

VILLAGE OF HEUVELTON
Public Hearing Sewer Use Law Amendment
Regular Board Meeting
January 14, 2015

At 6:00 pm, Mayor Lashua called the meeting to order. Mayor Lashua opened the meeting with the pledge of allegiance. Trustees in attendance were Wood, Parish, Guardino and Knowlton. Also in attendance were T. Murray, DPW Superintendent, N. Friot, Chief, HVFD, and E. Wood, Northern Fire Equipment. M. Hebert, Village resident arrived at 6:27 pm.

Mayor Lashua opened the public hearing on the Sewer Use Law Amendment at 6:01 pm. Mayor Lashua asked for comments about the proposed law. There were no comments about the proposed law. The public hearing on the Sewer Use Law Amendment closed at 7:12 pm.

RESOLUTION 15-001**LOCAL LAW #1 OF 2015**

Offered by Tr. Wood seconded by Tr. Parish. Mayor Lashua and Trs. Knowlton, Guardino-yes.

Resolution to adopt Local Law #1 for the year 2015 - A local law to amend Local Law #1 of 1997 to establish fines and other penalties for violations of the Sewer Use Law as follows:

Article 1. - Authority. The Village Board of the Village of Heuvelton, pursuant to the authority granted it by Article 13 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

Article 2. - Statement of Purpose and Findings. The Village Board of Trustees of the Village of Heuvelton, hereby finds it is necessary to amend its Sewer Use Law to provide for appropriate penalties for violations of the Sewer Use Law. It is the purpose of this local law to establish fines and other penalties for persons who are in violation of the Village of Heuvelton Sewer Use Law.

Article 3. - Enactment. The Board of Trustees of the Village of Heuvelton hereby amends Section 1105 of the Village of Heuvelton Sewer Use Law to add a new paragraph G as follows:

G. Criminal Action.

“The Village may also prosecute any person violating the terms of this Sewer Use Law by charging them with a violation, which matter may be prosecuted in any court of competent jurisdiction. In such court, the Village may seek fines for any such violations. For a first offensive within a one (1) year period, the fine shall be a minimum of \$100.00 and a maximum of \$250.00 and/or fifteen (15) days in jail. For a second offense within a one (1) year period, the minimum fine shall be \$150.00 and a maximum not to exceed \$350.00 and/or fifteen days in jail. For a third or subsequent offense within a one (1) year period, the minimum fine shall be \$250 and a maximum of \$750.00 and/or fifteen (15) days in jail. Each day that a violation continues shall be considered a separate offense for which penalties may be imposed.”

Article 4. - Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this chapter.

Article 5. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION 15-002**FIRE TRUCK PURCHASE CONTRACT**

Offered by Tr. Guardino seconded by Tr. Knowlton. Mayor Lashua and Trs. Wood, Parish-yes.

Resolution to authorize the Mayor to sign the contract for the purchase of a pumper fire truck for the lowest bid submitted that meets all specified requirements.

RESOLUTION 15-008

2015 JOINT YOUTH AGREEMENT

Offered by Tr. Wood seconded by Tr. Guardino. Mayor Lashua and Trs. Parish, Knowlton-yes.

Resolution to approve the Joint Youth Agreement for 2015 as follows:

Pursuant to General Municipal Law Articles 5 and 5G, Section 119-o; Performance of municipal cooperative activities; alternative powers; the Village of Heuvelton, the Town of Oswegatchie, and Town of Depeyster hereby enter into a Joint Youth Program.

Such agreement shall be approved by each participating Municipal Corporation or district by a majority vote of the voting strength of its governing body. Each participating municipality shall be entitled to the appointment of one member to serve on a joint committee. Said committee to be chaired by the Village of Heuvelton.

The Village of Heuvelton shall be responsible for the operation and maintenance of the Joint Youth Program and for making claims for state aid payable to the participants.

The Town of Oswegatchie does hereby agree to support the Joint Youth Program and will contribute six thousand seven hundred dollars (\$6700.00) for its operation for 2015.

The Town of Depeyster does hereby agree to support the Joint Youth Program and will contribute six hundred dollars (\$600.00) for its operation for 2015.

The Village of Heuvelton does hereby agree to support the Joint Youth Program and will contribute any necessary expenses not covered by the revenues provided by the towns of Depeyster and Oswegatchie.

RESOLUTION 15-009

SLC HOLD HARMLESS

Offered by Tr. Parish seconded by Tr. Knowlton. Mayor Lashua and Trs. Guardino, Wood-yes.

Holding Harmless the County of St. Lawrence for providing service for the Village of Heuvelton

WHEREAS, the Village of Heuvelton is desirous of St. Lawrence County Department of Highways providing shared services such as paving, signage, road stripping, blasting and other routine maintenance activities to the Village, and

WHEREAS, both the Village of Heuvelton and the County of St. Lawrence are desirous of promoting partnering efforts for the safety of the traveling public in St. Lawrence County, and

WHEREAS, in this joint cooperative endeavor, the Village of Heuvelton and the County of St. Lawrence desires to be reimbursed for their expenditures, and

WHEREAS, the Village is aware that the County may incur liability in the providing of the services and wishes to indemnify the County in this regard,

NOW THEREFORE BE IT RESOLVED, that to the fullest extent permitted by law, the Village of Heuvelton will indemnify and hold harmless the County, their officers, directors, partners, representatives, agents and employees from and against any and all claims, suits, liens, judgments, damages, losses and expenses, including legal fees and all court costs and liability (including statutory liability) arising in whole or in part and in any manner from injury and/or death of person or damage to or loss of any property relating to or arising out of negligent or intentional acts and/or omissions of the Village of Heuvelton or any of its directors, officers, employees, contractors, representatives, or agents.

BE IT FURTHER RESOLVED, that the following request for General Liability (GL) coverage is as follows:

General Liability Insurance

On an "Occurrence" basis, with the following limits:

\$1,000,000 Each Occurrence

\$3,000,000 General Aggregate

Sewer/Water All industries are in compliance. There was a problem at the State Street lift station with a loose wire. The problem was corrected. The Sewer Rehab project for State Street Lift Station has been completed.

Mayor's Report The Mayor discussed the 2015-2016 Budget process dates with the Board. The last week of February we will be working on the Budget. The Mayor will ask Joyce Bickel to help with the Budget. The Labor Day Festivities committee is up and running again. If anyone is interested in joining, the committee meets the 1st Tuesday of each month at 6:30 pm at the Town Hall. If anyone has any suggestions for the newsletter please get with the Village Clerk by February 26th. The DPW crew is doing a good job with snow removal from the sidewalks.

Sidewalk The Christmas lights will be coming down this week, weather permitting. Mr. Murray would like to purchase more banners for the Village.

RESOLUTION 15-014 **APPROVAL OF MINUTES**
Offered by Tr. Guardino seconded by Tr. Parish. Mayor Lashua and Trs. Knowlton, Wood-yes.
Resolution to accept the minutes of the 12/10/14 meetings.

RESOLUTION 15-015 **VOUCHER APPROVAL**
Offered by Tr. Wood seconded by Tr. Knowlton. Mayor Lashua and Trs. Parish, Guardino-yes.
Resolution to approve vouchers as follows:

General	243-271	\$ 12,324.71
Sewer	243-271	\$ 5,348.45
Water	243-271	\$ <u>3,527.99</u>
Total		\$ 21,201.15

Other Disbursements \$ 194,844.

RESOLUTION 15-016 **BUDGET MODIFICATIONS**
Offered by Tr. Parish seconded by Tr. Guardino. Mayor Lashua and Trs. Knowlton, Wood-yes.
Resolution to approve the following budget modifications:

General: Inc. 90558.1 Disability Ins. \$21.40 Dec. 19904.1 Contingency \$21.40

RESOLUTION 15-017 **ENTER EXECUTIVE SESSION**
Offered by Mayor Lashua, seconded by Tr. Wood. Trs. Parish, Knowlton and Guardino-yes.
Resolution to enter executive session at 7:25 pm to discuss the employment history and job performance of a particular person.

RESOLUTION 15-018 **EXIT EXECUTIVE SESSION**
Offered by Tr. Knowlton, seconded by Tr. Parish. Mayor Lashua and Trs. Wood, Guardino-yes.
Resolution to exit executive session at 7:32 pm.

At 7:33pm, with no further business before the Board, the meeting was adjourned on a motion by Tr. Knowlton. All were in agreement.

Respectfully submitted,

Anna M. Hurst, Village Clerk