

**VILLAGE OF HEUVELTON**  
**Regular Board Meeting & Public Hearing**  
**October 12, 2022**

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 Trustee E. Wood, Trustee A. Guardino, and Trustee C. Basford. Trustee M. Hebert arrived at 6:35. Also, in attendance were T. Murray, DPW Supervisor; A. Spaman, MEO; T. Wood, HVFD Chief; S. McConnell, DANC; and Mr. McLear. J. Lightfoot, SLC Legislator; arrived at 6:04.

**Public Forum** Tr. Wood motioned to open the public Hearing for Local Law No. 1 of 2022 Livestock Law, Tr. Basford seconded, all agreed.

Mr. McLear addressed the Board asking if the Village has space available to provide youth fields for grades 6 and under apart from the school fields. Discussion was held, the Board will keep this in mind if the Village has space available at a future time. Mr. McLear left at 6:12.

Mr. Lightfoot updated the Board on county matters. He left at 8:00.

**HVFD Report** Chief Wood informed the Board the Fire Department will be purchasing land behind the station connected to the lot they are on. They will be looking into steps to become a fire district. Discussion was held about specifically allocating the reserve funds, more discussion is needed. Mr. Wood left at 6:30.

**Sewer/Water** Mr. McConnell reported on water and wastewater operations. There were no violations. A water chlorinator line was found leaking at the water tower and was fixed. With the hydrants not flushed yet, the Village crew will assume responsibility and the clerk will inform the Development Authority of the Villages intention to flush hydrants. Mr. McConnell left at 6:43.

The Mayor gave the Board an update on the Water and Sewer Projects.

**RESOLUTION 22-088** **CHANGE ORDER 2 CONTRACT 4 BACKUP WELL**

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

**Resolution to accept change order 2 for contract 4 to install a valve to isolate the back-up well, replace the outgoing watermain, and replace well riser piping for an increase of \$ 46,082.14 for a total contract price of \$241,455.21.**

**RESOLUTION 22-089** **RESOLUTION IN SUPPORT OF**  
**ST. LAWRENCE COUNTY WATER/WASTEWATER INFRASTRUCTURE ARPA FUNDING**  
**INITIATIVE FOR THE VILLAGE OF HEUVELTON WATER SYSTEM IMPROVEMENTS PROJECT**

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

**WHEREAS**, a notice of funding availability from the 2022 St. Lawrence County Water/Waste Water Infrastructure American Rescue Plan Act (ARPA) Funding Initiative Program was announced with a total of \$3,000,000 available to help municipalities close a funding gap for shovel-ready projects; and

**WHEREAS**, the Village of Heuvelton began the planning for required improvements to its municipal water system improvements in 2009. The project could not proceed until the New York State Water Infrastructure Improvement Act (NYS WIIA) program made grant funds available that would offset loan costs and make the project affordable. With a \$2,948,000 loan from the USDA Rural Development, a \$2,079,600 NYS WIIA grant, and a required local match of \$150,000, construction began in 2019; and

**WHEREAS**, within the duration of the project, the NYS Department of Health (DOH) notified the Village of the need to upgrade the disinfection and virus protection capabilities of its back-up well. The Village expanded the project scope to include the associated improvements; and

**WHEREAS**, the Village having exhausted all grant funds secured a second loan from the USDA Rural Development to proceed with the additional work. The Village has completed all necessary steps to advance the additional work in accorded with NYS Local Finance Law. It has completed the required Preliminary Engineering Report amendment, Environmental Review and SEQR/SHPO coordinated review and approval process. The Village further adopted a third amended Bond Resolution, Estoppel Notice and secured additional short-term financing; and

**WHEREAS**, grant funding from the St. Lawrence County Water/Waste Water Infrastructure ARPA Funding Initiative would greatly assist the Village in providing the critical upgrades without further increase to customer rates; and

**WHEREAS**, the Village of Heuvelton Village Board fully supports a proposed funding application.

NOW, THEREFORE, BE IT:

**RESOLVED** that the Mayor is hereby authorized and directed to file an application for \$241,455.21 in grant funds from the St. Lawrence County Water/Wastewater Infrastructure ARPA Funding Initiative; and

**BE IT FURTHER RESOLVED**, that the Mayor is authorized and directed to execute all documents and agreements associated with the funding upon award.

**RESOLUTION 22-090**

**PAY OFF WARRANT**

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

**Resolution to pay Royal-J-Acres off warrant for the crop loss from the solar company in the amount of \$1,750. 00.**

**Mayor’s Report** The Board discussed the engineers recommendations for the parking lot. Mr. Murray will look into getting the items done before winter. There was discussion about the pavilion. It will not be ready to accommodate ice skating for the winter.

**RESOLUTION 22-091**

**RE-LEVY VILLAGE TAXES 2022**

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

**Resolution authorizing the Village Clerk to re-levy unpaid Village taxes of \$8,764.66 plus second notice fees of \$ 28.00 and interest of \$ 615.50 for a total of \$ 9,408.16 to the January 2023 Town & County Tax Roll.**

**RESOLUTION 22-092**

**CLOSE PUBLIC HEARING**

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

**With no attendance to the Public Hearing, resolution to close the Public Hearing at 7:27on proposed Local Law No. 1 of 2022 Livestock Law**

**RESOLUTION 22-093**

**LOCAL LAW NO. 1 OF 2022**

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

**Resolution to adopt Local Law No. 1 of 2022 Livestock Law**

**Running at large unlawful.** No person shall permit, allow, or cause any cattle, horses, mules, donkeys, ponies, swine, pigs, goats, chickens, turkeys, geese, ducks, or other fowl to run at large on any public street in this Village. An animal shall be deemed to be running at large if it is elsewhere than on the premises of the owner while not under the control of the owner or his agent and without the knowledge, consent, or approval of the owner of such lands.

**Keeping of Farm Animals for Non-Commercial Purposes - In Residential**

District, it may be permissible to keep and maintain animals commonly considered to be farm animals, such as horses, cows, pigs, goats, sheep, rabbits, fowl, etc., under the following conditions:

Slaughtering of animals is prohibited.

Farm animals that create a nuisance due to noise or odor, or that may be considered an imminent danger to human health, life or safety shall be prohibited.

No owner or occupant may keep or maintain large farm animals such as horses, cows, pigs, goats and sheep on a lot smaller than two acres, with at least one acre of usable pasture. For each 1,000 pounds of live animal weight kept or maintained, an additional acre of usable pasture shall be required. Usable pasture shall be defined as completely open space without buildings, storage areas, or other obstructions, used solely for the pasture and grazing of farm animals. Properties of less than an acre may keep smaller farm animals such as rabbits, fowl and other like animals, with the condition that the sum of the total of all the mature live animals weigh no more than 50 pounds. If farm animals are kept on a rental property, the owner of the animals must maintain a current written authorization for the keeping of farm animals on the property signed by the property owner or authorized agent.

All farm animals shall be kept within a secured enclosure, such as a fence. Animal enclosures must be at least 50 feet from neighbors' doors and windows and 10 feet from property lines.

Suitable barns and shelters shall be provided on-premises for the overnight keeping of all farm animals. Such barns and shelters shall be enclosed and weather tight and kept in a clean and sanitary condition. There are no animal enclosures allowed in front yards.

**Permits are required for the keeping of farm animals.** Applications for permits shall be collected by the Village Clerk's Office. Applications will go through the Planning Board for review of the site plan and a public hearing will be held to obtain the first-year permit. The fee for such permit will be set from time to time by resolution of the Village of Heuvelton Board of Trustees. Permits will be renewed annually.

**The Application for permit must include the following:**

The name, working phone number and address of the applicant.

Whether the property is rented, or owner occupied. If rented, a copy of the letter from the property owner consenting to the issuance of a permit to keep farm animals is required.

Proof of Homeowners and/ or Renters Insurance.

Site plan: Indicate how applicant will address the topics included in this law. Include how property and enclosures will be maintained, how waste will be disposed of, safeguards from food attracting predators/rodents, and how this may impact neighboring properties.

Consent must be granted by the applicant for the inspection of the outdoor premises of the property at reasonable times by the Village or its agent to confirm compliance to the provision of this law.

Applicant's signature as acknowledgement of the receipt of information from the Village Clerk, which includes a copy of this law.

Permit fee must be received by the Village Clerk before application will be reviewed.

Permits may be revoked at the discretion of the Code Enforcement office at any time for failure to abide by any of these requirements.

**RESOLUTION 22-094**

**SET LIVESTOCK PERMIT FEE**

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

**Resolution to set the livestock permit fee at \$100 for the first permit and \$25 for the yearly renewals.**

The Board discussed putting the HSA/HRA information in the Employee Handbook wording will be accepted next meeting. Mr. Murray addressed the board with his intent to retire at the end of November and asked if they would consider buying back some of his accrued vacation time.

**RESOLUTION 22-095**

**ENTER EXECUTIVE SESSION**

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

**Resolution to enter executive session at 8:00 to discuss the employment history of a particular person.**

**RESOLUTION 22-096**

**EXIT EXECUTIVE SESSION**

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

**Resolution to exit executive session at 8:20.**

The Board said they would buy back some of Mr. Murrays vacation time. They would like to investigate promoting Mr. Spaman for his position.

**RESOLUTION 22-097**

**BUY BACK VACATION TIME**

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

**Resolved the Village will buy back a portion of Timothy Murrays vacation time at his current rate of pay, not to exceed \$2500.00. The Clerk may make payable upon receiving written notification of his intent to retire.**

**Streets/Sidewalks** Mr. Murray informed the Board that paving had been postponed again. If they are not able to pave this year, it will be put in next year’s budget. The dump truck will be in production Friday. The tractor is waiting to be shipped. The trash truck will be getting repairs soon.

**RESOLUTION 22-098**

**APPROVAL OF MINUTES**

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

**Resolution to accept the minutes of the 9/14/22 & 9/22/22 meetings.**

**RESOLUTION 22-099**

**VOUCHER APPROVALS**

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

**Approval of Vouchers 1022-1-1022-35**

<b>General</b>	<b>\$ 27,231.30</b>
<b>Sewer</b>	<b>\$ 20,428.56</b>
<b>Water</b>	<b>\$ 3,651.03</b>
<b>Water Project</b>	<b>\$53,479.63</b>
<b>Sewer Project</b>	<b>\$650,437.48</b>
<b>Total</b>	<b>\$755,228.00</b>

**Other Disbursements \$ 22,584.80**

**RESOLUTION 22-100**

**BUDGET MODIFICATION**

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

**Resolution to accept the following budget modifications:**

**Increase**

**Decrease**

**19304.1 Refunds/ Claims \$12,424.50**

**90608.1 Medical Insurance \$12,424.50**

At 8:53 pm, with no further business before the Board, the meeting was adjourned on a motion by Mayor Lashua. All agreed.

Respectfully submitted,

Rebecca Donnelly  
Village Clerk