

The regular meeting of the Board of Trustees was held on June 10, 2024, at 4:00 p.m. in the Council Room of Village Hall.

Present: Mayor John Barton
Trustee Michael Horrigan
Trustee Daniel Hogan
Trustee James Gallagher, Jr.
Attorney Bill Nikas
Absent: Trustee Jeffrey Gaulin

Mayor Barton begins the meeting with any updates on Center Street Parking Lot. No Changes, nothing further has been discussed.

Upon motion made by Trustee Gallagher, seconded by Trustee Horrigan and unanimously carried it is;

RESOLVED, to approve the appointment of Carl Mattison as a Police Officer effective 5/31/24, at the rate reflective in the Collective Bargaining Unit.

Upon motion made by Trustee Hogan, seconded by Trustee Gallagher and unanimously carried it is;

RESOLVED, to approve the Derby Park Foundation to expend money to reimburse Village for security and assist in maintenance, \$20,000.

Upon motion made by Trustee Gallagher, seconded by Trustee Hogan and unanimously carried it is;

RESOLVED, to approve the Derby Park Foundation to expend money to cover the expense of internet at Moran-Derby Park, \$600.

A SEQRA Resolution must be adopted by the Board to move forward with the water system improvement system. Trustee Hogan asks for clarification on all parties involved have been properly notified. Labella is handling the administration and has notified all necessary parties involved.

Upon motion made by Trustee Hogan, seconded by Trustee Horrigan and unanimously carried it is;

RESOLVED, to approve SEQRA Resolution, Negative Declaration.

**VILLAGE OF HUDSON FALLS BOARD OF TRUSTEES
SEQRA RESOLUTION - NEGATIVE DECLARATION**

HUDSON FALLS WATER SYSTEM IMPROVEMENT PROJECT

At a meeting of the Village of Hudson Falls Board of Trustees (the “Board of Trustees”), held on the 10th day of June 2024, Board Member Hogan moved adoption of the following resolution; Board Member Horrigan seconded the motion:

WHEREAS, the Board of Trustees is proposing water system improvements to replace the Village's aging water distribution mains within the Village’s drinking water system (the "Project"); and

WHEREAS, the Village of Hudson Falls plans to seek funding for the project from New York Environmental Facilities Corporation (EFC) and other potential funding sources; and

WHEREAS, the proposed improvements (Project) will involve approximately 5,200 linear feet (4-ft wide trench) of new water mains in up to four locations including portions of Warren Street, Melbourne Avenue, Maple Street, and Pearl Street.

WHEREAS, Project locations include:

- #1 Warren Street Canal Crossing, 500 linear feet of HDD beneath Glens Falls Feeder Canal,
- #2 Water Pumping Station to Melbourne Avenue, 500 linear feet,
- #3 Maple Street Canal Crossing, 500 linear feet of HDD beneath Glens Fall Feeder Canal
- #4 Pearl Street, 4,700 linear feet from Oak Street to Burgoyne Avenue, including Pearl Street Canal Crossing, 500 linear feet of HDD beneath Glens Falls Feeder Canal.

WHEREAS, all work will be done within the existing Right-of-Ways (ROW) for these village roads; and

WHEREAS, the purpose of this component of the municipal water supply infrastructure improvement is to replace a critical connection to ensure efficient water transmission throughout the northern portion of the Village of Hudson Falls water system. Horizon directional drilling (HDD) is proposed to install replacement water mains beneath the Glens Falls Feeder Canal at Warren Street, Maple Street, and Pearl Street; and

WHEREAS, the Project would only temporarily impact previously disturbed land within the village road ROWs. No tree clearing is proposed; and

WHEREAS, the total proposed ground disturbance is +/- 0.75 acres; and

WHEREAS, the Project is classified as a Type I Action under SEQRA, and the Board of Trustees performed an coordinated review with Involved Agencies and Interested parties; and

WHEREAS, LaBella Associates was retained to prepare the Part 1 Full Environmental Assessment Form (“EAF”); and

WHEREAS, LaBella Associates prepared Parts 2 and Part 3 of the EAF, with an accompanying narrative, which the Board has reviewed; and

WHEREAS, in accordance with SEQRA and its regulations, the Board has performed its environmental review of the Project, including any comments received from Involved Agencies and Interested Parties.

NOW THEREFORE BE IT RESOLVED,

1. The Board of Trustees declares that it will serve as the SEQR Lead Agency for the Proposed Action, and in this capacity has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.
2. The Board of Trustees has considered the Project and its potential for environmental impacts; Part 1 of the EAF and Parts 2 and 3 of the EAF prepared by LaBella; the criteria contained in 6 N.Y.C.R.R. §617.7(c); and other supporting information to identify the relevant areas of environmental concern; and thoroughly analyzed the identified relevant areas of environmental concern to determine if the Project may have a significant adverse impact on the environment, and finds that the Project will not have a significant impact on the environment because of the reasons discussed in the narrative to the EAF Part 3, which is incorporated in full herein and attached hereto.
3. Pursuant to SEQRA, a Negative Declaration is therefore issued for this Project.

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

John E. Barton	Aye
James Gallagher, Jr.	Aye
Jeffrey Gaulin	Absent
Daniel Hogan	Aye
Michael Horrigan	Aye

5. The foregoing Resolution was thereupon declared and duly adopted.

STATE OF NEW YORK
COUNTY OF WASHINGTON
VILLAGE OF HUDSON FALLS

I, Cassandra Allen, DO HEREBY CERTIFY that I have compared the foregoing resolution duly adopted by the Village of Hudson Falls Board of Trustees on the 10 day of June, 2024, with the original now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof

Upon motion made by Trustee Horrigan, seconded by Trustee Gallagher and unanimously carried it is;

RESOLVED, to approve the Resolution for Bond Resolution.

A regular meeting of the Board of Trustees of the Village of Hudson Falls, Washington County, New York was convened in public session in the Council Room of the Village Hall located at 220 Main Street in the Village of Hudson Falls, New York on June 10, 2024 at 4:00 p.m., local time.

The meeting was called to order by Mayor Barton, and, upon roll being called, the following members were:

PRESENT:

John E. Barton	Mayor
James Gallagher, Jr.	Trustee
Jeffrey Gaulin	Absent
Daniel Hogan	Trustee
Michael Horrigan	Trustee

ABSENT:

The following persons were ALSO PRESENT:

Cassandra Allen	Village Clerk-Treasurer
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The following resolution was offered by Trustee Horrigan, seconded by Trustee Gallagher, to wit;

BOND RESOLUTION DATED JUNE 10, 2024

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE VILLAGE OF HUDSON FALLS, WASHINGTON COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,500,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE REPLACEMENT OF THE VILLAGE'S WATER SYSTEM DISTRIBUTION MAINS AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

BE IT RESOLVED, by the Board of Trustees of the Village of Hudson Falls, Washington County, New York (the "Village") (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the replacement of the Village's water system distribution mains, including water main under the Glens Falls Feeder Canal, water main from the water pumping station to Melbourne Avenue and water main under portions of Maple and Pearl Streets, to ensure efficient water transmission throughout the water system. The estimated maximum cost of said purpose is \$4,500,000.

SECTION 2. The Board of Trustees plans to finance the cost of said purpose by the issuance of serial bonds of the Village in an amount not to exceed \$4,500,000, hereby authorized to be issued therefor pursuant to the Local Finance Law. To offset a portion of the cost of said purpose, the Village intends to apply for a Water Infrastructure Improvement Act grant from the New York State Environmental Facilities Corporation.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years.

SECTION 4. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five (5) years.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds authorized by this resolution, and any notes issued in anticipation thereof, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the specific purpose set forth herein. This resolution shall constitute a statement of official intent for purposes of Treasury Regulation Section 1.150-2 of the United States Treasury Department.

SECTION 7. Each of the bonds authorized by this resolution, and any notes issued in anticipation thereof, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village are hereby

irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes, and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including, without limitation, dates, denominations, maturities, interest payment dates, consolidation with other issues, manner of execution and redemption rights), and the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of said bonds, are hereby delegated to the Village Treasurer, the Chief Fiscal Officer of the Village. The Village Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Village Clerk is hereby authorized to affix the corporate seal of the Village to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Village Treasurer is hereby further authorized, in her discretion, to execute a project finance agreement or agreements, a grant agreement or agreements and any other agreements with the New York State Environmental Facilities Corporation and/or the New York State Department of Health, and any amendments thereto, and to take such actions and execute such documents as may be necessary to provide for the financing or refinancing of the specific purpose set forth herein, or a portion thereof, by the issuance of serial bonds of the Village and the sale of said bonds to the New York State Environmental Facilities Corporation.

SECTION 10. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of the 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 of New York.

SECTION 12. The Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in The Post-Star, a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication, after the period of time shall have elapsed for the submission and filing of a petition for a permissive referendum and a valid petition shall not have been submitted and filed.

SECTION 13. This resolution is adopted subject to a permissive referendum pursuant to Section 36.00 of the Local Finance Law.

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

John E. Barton	VOTING <u>AYE</u>
James Gallagher, Jr.	VOTING <u>AYE</u>
Jeffrey Gaulin	VOTING <u>ABSENT</u>
Daniel Hogan	VOTING <u>AYE</u>
Michael Horrigan	VOTING <u>AYE</u>

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Hudson Falls, Washington County, New York (hereinafter called the "Village") and the custodian of the records of the Village, including the minutes of the proceedings of the Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a regular meeting of the Board of Trustees held on the 10th day of June, 2024 and entitled:

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE VILLAGE OF HUDSON FALLS, WASHINGTON COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,500,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE REPLACEMENT OF THE VILLAGE'S WATER SYSTEM DISTRIBUTION MAINS AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board of Trustees was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Board of Trustees) voted in the proper manner for the adoption of said resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of said resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 10th day of June, 2024.

Upon motion made by Trustee Hogan, seconded by Trustee Horrigan and unanimously carried it is;

RESOLVED, Monthly Reports approved as submitted.

Fire Department, submitted by John Santa Croce

Upon motion made by Trustee Hogan seconded by Trustee Gallagher and unanimously carried, the following abstracts were audited and ordered for payment:

General Fund	Check Nos. 36496 - 36580
Water	Check Nos. 5971 - 5972
Trust	Check Nos. 8019 - 8022
Payroll	Check Nos. 31345 - 31351
2% Fire	Check Nos. 1017-1018

Warren Street Boundary dispute continues. Bill Nikas has been in contact with Dan Martindale at Washington County. Asking for a motion to allow our attorney to litigate with the respectful parties to resolve this issue, starting with Washington County.

Upon motion made by Trustee Horrigan, seconded by Trustee Hogan and unanimously carried it is;

RESOLVED, to approve Attorney Nikas to move forward with the necessary litigation with regard to Warren Street dispute.

Mayor Comment:

Community Nights will begin at Derby next month on Monday nights for 6 or 7 weeks. Live music and different events organized by Aaron Dudley with Hudson Falls Recreation.

Receiving reimbursement from Kingsbury Town Court has become a concern once again. He will ask the clerk to provide him with the totals that we received since the large payment. Mayor Barton will also ask the Chief Kibling to provide him with a total of parking tickets written since the date of the large payment. Mr. Nikas believes the date we will be looking to start from is April 1, 2021. So, anything issued after April 1st is what we will be looking for. Once we have those total, we will have a dollar amount that is owed and compare it to what was submitted and what is left. Mr. Nikas will be requesting details on what has been submitted to the Comptroller. We are only entitled to parking and code violations. Mayor Barton asks what about speeding on village streets, Mr. Nikas responds that it is his understanding that speeding violations were not coded properly for reimbursement.

Circus is coming the last Saturday of June at Paris Park.

Board Comment:

Trustee Gallagher would like commend Hope, Enforcement Officer on the progress of all the houses she is working on.

Mayor Barton asks about Jones Avenue. Hope stated that they went for eviction recently, the remaining squatters that are there were not on the list and Will Celeste, Code Enforcement informed her that the other people now have 14 more days. Washington County went there today to leave a notice on the door. Hope informed the board of the history of tenants at the property and the owner is attempting to get back into the home. The County is also involved in the removal of the current tenants. A brief discussion ensued.

Mayor Barton explains that an extremely large tree on private property on Labarge Street came down recently. Our DPW was there briefly to begin removing the tree and stopped there and had to stop the removal due to the size and the additional damage to private property that could occur during the removal process. A tree on private property came down onto the road and landed on the front porch of a house across the street. The house that it landed on is working with their insurance company. A letter has been drafted and provided to the two property owners involved, for a plan for removal to be constructed by Wednesday at 4:00.

Public Comment:

None given.

The next regular meeting will be held on Monday July 8, 2024, at 4:00 p.m.

Upon motion made by Trustee Gallagher, seconded by Trustee Hogan and there being no further business to come before the Board the meeting was adjourned at 4:18 p.m.

Cassandra Allen, Village Clerk-Treasurer