

**REGULAR BOARD
JANUARY 17, 2017**

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

These are the proceedings of the Regular Board meeting of the Board of Trustees of the Village of Gouverneur held Tuesday, evening, on January 17, 2017 at 7:00 p.m. in the Court Room of the Municipal Building.

ROLL CALL: PRESENT:

Mayor Ronald McDougall
Trustee Charles Newvine
Trustee Nelson Lawrence
Trustee Shelly Simons-Washburn
Trustee Richard Wood

Clerk/Treasurer, Barbara Finnie
Deputy Clerk/Treasurer, Kristina Ayen
Superintendent of Public Works, Terry Simmons
Chief of Police, Laurina Greenhill
Code Enforcement Officer, Michael McQuade
Recreation Director, Casey Canell
Village Attorney, Henry Leader

Trustee Newvine made a motion to approve the minutes of the December 5, 2016 Annual Board meeting and the December 20, 2016 regular Board meeting. Trustee Wood seconded the motion and it was carried.

Legislator Henry Leader gave the Board and public an update on what has been taken place at the County.

Mayor McDougall announced that the Village's health insurance consultants, Burnham Benefit Advisors, donation \$250.00 to the Gouverneur Rescue Squad.

Mayor McDougall announced that a meeting has been scheduled at Case Leader's Office on Friday, January 21, 2017 at 9:00 a.m. which will include the Village, Town, Gouverneur Fire and the Gouverneur Rescue Squad regarding the possible change in the Rescue Squad Charter.

* * *

Charles Newvine offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF
GOUVERNEUR, NEW YORK, ADOPTED JANUARY
17, 2017, AUTHORIZING THE CONSTRUCTION OF
IMPROVEMENTS TO THE EXISTING SANITARY
MANHOLE AND STORM WATER CATCH BASIN
SYSTEMS, STATING THE ESTIMATED MAXIMUM
COST THEREOF IS \$1,400,000, APPROPRIATING
SAID AMOUNT FOR SUCH PURPOSE, AND
AUTHORIZING THE ISSUANCE OF BONDS OF SAID
VILLAGE IN THE PRINCIPAL AMOUNT OF NOT TO
EXCEED \$1,400,000 TO FINANCE SAID
APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF GOUVERNEUR,
IN THE COUNTY OF ST. LAWRENCE, NEW YORK, HEREBY RESOLVES (by the
favorable vote of not less than two-thirds of all the members of said Board of Trustees)
AS FOLLOWS:

Section 1. The Village of Gouverneur, in the County of St. Lawrence,
New York (herein called the "Village"), is hereby authorized to construct improvements
to the existing sanitary manhole and storm water catch basin systems, including the
replacement of manholes and catch basins throughout the entire Village substantially as
described in the report dated May 2015, prepared for the Village by Bernier, Carr &
Associates, Engineers, Architects & Land Surveyors, P.C. The estimated maximum cost

thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,400,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Village in the principal amount of not to exceed \$1,400,000 to finance said appropriation and the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of not to exceed \$1,400,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00(a) 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in "*Gouverneur Tribune Press*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF GOUVERNEUR, NEW YORK

PLEASE TAKE NOTICE that on January 17, 2017, the Board of Trustees of the Village of Gouverneur, in the County of St. Lawrence, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Gouverneur, New York, adopted January 17, 2017, authorizing the construction of improvements to the existing sanitary manhole and storm water catch basin systems, stating the estimated maximum cost thereof is \$1,400,000, appropriating said amount for such purpose, and authorizing the issuance of bonds of said Village in the principal amount of not to exceed \$1,400,000 to finance said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Gouverneur to construct improvements to the existing sanitary manhole and storm water catch basin systems, including the replacement of manholes and catch basins throughout the entire Village, as described in the report dated May 2015, prepared for the Village by Bernier, Carr & Associates, Engineers, Architects & Land Surveyors, P.C.; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,400,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds of the Village in the principal amount of not to exceed \$1,400,000 to finance said appropriation, and the levy of taxes upon all the taxable real property within the Village to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING the issuance of not to exceed \$1,400,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is forty (40) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes

shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: January 17, 2017

BARBARA FINNIE
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

The adoption of the foregoing resolution was seconded by Nelson Lawrence and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.

Mayor McDougall read the following resolution:

**WATER/SEWER
RESOLUTION
JANUARY 17, 2017**

WHEREAS, a portion of the water and sewer use fees may be deductible on taxpayers income tax returns, and

WHEREAS, a portion that is deductible is the amount used for maintenance or repair or for the purpose of meeting interest charges with respect to such benefits;

NOW, THEREFORE, BE IT RESOLVED, that for the purpose of income tax deduction, 90% of the water fee and 93% of the sewer fee have been allocated for interest and maintenance for the year 2016.

Motion made by Trustee Newvine, seconded by Trustee Simons-Washburn and carried.

VILLAGE OF GOUVERNEUR
33 Clinton Street
Gouverneur, NY 13642

January 17, 2017

Pursuant to the Internal Revenue Service, Code of Federal Regulation, #26, Part I, Revised as of April 1, 1998:

Sl. 164-4(b)(l) “Insofar as assessments against local benefits are made for the purpose of maintenance or repair, or for the purpose of meeting interest charges with respect to such benefits, they are deductible.

It is calculated that 90% of water benefited charges and 93% of sewer benefited charges paid during the calendar year 2016 are deductible from your 2016 Federal Income Tax Return Schedule A, Taxes-Real Estate.

WATER TAX CALCULATION FOR CALENDAR YEAR 2016

Operation and Maintenance (includes employees benefits)	\$ 985,360.10
Principal Payments on water bonds	\$ 73,385.00
Interest on water bonds	\$ 37,636.96
Net adjusted Expense	\$1,096,382.06
Calculation: $985,360.10/1,096,382.06=.90$	90%

SEWER TAX CALCULATION FOR CALENDAR YEAR 2016

Operation and Maintenance (includes employee benefits)	\$ 814,178.29
Principal payments on sewer bond	\$ 58,685.00
Interest on sewer bonds	\$ 7,018.04
Net Adjusted Expense	\$ 879,881.33
Calculation: $814,178.29/879,881.33=.93$	93%

Trustee Lawrence made a motion to authorize the Water Plant BAN renewal in the amount of \$60,000. Trustee Wood seconded the motion and it was carried.

Trustee Newvine made a motion to authorize the advertising for this years' Chemical Bids for the Water Filtration Plant. Trustee Simons-Washburn seconded the motion and it was carried.

Trustee Newvine made a motion to accept Clayton VanBrocklin resignation effective December 30, 2016. Trustee Wood seconded the motion and it was carried.

Trustee Lawrence made motion to authorize to move forward with the Civil Service process for the position left vacant by Clayton VanBrocklin. Trustee Simons-Washburn seconded the motion and it was carried.

Trustee Newvine made a motion that effective December 31, 2016 that the Village of Gouverneur will follow the State Minimum wage schedule until said motion is rescinded. Trustee Simons-Washburn seconded the motion and it was carried.

Trustee Newvine made a motion that all employees currently being paid less than \$9.70 be paid retroactive beginning December 31, 2016. Trustee Wood seconded the motion and it was carried.

Mayor McDougall gave the Department Heads the opportunity to report to the Board and the public on the monthly activities in there department.

Trustee Newvine made a motion authorize payment of the January 2017 audited bills in the amount of: General Fund – \$77,187.23, Electric Fund - \$26,888.58, Water Fund - \$31,294.31, Sewer Fund - \$34,647.13, Capital Projects - \$286,081.06 and Trust - \$3,047.50. Trustee Lawrence seconded the motion and it was carried.

Mayor McDougall read the following Announcements:

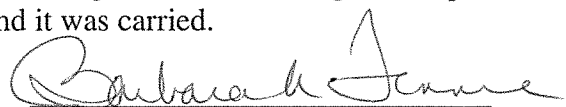
The next scheduled Regular Village Board Meeting will be held on February 21, 2017 at 7:00 p.m.

The Village Offices and Department of Public Works will be closed on Monday, February 20, 2017 in observance of Presidents Day.

Effective November 15, 2016 thru April 15, 2017 there will be a parking ban on all village streets between the hours of 2:00 a.m. and 6:00 a.m.

This is a reminder to all residents, merchants and landowners to please remove the snow from all sidewalks in a timely basis in order to protect our pedestrians.

Trustee Newvine made a motion to adjourn the regular board meeting at 8:05 p.m. Trustee Simons-Washburn seconded the motion and it was carried.


VILLAGE CLERK