

VILLAGE OF HEUVELTON
Regular Board Meeting
March 13, 2024

At 6:00 pm, Mayor Lashua called the meeting to order, she opened the meeting with the pledge of allegiance. Trustees in attendance were Trustee A. Guardino, Trustee M. Hebert, Trustee E. Wood, and Trustee C. Basford. Also, in attendance was A. Spaman, DPW Supervisor. T. Haynes & C. Fout, DANC; and J. Lightfoot SLC Legislator.

Public Forum Mr. Lightfoot updated the Board on county matters. He left at 6:21.

HVFD Report The Board discussed the tentative fire district.

RESOLUTION 24-017

FORM FIRE DISTRICT

Offered by Mayor Lashua, seconded by Tr. Basford. All in favor

WHEREAS, the Town Boards of the Towns of Oswegatchie and DePeyster and the Board of Trustees of the Village of Heuvelton having duly convened on February 27, 2024, in joint session for the purpose of jointly considering the formation of a joint fire district, to be called the “Heuvelton Volunteer Fire District”, pursuant to the provisions of section 189-a of the Town Law and section 22-2210 of the Village Law; and

WHEREAS, such fire district would include all parcels of land within the incorporated limits of the Village of Heuvelton and all parcels of land in the Towns of Oswegatchie and DePeyster; and

WHEREAS, the Town Boards of the Towns of Oswegatchie and DePeyster and the Board of Trustees of the Village of Heuvelton have each caused Notice of a Joint Public Hearing to be published in the North Country This Week on February 16, 2024; and

WHEREAS, the Town Boards of the Towns of Oswegatchie and DePeyster and the Board of Trustees of the Village of Heuvelton have caused Notice of a Joint Public Hearing to be posted in five public places within the fire protection districts within the Towns of Oswegatchie and DePeyster and five public places within the Village of Heuvelton for at least ten days; and

WHEREAS, the Town Clerks for the Towns of Oswegatchie and DePeyster and the Village Clerk for the Village of Heuvelton mailed Notice of the Joint Public Hearing to each of the members of their respective governing bodies, at least ten days in advance of the Joint Public Hearing; and

WHEREAS, the Town Boards of the Towns of Oswegatchie and DePeyster and the Board of Trustees of the Village of Heuvelton held a joint public hearing on February 27, 2024 at 7:00 p.m. at the Heuvelton Fire Department’s Firehouse, located at 95 State Street, Heuvelton, New York, at which time the Boards heard all those wishing to be heard on the question of the formation of said joint fire district; and

WHEREAS, the creation of the Heuvelton Volunteer Fire District is agreed to be contingent upon the dissolution of the Fire Protection Districts in the Towns of Oswegatchie and DePeyster; and

WHEREAS, said Town Board and Board of Trustees have considered the evidence and objections presented at said public hearing.

NOW, THEREFORE, BE IT HEREBY RESOLVED AND ORDERED, that, it is in the public interest to form the said Heuvelton Volunteer Fire District, that all property, property owners and interested persons in the proposed fire district are benefitted thereby, all property and property owners benefitted are included therein, and only such property and property owners as are benefitted shall be included therein, and that said joint fire district be, and hereby is formed and established subject to permissive referendum as provided in sections 90 and 189-a of the Town Law, and

IT IS FURTHER RESOLVED, that subject to the provisions of section 189-e of the Town Law, the property and affairs of the Heuvelton Volunteer Fire District shall be under the management and control of an elected board of five fire commissioners, elected each year by the voters of the District, pursuant to Article 11 of the Town Law, but whose initial appointments shall be for the terms set forth in section 189-e of the Town Law; and

IT IS FURTHER RESOLVED, that pursuant to section 189-e of the Town Law, the Town Boards of the Towns of Oswegatchie and DePeyster, after consultation with the Village Board of the Village of Heuvelton, hereby will appoint five persons as the initial commissioners at a later session;

IT IS FURTHER RESOLVED, that the Heuvelton Volunteer Fire District shall have all the powers enumerated in Article 11 of the Town Law, Section 176, including but not limited to the power to acquire or

purchase easements or property, both real and personal, as well as dispose of easements or property, both real and personal, without any further approval of the boards of the Towns of Oswegatchie and DePeyster and the Village of Heuvelton; and

IT IS FURTHER RESOLVED, that subject to the provisions of section 189-g of the Town Law, there shall be a treasurer appointed by the Board of Fire Commissioners annually; and

IT IS FURTHER RESOLVED, that the creation of the Heuvelton Volunteer Fire District is contingent upon the dissolution of the Towns of Oswegatchie’s and DePeyster’s Fire Protection Districts, and

IT IS FURTHER RESOLVED, that upon the passage of the time for a permissive referendum as provided in sections 90 and 189-a of the Town Law, the Town Boards for the Towns of Oswegatchie and DePeyster and the Board of Trustees of the Village of Heuvelton shall meet to pass resolutions related to the confirmation of the initial appointment of five fire commissioners who shall be hereafter elected pursuant to Article 11 of the Town Law, the transfer of firefighting assets of the Village of Heuvelton to the Heuvelton Volunteer Fire District and the transfer of funds, related to the provision of fire protection, from the Towns of Oswegatchie and DePeyster and the Village of Heuvelton.

Water/Sewer Mr. Fout gave a report on the water and sewer operations. Mr. Haynes discussed the I&I grant. DANC will create an agreement to facilitate this project. The Board reviewed the O&M agreement with Mr. Fout. Mr. Spaman notified everyone where he was at with the lead line inventory. Mr. Haynes explained the resolutions for the sewer project. Mr. Haynes and Mr. Fout left at 7:24. Mayor Lashua reviewed sewer project status. The Board discussed the land on the Taylor Road and sewer equipment that will not be useful.

RESOLUTION 24-018 **PAY PROJECT INVOICES OFF WARRANT**
Offered by Tr. Hebert, seconded by Tr. Guardino. All in favor
Resolution to pay project invoices off warrant as funding becomes available.

RESOLUTION 24-019 **SEWER PROJECT BUDGET MODIFICATION**
Offered by Mayor Lashua, seconded by Tr. Wood. All in favor
Resolution to approve modifying the Bonding and Contingency budget for the Village of Heuvelton NYS RT 812 Sewer Corridor Consolidation Project to account for actual expense. The modifications are as follows:

Item	Approved Budget	Modified Budget
Bonding (Hawkins Delafield & Wood)	\$12,500.00	\$15,450.00
Contingency	\$1,645,890.91	\$1,642,940.91

RESOLUTION 24-020 **DANC AGREEMENT AMENDMENT 4**
Offered by Tr. Hebert, seconded by Tr. Basford. All in favor
Whereas, the Village has the need to extend the duration of the Wastewater Treatment Plant Municipal Restructuring Project to December 31, 2024 as the construction phase of the project has been extended to complete all construction activities and close out the remaining funding and project requirements. WHEREAS, to extend the Authority’s services to December 31, 2024 will result in additional work and will increase the Authority’s level of effort, resulting in additional expenses of \$15,000, bringing the not to exceed amount of the contract to \$120,000
Now, therefore, be it Resolved, that the Village board authorizes the Mayor to execute Amendment No. 4 with the Development Authority of the North Country for the Wastewater Treatment Plant Municipal Restructuring Project bringing the not to exceed amount up to \$120,000.

Mayors Report
RESOLUTION 24-021 **PRO-HOUSING COMMUNITY**
Offered by Tr. Basford, seconded by Tr. Wood. All in favor
WHEREAS, the Village of Heuvelton Village Board (hereinafter “Board”) believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State’s economic growth and community well-being;

WHEREAS, the housing crisis has negative effects at regional and local levels, the Board believes that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

WHEREAS, the Board believes that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities;

WHEREAS, the Board believes that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, the Board believes that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Village of Heuvelton Village Board, in order to take positive steps to alleviate the housing crisis, adopts the Pro-Housing Communities pledge, which will have the Board endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

RESOLUTION 24-022

C. BORDEAU PLANNING BOARD

Offered by Mayor Lashua, seconded by Tr. Guardino. All in favor

Resolution to appoint Chris Bordeau to the Planning Board for a five-year term.

RESOLUTION 24-023

D. TESTANI ZONING BOARD

Offered by Mayor Lashua, seconded by Tr. Wood. All in favor

Resolution to appoint Dominic Testani as an alternate to the Zoning Board of Appeals for a three-year term.

The Board discussed employee evaluations and accrual of paid time off. They reviewed the tentative budget.

RESOLUTION 24-024

2024-2025 BUDGET TO PUBLIC HEARING

Offered by Tr. Basford, seconded by Tr. Guardino. All in favor

Resolution to hold a public hearing on the 2024-25 tentative budget, on Wednesday, April 10th, at 6:00 pm.

Streets/Sidewalks Mr. Spaman gave a report on the public works department. He discussed the pavilion, complete streets, and brush pickup.

RESOLUTION 24-025

ACCEPT BOCES STUDENTS

Offered by Mayor Lashua, seconded by Tr. Hebert. All in favor

Resolution to accept BOCES students to job shadow at the public works department.

RESOLUTION 24-026

APPROVAL OF MINUTES

Offered by Tr. Hebert, seconded by Tr. Guardino. All in favor

Resolution to accept the minutes of the 2/14/24 Board Meeting

RESOLUTION 24-027

VOUCHER APPROVALS

Offered by Tr. Wood, seconded by Tr. Basford. All in favor

Approval of Vouchers 0324-1-0324-28

General	\$31,172.64
Sewer	\$ 8,974.69
Water	\$2,266.05
Water Project	\$736.00
Sewer Project	\$355,178.51
Total	\$398,327.89

Other Disbursements \$ 27,276.35

RESOLUTION 24-028

Offered by Tr. Hebert, seconded by Tr. Guardino. All in favor

Resolution to accept the following Budget Modifications:

Increase:

16404.1 Central Garage CE \$1,086.44

81201.2 WWTP PS \$81.32

83401.3 Transmission PS \$1,171.05

Decrease:

51404.1 Highway CE \$1,086.44

19891.2 Clerk PS \$81.32

83202.3 Source Pump EQ \$500.00

90108.3 Retirement \$478.01

90608.3 Medical Ins \$193.04

BUDGET MODIFICATIONS

At 9:20 pm, with no further business before the Board, the meeting was adjourned on a motion by Tr. Wood. All agreed.

Respectfully submitted,

Rebecca Donnelly
Village Clerk