as a full time MEO for the department of public works. The motion was put to a vote as follows:

Mayor Francis DishawYesTrustee Randy LakeYesTrustee Bonnie ProvenYesTrustee Corey DecillisYesTrustee Gary McCullouchAbsent

The motion carried and the resolution was duly adopted.

A motion was made by Trustee Decillis, seconded by Trustee Proven to adopt the following resolution:

Resolved, that water/sewer bill adjustments be approved in the amount of \$3,316.49 (see attached). The motion was put to a vote as follows:

Mayor Francis Dishaw Yes
Trustee Randy Lake Yes
Trustee Bonnie Proven Yes
Trustee Corey Decillis Yes
Trustee Gary McCullouch Absent

The motion carried and the resolution was duly adopted.

A motion was made by Trustee Decillis seconded by Trustee Lake to adopt the following resolution:

Resolved, that the following abstract of audited vouchers be approved: interim abstract dated 6/15/23 in the amount of \$81,017.89 (General Fund: \$59,303.57 Water Fund: \$4,677.11 Sewer Fund: \$17,037.21) interim abstract dated 6/28/23 in the amount of \$2,209.61 (General Fund: \$1585.45 Water Fund: \$624.16) and regular monthly abstract dated 7/3/23 in the amount of \$72,339.13 (General Fund: \$68,930.83 Water Fund: \$2,830.30 Sewer Fund: \$578.00). The motion was put to a vote as follows:

Mayor Francis Dishaw Yes
Trustee Randy Lake Yes
Trustee Bonnie Proven Yes
Trustee Corey Decillis Yes
Trustee Gary McCullouch Absent

The motion carried and the resolution was duly adopted.

A motion was made by Mayor Dishaw, seconded by Trustee Decillis to leave the public hearing open until a 7/10/23 special meeting. The motion was carried.

A motion was made by Trustee Decillis, seconded by Trustee Lake to adjourn the meeting at 6:12 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams Clerk Treasurer

Name	Acct.#	Water Credit	Sewer Credit	Total Credit
<u>Maina</u>	00810	\$60.37	\$45.98	\$106.35
Eldridge	01770	\$1479.39	\$919.83	\$2399.22
Moore	03020	\$511.52	\$299.40	\$810.92

^{*}Due to a zero reading for multiple quarters and lack of information regarding the household, we are unable to calculate an average usage for the following residents.

Eldridge- recommended to credit his account the amount paid for minimum usage. Moore- recommended to credit his account the amount paid for minimum usage.

Total credit for Water Adjustments: \$2051.28

Total credit for Sewer Adjustments: \$1265.21

Total Water and Sewer Adjustments: \$3316.49

Village of Black River Board of Trustees Special Meeting July 10, 2023



Mayor Dishaw called the meeting to order at 6:00 p.m.

Present:

Mayor Francis Dishaw Trustee Corey Decillis Trustee Bonnie Proven Trustee Gary McCullouch Trustee Randy Lake Superintendent Les Williams Clerk Treasurer Kristin Williams Police Chief Steve Wood

A motion was made by Trustee Proven, seconded by Trustee Decillis to approve the minutes of the 5/31/23 special meeting and 6/5/23 regular meeting. The motion was carried.

<u>Public Comment:</u> Cathy Gaines was present to discuss the fact that snow plowing has been removed from the ambulance squad contract. She stated that it had not been removed from the library or fire department contract and questioned why. Superintendent Williams stated that there is a shed placed where the dpw used to pile snow and there were issues with people who wouldn't move their vehicles when asked making it difficult to plow the parking lot.

Matt Cooper, engineer from Barton & Loguidice was present to discuss the engineering report and potential funding. He stated that a bond resolution as well as a SEQRA will be required in order to apply for EFC funding by the July 28, 2023 deadline. The board reviewed an amendment to the engineering agreement in the amount of \$10,000 which would cover the cost of Barton & Loguidice compiling the SEQRA and funding application. Clerk-Treasurer Williams stated that the village had only budgeted \$25,000 for the engineering study and nothing for any further engineering costs. She stated that \$90,000 has been budgeted for the reservoir repairs and that there is not an additional \$10,000 available.

A motion was made by Trustee Decillis, seconded by Mayor Dishaw to adopt the following resolution:

Resolved, that the engineering amendment be approved with work being performed at an hourly rate not to exceed \$5,000. The motion was put to a vote as follows:

Mayor Dishaw Yes
Trustee Decillis Yes
Trustee Proven Yes
Trustee McCullouch Yes
Trustee Lake Yes

The motion was carried and the resolution duly adopted.

<u>Police Department Report:</u> Police Chief Wood stated that he has been placing the radar trailer on different streets and that he participated in a Stop DWI patrol over the 4th of July holiday.

<u>Code Enforcement Report:</u> The board reviewed a letter drafted by Code Enforcement Officer Holland to a resident regarding his complaint about the hedges on a neighboring property.

Superintendent's Report: Superintendent Williams stated that Levi Brownell will begin employment with the village on July 24th, he stated that the new dump trailer is being utilized for brush collection and that it is working well, he stated that there are around 140 water meters left for replacement and that someone dragged the radar trailer into the street. He stated that he received an email regarding fuel thefts at municipal buildings in Jefferson County as well as

Village Board July 10, 2023 Page -2-

stolen street signs. He stated that the snow holds need to be replaced at the municipal building and the gazebo can be repaired for around \$1,500. He stated that there are a couple of houses in the Town of Rutland being constructed. It was discussed that a letter should be sent to the Town of Rutland reminding them that per our water agreement, the village should be notified of any new homes built that will require village supplied water.

<u>Correspondence Received:</u> The board reviewed the annual report from the Black River Fire Department, Letters from Chuck Stafford and the Development Authority of the North Country.

A motion was made by Trustee McCullouch, seconded by Trustee Decillis to approve the facilities use application for the First Responder 5k run on August 5, 3023. The motion was carried.

A motion was made by Trustee McCullouch, seconded by Trustee Decillis to close the public hearing for the solar moratorium at 7:32 p.m. There was no public comment. The motion was carried.

A motion was made by Trustee McCullouch, seconded by Mayor Dishaw to adopt the following resolution:

Resolved, that the one-year moratorium on solar projects over 50kw in the Village of Black River be approved. The motion was put to a vote as follows:

Mayor Dishaw Yes
Trustee Decillis Yes
Trustee Proven Yes
Trustee McCullouch Yes
Trustee Lake Yes

The motion was carried and the resolution duly adopted.

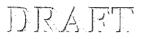
Correspondence Sent: Letter regarding Devan water/sewer bill.

A motion was made by Trustee McCullouch, seconded by Trustee Decillis to adjourn the meeting at 7:55 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams Clerk Treasurer

Village of Black River Board of Trustees Special Meeting July 24, 2023



Mayor Dishaw called the meeting to order at 6:00 p.m.

Present:

Excused:

Mayor Francis Dishaw

Trustee Randy Lake

Trustee Gary McCullouch

Trustee Bonnie Proven

Trustee Corey Decillis

Superintendent Les Williams

Clerk Treasurer Kristin Williams

The board reviewed the Short Environmental Quality Review (SEQRA) Parts 2 and 3 and Type 1 action.

A motion was made by Mayor Dishaw, seconded by Trustee Decillis to adopt the following

Resolved, that the proposed water system improvement project will result in no significant adverse impacts on the environment, and, therefore an environmental impact statement need not be prepared. The board issued a negative declaration. The motion was put to a vote as follows:

Mayor Dishaw

Yes

Trustee Decillis

Yes

Trustee McCullouch Abstain

Trustee Proven

Yes

Trustee Lake

Absent

The motion was carried and the resolution duly adopted.

A motion was made by Trustee Decillis, seconded by Mayor Dishaw to adopt the following resolution:

Resolved, that Amendment #1 to the engineering agreement with Barton & Loguidice in the amount of \$10,000 be approved with the authorization for an amount not to exceed \$5,000, to be billed hourly for work on the SEQRA and Water Infrastructure Improvement grant application. Any expenditure over the initial \$5,000 will need prior authorization by the board. The motion was put to a vote as follows:

Mayor Dishaw

Yes

Trustee Decillis

Yes

Trustee McCullouch Yes

Trustee Proven

Yes

Trustee Lake

Absent The motion was carried and the resolution duly adopted.

A motion was made by Trustee Decillis, seconded by Mayor Dishaw to adjourn the meeting at 6:41 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams

Clerk-Treasurer



Corporate Offices: BUFFALO - NEW YORK Snyder Professional Ctr. Suite 102 4536 Main Street Buffalo, NY 14226 (800) 499-8599 (716) 839-4402 Telefax (716) 839-4452

Branch Offices: CALIFORNIA

398 E Carob Ave. Fresno, CA 93654

CONNECTICUT

P.O. Box 237 Manchester, CT 06045

FLORIDA

11048 Main Sail Dr. Ft. Lauderdale, FL 33026

2330 Warbler Circle Lakeland, FL 33810

7670 Taft Street Pembroke Pines, FL 33024

GEORGIA

P.O. Box 923474 Norcross, GA 30010

NEW JERSEY

148 South Valley Road West Orange, NJ 07052

NEW YORK

2121 Hillside Ave. #93 Long Island, NY 11040 (516) 746-0992

62 Mallock Rd. Rochester, NY 14428

4764 Summerhurst Dr. Liverpool, NY 13088

OREGON

21370 Serango Dr. West Linn, OR 97068

TENNESSEE

904 Lake Haven Rd. Knoxville, TN 37922

CANADA

129 Elma Street St. Catherines, ON L2N 6A1 (416) 203-9345

e-mail: save@troybanks.com

internet address: www.troybanks.com June 28, 2023

Ms. Kristin Williams Clerk/Treasurer Village of Black River 107 Jefferson Pl. Black River NY, 13612

RE:

Telephone Review

Dear Ms. Williams:

We have just completed the first phase of our investigation of your monthly Service & Equipment charges for your telecommunication services. There were no overbillings identified. As per our agreement, there is no charge for our service. We will continue to monitor your accounts in accordance with our agreement. Please notify us with regard to any changes in your service so we are better able to continue our work on your behalf.

In addition, please be advised that the auditing work completed by Troy & Banks, Inc. is divided up among a number of departments within the company. Any audit findings related to electric, gas, street lighting, deregulation, curtailment, cable and workers compensation and taxes will be reported via separate correspondence.

Thank you for choosing Troy and Banks for your consulting services. If you have any further questions regarding our work on your accounts, or if you know of anyone who may be interested in our services, please feel free to contact me at 1-800-499-8599. Thank you.

Sincerely, TROY & BANKS, INC.

BY:

Thomas T. Ranallo, President

The I Feulle

TR/mr

deputyclerktreasurer blackriverny.org

From:

Judith Perkins <jbperk@verizon.net>

Sent:

Tuesday, July 25, 2023 3:15 PM

To:

deputyclerktreasurer blackriverny.org

Subject:

Thank You

Youl came to our rescue and helped to resolve the damage done by this winters, early, abundant snow storm. Another town came in to help resolve BR's over abundance of the white stuff. They came & went in the nite leaving a bit of snow removal damage to some properties.

So, our Village came to our rescue to clean the mess & garden damage.

Thank You, Thank You for your thoughtfulness
Jill, Bill and Rylee
Perkins

Sent from my heart

Village of Black River

Memorandum

To: Village Board of Trustees From: Kristin Williams, Clerk-Treasurer

I am writing to express my concerns regarding the proposed bond resolution. My biggest concern is that the way the resolution is written excludes the requirement for a permissive referendum. This means that the board can adopt this resolution without any input from the taxpayers. While there is funding anticipated to cover some of the probable debt there is no guarantee what that funding will be. The remainder will become the burden of the taxpayers of the Village of Black River. The engineering report estimated the project cost to be \$10-\$12 million, the bond resolution states an amount not to exceed \$18,500,000. This amount does not include any potential interest.

The village has 17 more years of payments on the sewer debt totaling \$1,746,361. The current charge per EDU is \$289. This cost is expected to increase approximately \$35-\$40 per year, per EDU once the army sewer line repair occurs.

My concern is that debt incurred now will prohibit the village from being able to fund future mandates and projects.

BOND RESOLUTION OF THE VILLAGE OF BLACK RIVER, NEW YORK, ADOPTED AUGUST 7, 2023, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$18,500,000 TO FINANCE THE CONSTRUCTION OF VARIOUS WATER SYSTEM IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$18,500,000 AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

THE BOARD OF TRUSTEES OF THE VILLAGE OF BLACK RIVER, IN THE COUNTY OF JEFFERSON, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Black River, in the County of Jefferson, New York (herein called the "Village"), is hereby authorized to issue bonds in a principal amount not to exceed \$18,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the construction of various water system improvements, consisting of new water source development, Maple Street Well improvements, installation of a bi-directional meter vault to monitor the currently unmetered section of main along Route 3, SCADA system upgrades, replacement of electrical components, implementation of proper ventilation at the Maple Street Pump Station and Route 3 Water Treatment Plant, and improvements to the Village's distribution system, all as further described in the report prepared by Barton & Loguidice, D.P.C., dated June 2023.

Section 2. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$18,500,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of

bonds in a principal amount not to exceed \$18,500,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any funds received from grants and/or other sources are hereby authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes. All or part of the cost of the project may be financed through the State of New York Environmental Facilities Corporation pursuant to the Water Infrastructure Improvement Act (WIIA), or any other source of funding. The Mayor or his/her designee is hereby authorized to submit any necessary applications on behalf of the Village and/or perform any and all acts necessary or required to arrange for financing of the project through bonds, notes, loans, grants or any other sources.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized, pursuant to Section 11.00 a. 1 of the Law, is forty (40) years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale 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, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in a newspaper having a general circulation within said Village and hereby designated the official newspaper of said Village for such publication.

* * *

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

AYES:

NOES:

The resolution was declared adopted.

CERTIFICATE

I, Kristin Williams, Village Clerk of the Village of Black River, in the County of Jefferson, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Board of Trustees of said Village of Black River duly called and held on August 7, 2023, has been compared by me with the original minutes as officially recorded in

my office in the Minute Book of said Board of Trustees and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village this 7th day of August, 2023.

(SEAL)	
	Village Clerk
	v mage clerk

NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 7th day of August, 2023, and 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 Black River, in the County of Jefferson, 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 publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Kristin Williams Village Clerk

BOND RESOLUTION OF THE VILLAGE OF BLACK RIVER, NEW YORK, ADOPTED AUGUST 7, 2023, AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$18,500,000 TO FINANCE THE CONSTRUCTION OF VARIOUS WATER SYSTEM IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$18,500,000 AND APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE

The object or purpose for which the bonds are authorized is to construct various water system improvements at the estimated maximum cost of \$18,500,000. Any funds received from grants and/or other sources are hereby authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes. All or part of the cost of the project may be financed through the State of New York Environmental Facilities Corporation pursuant to the Water Infrastructure Improvement Act (WIIA), or any other source of funding.

The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued are in excess of five years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

The maximum amount of obligations authorized to be issued is \$18,500,000.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Village Clerk, Karl J. Vebber Municipal Building, 107 Jefferson Place, Black River, New York.

CASE & LEADER LLP

ATTORNEYS AT LAW

107 EAST MAIN STREET

POST OFFICE BOX IS

GOUVERNEUR, NEW YORK I3642-0013

Edward H. Case (1908-1988) Robert J. Leader Henry J. Leader

PALSO ADMITTED IN VERMONT
WE DO NOT ACCEPT

August 2, 2023

TELEPHONE
(315) 287-2000
FAX (315) 287-2002
(Not for process)

Hon. Kristin Williams, Clerk-Treasurer Village of Black River 107 Jefferson Place Black River NY 13612

Re: \$18,500,000 Bonds for Water System Improvements

Dear Kristin:

Pursuant to the Village's request, we enclose herewith the Extract of Minutes to be executed upon the Village's adoption of the bond resolution authorizing the water project, which we understand will take place at the August 7th board meeting. Please carefully review the project description set forth in Section 1 and advise us immediately if it is not accurate.

Please note that the bond resolution is to be adopted by at least a 2/3 vote of the entire membership of the Board, without taking into consideration any temporary vacancies or absences. Therefore, four (4) affirmative votes are required for adoption.

We also enclose a summary of the bond resolution with the prescribed form of Clerk's statutory notice affixed, in readiness for publication in the official Village newspaper. This should be done as soon as possible after the adoption of the resolution, because publication of the bond resolution, in summary, commences a 20-day statute of limitations period pursuant to Local Finance Law.

Please provide us with an original certified copy of the Extract of Minutes and the Affidavit of Publication, as soon as it is received.

Thank you.

Very truly yours,

Henry J. Leader, Esq.

E & LEADER LLP

HJL:jlm Encs.

cc: Hon. Francis Dishaw, Mayor

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the

Village of Black River, in the

County of Jefferson, New York

August 7, 2023

* * *

A regular meeting of the Board of Trustees of the Village of Black River, in the County of Jefferson, New York, was held at the Karl J. Vebber Municipal Building, 107 Jefferson Place, Black River, New York, on August 7, 2023.

There were present: Hon. Francis Dishaw, Mayor; and

	Trustees:					
	There were absent:					
	Also present:	Kristin W	⁷ illiams,	Village Clerk		
		*	*	*		
doption:			_ offere	d the following	ng resolution ar	nd moved its
,a,						