

VILLAGE OF HEUVELTON
Regular Board Meeting
& Public Meeting Sewer Consolidation
September 11, 2019

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 E. Wood; C. Basford; W. Knowlton and A. Guardino. Also in attendance were T. Murray, DPW Superintendent; Scott McConnell and C. Prior, EDR. J. Lightfoot, St. Lawrence County Legislator arrived at 6:15pm.

HVFD Report Chief Wood discussed an issue with a vendor concerning unsatisfactory work performed. He has asked the clerk to hold payment until it can be resolved. There was one new fireman that is already trained. The concert for Labor Day went well. Two firemen are currently attending EMT classes. Six firemen will be touring Corning later this month. There will be a chicken BBQ on September 28th. The bid for the Barber trailer was lower than expected. It was decided to put it out for bid with a minimum bid requirement. Chief Wood left at 6:08pm.

RESOLUTION 19-071 **REJECT BID FOR BARBER TRAILER**
 Offered by Mayor Lashua, seconded by Tr. Guardino. Tr. Knowlton, Tr. Wood and Tr. Basford - Aye.
Resolution to reject the bid of \$ 850.00 from Lloyd Longley for the Barber trailer.

Public Forum The Mayor opened the public meeting on the sewer consolidation project at 6:02pm. There were no members of the public in attendance. The meeting was closed at 7:20pm. Mr. Lightfoot updated the Board on the county and state matters. The negotiations on the sales tax are beginning this month. The county wants to lower the amount they share with the city, towns and villages. AIM funding will now be paid to the Villages by the county. Mr. Lightfoot left at 7:03pm.

Sewer/Water Mr. Prior updated the Board on the status of the sewer consolidation project. He explained the latest letter from SHPO requesting a limited phase 1B study. He will send an amended engineering agreement for the additional work. He explained that they could proceed with the negative declaration for SEQR and the bond resolution. USDA had funding money left over in their current budget so an application was submitted to them for the sewer consolidation project. The Mayor asked about the lagoon tear. He stated the response has been sent to the DEC. Mr. McConnell stated that there was a problem with the calibration of one of the flow meters so the amount of leakage is significantly less than what was originally reported. The Mayor talked about the solar project and Mr. Prior was going to try to get an update on the status. They are waiting on the National Grid report. Mr. McConnell stated the sewer plant is running well. The clarifier gear box went bad. He is continuing to test the well and there is no significant change. He will begin manhole inspections soon. Mr. McConnell left at 6:32pm.

RESOLUTION 19-072 **RESOLUTION TO DECLARE LEAD AGENCY AND ISSUE
 A NEGATIVE DECLARATION UNDER THE STATE
 ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)
 FOR THE PROPOSED NYS ROUTE 812 SEWER
 CORRIDOR and TREATMENT CONSOLIDATION
 PROJECT**

Offered by Tr. Wood, seconded by Tr. Basford. Tr. Knowlton, Tr. Guardino and Mayor Lashua - Aye.

WHEREAS, the Village of Heuvelton is proposing to consolidate their wastewater treatment facilities with the City of Ogdensburg, which will include the construction of a new conveyance pipeline and pump stations generally following NYS Route 812, and Franklin Street and Riverside Avenue, conversion of the Village's WWTP to a pump station, and ancillary work and necessary improvements (proposed action); and

WHEREAS, said Actions require review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617, and

WHEREAS, said Actions are classified as Unlisted Actions as they do not exceed the Type I thresholds included in 6NYCRR Part 617, Section 617.4(b), and

WHEREAS, a Short or Full Environmental Assessment Form (EAF) may be prepared for an Unlisted Action, and

WHEREAS, a Full Environmental Assessment Form was prepared for this project to satisfy the requirement of the New York State Environmental Facilities Corporation (EFC) that EFC funded projects be treated as if they were Type I Actions, and

WHEREAS, the Village of Heuvelton resolved to act as Lead Agency in the coordinated review of said Actions under SEQRA on June 12, 2019, and

WHEREAS, at a regular meeting of this Board held on June 12, 2019, a Full EAF was duly accepted for filing by this Board as prepared by the Village: and attached to this Resolution; and **WHEREAS**, pursuant to 6 NYCRR Part 617, this Board has reviewed Part II of the Environmental Assessment Form to determine whether the project will have a significant effect on the environment, and

WHEREAS, pursuant to Article VIII of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation, to wit: 6 NYCRR Part 617, this Board has determined that the action will not have a significant effect on the environment, and will not cause a significant impact on the environment, and therefore, the preparation of an environmental impact statement is not required.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Heuvelton as follows:

Based upon the examination of the EAF and the criteria set forth in 6 NYCRR Part 617, the Board makes the following findings:

- The proposed action constitutes an Unlisted Action pursuant to 6 NYCRR Part 617, and the Village has treated the proposed action as a Type I action pursuant to EFC requirements, and this Board has previously determined that the EFC, the New York State Historic Preservation Office (SHPO), the New York State Department of State, the New York State Department of Environmental Conservation, the City of Ogdensburg, the US Army Corps of Engineers, the New York State Department of Transportation and United States Department of Agriculture Rural Development are considered other involved agencies;
- No potentially significant adverse impacts on the environment are noted on the EAF, none are identified by any of the involved agencies, and none are known to this Board;

- The proposed action will not create a material conflict with an adopted land use plan or zoning regulations;
- The proposed action will not impair the character or quality of the existing community;
- The proposed action will not have an impact on the environmental characteristics that caused the established of a critical environmental area;
- The proposed action will not result in an adverse change in the existing level of traffic affect existing infrastructure for mass transit, biking or walkway;
- The proposed action will not cause an increase in the use of energy;
- The proposed action will not impact existing public or private water supplies or public or private wastewater utilities;
- The Board will continue to coordinate with the SHPO to document archeological resources and implement impact avoidance measures as needed to proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources;
- The proposed action will not result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora or fauna);
- The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems;
- The proposed action will not create a hazard to environmental resources or human health;

None of the criteria listed in 6 NYCRR Section 617.11 will be present in the proposed project and no similar criteria will be present which will adversely impact on the environment.

The Notice of Determination of Non-Significance attached hereto is hereby adopted and accepted by this Board as its Negative Declaration in connection with this Project.

The Village Clerk for the Village of Heuvelton is hereby directed to file in the Village Clerk's Office in a file readily accessible to the public, the Negative Declaration attached hereto.

All subsequent notices concerning this project shall note that this Board has issued a negative declaration.

This Resolution shall take effect immediately.

RESOLUTION 19-073

**BOND RESOLUTION NYS ROUTE 812 SEWER CORRIDOR
AND TREATMENT PROJECT**

Offered by Tr. Wood, seconded by Tr. Guardino, Tr. Basford, Tr. Knowlton, and Mayor Lashua - Aye.

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OR A STATUTORY INSTALLMENT BOND OF THE VILLAGE OF HEUVELTON IN AN AMOUNT NOT TO EXCEED \$14,400,000 THE PROCEEDS OF WHICH ARE TO BE USED FOR THE NYS ROUTE 812 SEWER CORRIDOR AND TREATMENT CONSOLIDATION PROJECT TO INCLUDE, BUT NOT LIMITED TO DECOMMISSIONING OF WATER POLLUTION CONTROL FACILITY (WPCF) BUILDINGS AND LAGOONS, REPURPOSING THE INFLUENT PUMP STATION, CONSTRUCTION OF TWO NEW PUMP STATIONS ALONG STATE ROUTE 812, INSTALLATION OF NEW CONVEYANCE PIPE AND INTERCONNECTION TO THE CITY OF OGDENSBURG WASTEWATER TREATMENT PLANT (WWTP) WASTEWATER STORAGE TANK LOCATED ON RAILROAD STREET.

BE IT RESOLVED, by the Village Board of the Village of Heuvelton, St. Lawrence County, New York, as follows:

Section 1. The NYS Route 812 Sewer Corridor and Treatment Consolidation Project, is in the interest of the residents of the Village of Heuvelton. The maximum cost of such specific objects or purposes as determined by the engineers hired by the Village is \$14,400,000.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid Project is forty (40) years; pursuant to subdivision (a)(4) of Section 11.00 of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107 of the Local Finance Law.

Section 3. The plan for the financing of such estimated cost for such objects or purposes by is by the issuance of serial bonds or a statutory installment bond and/or grants of up to \$1,000,000 through the New York State Department of State Municipal Restructuring Fund, up to \$1,500,000 in grant through the Dormitory Authority of the State of New York, up to \$5,000,000 through the New York State Environmental Facilities Corporation Water Quality Improvement Program, up to 3,650,000 through the New York State Environmental Facilities Corporation Water Infrastructure Improvement Grant, up to \$5,840,000 through the New York State Environmental Facilities Corporation Intermunicipal Grant, up to \$1,000,000 through the Northern Board Regional Commission Regional Forest Economy Partnership and/or low interest loans through the New York State Environmental Facilities Corporation and the United States Department of Agriculture Rural Development, not exceeding \$14,400,000.00 of said Village and such bonds are hereby authorized to be issued therefore, pursuant to the Local Finance Law, for a period in excess of five (5) years.

Section 4. The faith and credit of said Village of Heuvelton, St. Lawrence County, New York are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be levied on all sewer users of said Village, sewer rents sufficient to pay the principal of and interest of such bonds as the same become due and payable.

Section 5. Subject to the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes of the issuance and the sale of a statutory installment bond or serial bonds herein authorized, including renewal of such notes, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such Notes shall be of such terms, form and contents and shall be sold in such a manner as may be prescribed by said Treasurer consistent with the provisions of the Local Finance Law.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Village by the facsimile signature of its Village Treasurer), including the consolidation with other issues, shall be determined by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this 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
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. Upon this resolution taking effect, a summary of the same be published in full in the Ogdensburg Journal, the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 8. This resolution is not subject to permissive referendum, pursuant to Section 36.00 of the Local Finance Law.

Section 9. This resolution shall constitute a statement of official intent for the purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

Barbara Lashua, Mayor	yes <u>x</u> no ___
Carol Basford, Trustee	yes <u>x</u> no ___
Gus Guardino, Trustee	yes <u>x</u> no ___
William Knowlton, Trustee	yes <u>x</u> no ___
E. Jack Wood, Trustee	yes <u>x</u> no ___

RESOLUTION 19-074 **WIIA/IMG GRANT APPLICATION AUTHORIZATION**
 Offered by Tr. Knowlton, seconded by Tr. Basford. Tr. Wood, Tr. Guardino and Mayor Lashua - Aye.
Resolution to authorizing the Mayor to apply and certify for a WIIA grant and/or IMG grant for the NYS Route 812 Sewer Corridor and Treatment consolidation Project.

RESOLUTION 19-075 **ENGINEERING STUDY SEWER CONSOLIDATION PROJECT**
 Offered by Tr. Knowlton, seconded by Tr. Guardino. Tr. Wood, Tr. Basford and Mayor Lashua - Aye.
Resolution to accept the engineering study by EDR for the NYS Route 812 Sewer Corridor and Treatment Consolidation Project.

RESOLUTION 19-076 **BOND COUNSEL SEWER CONSOLIDATION PROJECT**
 Offered by Tr. Wood, seconded by Tr. Knowlton. Tr. Basford, Tr. Guardino and Mayor Lashua - Aye.
Resolution to hire Barclay Damon LLP as Bond Counsel for services relating to the NYS Route 812 Sewer Corridor and Treatment Consolidation Project not to exceed \$24,500.00.

The Mayor talked about the progress on the Water Tower Project. The work on the pedestal will start by September 20th. They will keep working until the weather gets too bad. They discussed contacting telecommunications companies to see if there is any interest in leasing space on the tower to gain addition revenue. The Village has applied for a grant for \$1.3 million to help with the cost of construction.

Mayors Report

The demolition of the property at 100 State Street started this week.

Tr. Wood is still waiting for the architect to give him the finalized drawings for the pavilion. The DPW will do the site work and hopes to get the pad in this fall.

The upgrade to the street lights to LED bulbs is almost completed. This will save money on the electric costs and the Village should be receiving a rebate for the cost of the conversion.

The Mayor discussed authorizing the Deputy Mayor to sign documents when she is unavailable.

The Board discussed changing the next regular board meeting to October 16th.

RESOLUTION 19-077

DEPUTY MAYOR AUTHORIZATION

Offered by Tr. Wood, seconded by Tr. Basford, Tr. Knowlton, Tr. Guardino and Mayor Lashua - Aye.

Resolution to authorize the Deputy Mayor to execute necessary documents in the event the Mayor is unavailable.

RESOLUTION 19-078

OCTOBER BOARD MEETING CHANGE

Offered by Tr. Guardino, seconded by Tr. Wood, Tr. Knowlton, Tr. Basford and Mayor Lashua - Aye.

Resolution to change the regular board meeting next month from October 9th to October 16th.

Mr. Murray asked the Mayor to notify the school to make an announcement to the students to stay out of the water tower construction area..The Mayor asked about the replacement of the Christmas tree and he is still waiting on the tree service to come. It will have to be done in the spring.

RESOLUTION 19-079

APPROVAL OF MINUTES

Offered by Tr. Guardino, seconded by Tr. Knowlton, Tr. Basford, Tr. Wood and Mayor Lashua - Aye.

Resolution to accept the minutes of the 8/14/19 meeting.

RESOLUTION 19-080

VOUCHER APPROVALS

Offered by Tr. Wood, seconded by Tr. Basford, Tr. Guardino, Tr. Knowlton and Mayor Lashua - Aye.

Approval of Vouchers

General	118-154	\$ 19,747.99
Sewer	118-154	\$ 2,797.45
Water	118-154	\$ 1,924.10
100 State St	118-154	\$ 685.54
Water Project	118-154	\$ 79,685.94
EQ Project	118-154	\$ 62,281.46
Total		\$191,822.48

Other Disbursements: \$ 21,579.16

At 7:23pm, with no further business before the Board, the meeting was adjourned on a motion by Tr. Guardino. All were in agreement.

Respectfully submitted,

Michele Smithers
Village Clerk