

VILLAGE OF HEUVELTON
Regular Board Meeting
Public Hearing on 2022-2023 Budget
April 13, 2022

At 6:00 pm, Mayor Lashua called the meeting to order. Mayor Lashua opened the meeting with the pledge of allegiance. Trustees in presence were Trustee E. Wood, Trustee A. Guardino, Trustee M. Hebert, and Trustee C. Basford. Also, in attendance were T. Murray, DPW Supervisor; T. Wood, HVFD Chief; R. Skiff, DANC and J. Lightfoot, SLC Legislator.

Public Forum

RESOLUTION 22-027

PUBLIC HEARING 2022-2023 BUDGET

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

Resolution to open the Public Hearing on the 2022-2023 Budget.

Mr. Lightfoot updated the Board on county matters. He left at 7:25.

HVFD Report Chief Wood reported to the Board about the Fire Department. Discussions were held about the need for new fire trucks that are past their useful life. The Board agreed that putting an application in with the USDA would be the best route. The Fire Department will also be applying for a grant to update the turnout gear. He left at 6:15.

Sewer/Water Mr. Skiff told the board the clarifier is fixed and there were no violations last month. They discussed Hydrant flushing and land applying. He left at 6:25.

The water line on Lisbon Street is getting fixed under the warranty. TJ Fiacco will be in the Village this week or next to fix the water line.

The Mayor Updated the Board on the Water and Sewer Projects.

RESOLUTION 22-028

DANC AGREEMENT AMENDMENT

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

Resolution to accept the Development Authority of the North Country's Technical Service Agreement Amendment #4 for the Water Improvement Project bringing the not to exceed amount up to \$82,000.

RESOLUTION 22-029

DANC AGREEMENT AMENDMENT

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

Resolution to accept the Development Authority of the North Country's Technical Service Agreement Amendment #3 for the Wastewater Treatment Plant Municipal Restructuring Project bringing the not to exceed amount up to \$105,000.

RESOLUTION 22-030

NYSDOT UNDERTAKING

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

WHEREAS, the undersigned Village of Heuvelton, (hereinafter referred to as "Permittee") from time to time receives permits from the New York State Department of Transportation (hereinafter referred to as the "NYSDOT") and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, Permittee's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203, and/or 234 including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic, (including motorized and non-motorized travel) affected by Permittee's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

1. Permit Applications. Excepting only activities undertaken to protect public safety because of emergency conditions or incidents, Permittee shall provide timely written notice to NYSDOT of operations or activities affecting state right-of-way. Under normal circumstances, a minimum of five business days' notice shall be provided. Notification of emergency activities shall be provided to NYSDOT as soon as practical after the activity. The Permittee shall apply for project-specific permits for activities not allowed under any existing annual permit. Such application shall identify proposed project locations, desired dates/hours, proposed work/activities, traffic control, and site restoration.

2. Applicable Rules, Regulations & Conditions. Permittee shall comply with all of the laws, rules and regulations applicable to construction, maintenance activities and operations and shall further comply with such terms and conditions that may be imposed by NYSDOT in connection with permitted activity or operations. Temporary Traffic Control, highway safety appurtenances, and restoration of state facilities shall be completed in accordance with NYSDOT regulations and standards.

3. Site Restoration. Permittee shall, at its own expense, promptly complete the work allowed under each permit and, within a reasonable time, restore State property damaged by its work/activities to substantially the same or equivalent condition as existed before such work was begun as determined by the Commissioner or his/her designee. In the event that the Permittee fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Permittee, may restore the property to substantially the same or equivalent condition as existed before the Permittee's work/activities, in which case, Permittee agrees to reimburse the reasonable expenses in connection therewith.

4. Payment & Release of Liens. Permittee shall be responsible for the payment of all costs and materials relating to its work in the public right-of-way and agrees to defend and save harmless NYSDOT against any and all lien claims made by persons supplying services or materials to Permittee in connection with Permittee's work.

5. Indemnity. In addition to the protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations, whether undertaken by Permittee's own forces or by contractors or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT, and their agents from and against all claims, damages, losses and expenses, including but not limited to, claims for personal injuries, property damage, wrongful death, and/or environmental claims and attorney fees arising out of any such claim, that are in any way associated with the Permittee's, activities or operations under any and all permits issued using this Undertaking.

FURTHERMORE, Permittee hereby warrants that the obligations of this Undertaking are backed by the full faith and credit of Permittee. Permittee may insure or bond any of the obligations set forth herein, or may rely upon self-insurance, budgeted funds, or funds for general operations.

This Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect. This Undertaking may be revoked by the Permittee or rejected by NYSDOT upon thirty days written notice but will continue to apply to all permitted activities/operations that were permitted by virtue of this Undertaking. Unless terminated for the purpose of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply.

IN WITNESS WHEREOF, the Village of Heuvelton agrees to the terms of this Undertaking and has caused its execution by the authorized officer or employee.

Mayor's Report

RESOLUTION 22-031

CLOSE PUBLIC HEARING

Offered by Mayor Lashua, seconded by Tr. Basford. All in favor.
Resolution to close the public hearing at 7:07.

RESOLUTION 22-032

2022-2023 ANNUAL BUDGET ADOPTION

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

Resolution to adopt a budget for the fiscal year commencing June 1, 2022 and ending May 31, 2023, making appropriations for the conduct of Village government and establishing the rates of compensation for officers and employees for such period.

WHEREAS, this board has met at the time and place specified in the notice of public hearing on the preliminary budget and heard all persons desiring to be heard thereon;

NOW, THEREFORE BE IT RESOLVED, that the preliminary budget as amended and revised and as hereinafter set forth is hereby adopted and that the amounts stated in the column title "Adopted 2022-23" hereby are appropriated for the objects and purposes specified and the salaries and wages stated in such budget shall be and are hereby fixed at the amounts shown therein effective June 1, 2022.

Mayor Lashua began a discussion about the summer youth program, the clerk will find out what options are available.

Trs. Hebert and Guardino explained the information they had gathered on the Employees Health Insurance options.

RESOLUTION 22-033

EMPLOYEE HEALTH INSURANCE

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

Resolution to change the Employees health insurance to Excellus Bronze 4, the Village will fund an HSA and HRA for each employee taking the Health Insurance.

RESOLUTION 22-034

AMEND EMPLOYEE HANDBOOK

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

Resolution to amend the employee handbook effective June 1st: Amend 12.1 Holiday list adding Martin Luther King Jr. Day, Juneteenth, and Indigenous Peoples' Day. Amend 14.2 to address office coverage, Amend 24.3 to address disciplinary action if attempting to work under the influence, Add Article 26 Sexual Harassment Policy.

RESOLUTION 22-035

LIVESTOCK LAW

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

Resolution to send the livestock law to county planning for approval.

RESOLUTION 22-036

BROOKFIELD LICENSE

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

Resolution authorizing Mayor Barbara Lashua to sign the Recreational License agreement between Brookfield Renewable Energy Group and the Village of Heuvelton.

The clerk discussed the draft audit for the 2020-2021 fiscal year.

Tr. Wood updated the Board on the pavilion.

Streets/Sidewalks Mr. Murray informed the Board that brush pickup will begin next week. There was also discussion about a speed sign, the dump truck, and parking lot runoff.

RESOLUTION 22-037

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

Resolution to accept the minutes of the 3/9/2022 meeting.

APPROVAL OF MINUTES

RESOLUTION 22-038

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

Approval of Vouchers 0422-1-0422-26

VOUCHER APPROVALS

General	\$6,863.04
Sewer	\$31,661.98
Water	\$2,650.10
Water Project.	\$4,451.94
Sewer Project	\$3,388.00
Total	\$49,015.06

Other Disbursements \$68,268.06

RESOLUTION 22- 039

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

Approval of the following budget modifications:

BUDGET MODIFICATIONS

General

Increase 34104.1 FDCD \$8,054.47 Increase 2680.1 Insurance Recoveries \$8,054.47

Increase 51101.1 Streets PS \$1,556.96 Decrease 54101.1 Sidewalks PS \$1,556.96

Increase 90508.1 Unemployment Ins \$117.87 Decrease 19904.1 Contingency \$117.87

Sewer

Increase 81302.2 Treat/Disposal EQ \$9,838.30 Decrease 14404.2 Engineer \$2,000

Increase 81304.2 Treat/Disposal CE \$3,634.30 Decrease 81201.2 WWTP PS \$ 3,222.74

Decrease 19904.2 Contingency \$ 421.23

Decrease 90408.2 Workers Comp \$2,396.41

Decrease 97307.2 BAN Interest \$2,000.00

Increase 2610.2 Fines \$3,000.00

Increase 2128.2 Penalties \$432.22

Water

Increase 83204.3 Source Pump CE \$2,149.58 Decrease 97306.3 BAN Principal \$2,149.58

At 8:30 pm, with no further business before the Board, the meeting was adjourned on a motion by Tr. Basford. All agreed.

Respectfully submitted,

Rebecca Donnelly
Village Clerk