

Village of Boonville Board of Trustees
13149 State Route 12
Boonville, NY 13309

Meeting of February 14, 2023
Page 1 of 7

Present:

Mayor Dellerba, Trustees Stabb and Stanford, Treasurer/Grant Administrator Kaiding, OIC Fred Robenski, Firefighter/Police Aux. Capt. David Smith, Fire Chief David Pritchard, Jr., Transfer Site Foreman James Brach, WWTP Foreman Lucas Kafka, Municipal Commission Superintendent Robert Schneider and Clerk Lee.

Absent: Trustees Brach and Satterly. Visitors: Boonville Environmental Council members: Tyme Ferris and Rick Greene, Joe Rowlands of NOCCOG and Tammy Kelly, Farmer's Market vendor.

Meeting: Mayor Dellerba called the meeting to order at 7:00 PM with the Pledge of Allegiance.

Minutes:

Motion by Trustee Stabb, seconded by Trustee Stanford to approve the Public Hearing minutes and Workshop minutes of January 24, 2023 as presented. Ayes – Trustees Stabb, Stanford and Mayor Dellerba; nays – none. Motion carried.

Visitors:

Municipal Commission- Superintendent Robert Schneider briefly discussed the intent of the commission to bond for the repair/replacement of a switchgear and transformer at the West Street Substation. Superintendent Schneider presented the following resolution for consideration by the Board:

VILLAGE OF BOONVILLE
ONEIDA COUNTY, NEW YORK

Regular Village Board Meeting
February 14, 2023

A regular meeting of the Board of Trustees of the Village of Boonville, in the County of Oneida, New York was held at the Village Offices, Boonville, New York on February 14, 2023, at 7:00 o'clock P.M. (Prevailing Time).

There were present: (Board Members)

Mayor Judith Dellerba
Trustees Lisa Stanford and Kenneth
Stabb

There were absent: (Board Members)

Trustees Kelly Brach and Alan R. Satterly

Also present:

Rob Schneider, Commissioner, Municipal Commission
Wendy A. Lee, Village Clerk
Lisa Kaiding, Village Treasurer

The following resolution was offered by Trustee Stabb, who moved its adoption, and second by Trustee Stanford to wit:

BOND RESOLUTION OF THE VILLAGE OF BOONVILLE, ONEIDA COUNTY, NEW YORK, ADOPTED FEBRUARY 14, 2023, AUTHORIZING THE CONSTRUCTION OF SUBSTATION IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION OF

**Village of Boonville Board of Trustees
13149 State Route 12
Boonville, NY 13309**

**Meeting of February 14, 2023
Page 2 of 7**

A NEW POWER TRANSFORMER AND SWITCHGEAR IN AND FOR THE VILLAGE MUNICIPAL ELECTRIC FACILITIES AT AN ESTIMATED MAXIMUM COST OF \$4,500,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF UP TO \$4,500,000 BOND ANTICIPATION NOTES AND SERIAL BONDS OF THE VILLAGE TO PAY THE COST OF THE PROJECT

WHEREAS, the Board of Trustees of the Village has determined that it is desirable for the Village to undertake a project (the "Project") consisting of the construction, improvement or reconstruction of substation facilities and the acquisition and installation of a new power transformer and switchgear in and for the Village municipal electric system, including related site improvements, original furnishings, equipment, machinery, apparatus incidental thereto, all as required for the purpose for which such Project is to be used, at a maximum estimated cost of \$4,500,000, including all professional costs; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), the Village is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Village and the approval of this resolution constitutes such an action; and

WHEREAS, the Board of Trustees now desires to authorize the Project and the financing of the cost thereof.

NOW, THEREFORE BE IT RESOLVED ON FEBRUARY 14, 2023 BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BOONVILLE, ONEIDA COUNTY, NEW YORK (by favorable vote of not less than two thirds of said Board), AS FOLLOWS:

Section 1. The Village Board reviewed the above-referenced Project and determined that the Project does not exceed thresholds established under 6 NYCRR Part 617 of SEQRA and therefor is a Type II Action which is not subject to review. The regulatory bases are Section 617.5(c)(1): "maintenance or repair involving no substantial changes in an existing structure or facility" and Section 617.5(c)(2): "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site".

Section 2. The construction, improvement or reconstruction of substation facilities and the acquisition and installation of a new power transformer and switchgear in and for the Village municipal electric system, including site improvements, original furnishings, equipment, machinery, apparatus incidental thereto and all legal and professional costs, all as required for the purpose for which such Project is to be used, at a maximum estimated cost of \$4,500,000 (the "Project"), is hereby approved.

Section 3. The plan for the financing of the aforesaid specific object or purpose is by using any insurance proceeds from the December 11, 2021 fire, any other available funds and the issuance of up to \$4,500,000, or such lesser amount as may be necessary, of serial bonds or any bond anticipation notes, including renewals of such notes, in anticipation of the issuance and sale of the bonds of said Village, hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay interest on said obligations.

Section 4. The full faith and credit of the Village is hereby irrevocably pledged for the payment of the principal of and interest on the 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 such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law.

Section 5. Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such bonds or notes shall be of such form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law. The bonds and notes authorized hereby may be issued to the United States Department of Agriculture, Office of Rural Development, or any of its related offices or agencies, the New

Village of Boonville Board of Trustees
13149 State Route 12
Boonville, NY 13309

Meeting of February 14, 2023
Page 3 of 7

York State Environmental Facilities Corporation under any of its revolving fund programs or any purchaser in accordance with the provisions of the Local Finance Law.

Section 6. The Village Treasurer is hereby further authorized, at her sole discretion, to execute all agreements and instruments in order to effect the financing or refinancing of the specific object or purpose described in Section 2 hereof, or a portion thereof, by a bond, and/or note issue of said Village.

Section 7. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and/or notes without resorting to further action of this Board of Trustees.

Section 8. The following additional matters are hereby determined and declared:

- (a) Pursuant to subparagraph (a)5 of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is thirty (30) years; and
- (b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 9. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law for the capital purposes described in Section 1 of this resolution. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Village's General Fund. It is intended that the Village shall then reimburse expenditures from the General Fund with the proceeds of the bonds and bond anticipation notes authorized by this resolution and that the interest payable on the bonds and any bond anticipation notes issued in anticipation of such bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the Village's "official intent" within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures authorized by this resolution with the proceeds of the bonds and bond anticipation notes authorized herein. Other than as specified in this resolution, no monies are reasonably expected to be, received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 10. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Boonville, Oneida County, New York, by the manual or facsimile signature of the Village Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the Village Clerk.

Section 11. The Village hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the Village will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds with a schedule of 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, providing for the manual countersignature of a fiscal agent or of a designated Official of the Village), the date, denominations, maturities and interest payment dates, place or places of payment, and also 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 of Boonville Board of Trustees
13149 State Route 12
Boonville, NY 13309**

**Meeting of February 14, 2023
Page 4 of 7**

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 13. Theodore A. Trespasz Jr., Esq. is hereby appointed bond counsel to the Village in relation to the issuance of the obligations authorized herein.

Section 14. 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 days after the date of publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 15. This resolution shall be subject to permissive referendum and a summary hereof shall be published by the Village Clerk as provided by Village Law Section 9-900. This Resolution shall become effective 30 days after its adoption. Following such effective date, in the event that no petition for a referendum was timely submitted and filed, the Village Clerk shall cause the publishing and posting of a notice in substantially the form provided in Section 81.00 of the Local Finance Law together with a summary of this Bond Resolution.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the Board of Trustees of the Village on February 14, 2023, the result of which vote was as follows:

<u>VOTE</u>	
Judith Dellerba, Mayor	Aye
Lisa Stanford	Aye
Kelly Brach	Absent
Kenneth Stabb	Aye
Alan R. Satterly	Absent

DATED: February 14, 2023

Boonville Environmental Council (BEC)- Mr. Tyme Ferris, Chairman for the Boonville Environmental Council, spoke briefly on behalf of the council and mentioned several items. Mr. Ferris also mentioned that the next council meeting will be Wednesday, February 15th at 7:30PM.

NOCCOG- Mr. Joe Rowlands, circuit rider for NOCCOG, mentioned several items from the February newsletter. NOCCOG will be presenting a webinar entitled Knowledge Transfer. This webinar will be conducted on Tuesday, February 28, 2023 via Zoom from 6:00-7:00PM. Environmental Facilities Corporation (EFC) will be hosting a Wastewater & Drinking Water Infrastructure Workshop at Herkimer College, the Robert McLaughlin College Center, on Tuesday, February 28, 2023, from 1-3PM.

Tammy Kelly- Ms. Kelly is a Boonville Farmer's Market vendor and stated that she would like to see growth in the Farmer's Market and inquired of the Board what she could do. Mayor Dellerba stated that she was a part of the beginning of the Farmer's Market and offered her binder of information to Ms. Kelly.

Village of Boonville Board of Trustees
13149 State Route 12
Boonville, NY 13309

Meeting of February 14, 2023
Page 5 of 7

Correspondence:

NYS DEC letter - Community Assistance Visit for the Village of Boonville for National Flood Ins. Prog. (NFIP)- As a participating community in the National Flood Insurance Program (NFIP), the Village will be scheduled for a Community Assistance Call (CAC), to be conducted by the NYS DEC in support of the Federal Emergency Management Agency (FEMA) Community Assistance Program – State Support Services Element (CAP-SSSE). The purpose of the call is to provide assistance to the community for participation in the NFIP, including the technical and administrative elements of the program. CEO/ZEO Kenneth Doolittle, is also the Floodplain Administrator (FPA). He informed Clerk Lee that he has already reached out to the NYS DEC’s author of the letter, Mr. Brad Wenskoski, CFM, regarding scheduling the telephone call. CEO/ZEO Doolittle is awaiting a response.

Department Reports:

Grants & Treasurer- Treasurer Kaiding presented the board with her grant report for February. The following resolution was requested by the NYS Parks EPF grant and was presented for consideration by the Board:

RESOLUTION
No. 3 - 2023

RESOLVED, that the Village of Boonville applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) Environmental Protection Act, for the purpose of funding the Erwin Park Renewal project;

RESOLVED, that the Village of Boonville is authorized and directed to accept these grant funds in an amount not to exceed \$328,125 for the project described in the grant application;

RESOLVED, that the Village of Boonville Board of Trustees are authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for such Erwin Park Renewal project;

RESOLVED, that the Village of Boonville is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

RESOLVED, that the governing body of the municipality delegates signing authority to execute the Master Contract and any amendments thereto, any required deed of easement, and any other certifications to the individuals who hold the following appointed municipal office and employment position title: Judith Dellerba, Mayor and Lisa Kaiding, Grants Administrator;

RESOLVED, that this Resolution shall take effect immediately.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the Village Board this 14th day of February, 2023, the result of which vote was as follows: Trustee Stanford made the motion, seconded by Trustee Stabb to adopt the above Resolution which was passed on February 14, 2023. Ayes: 3; Nays: 0; Absent: 2.

CERTIFIED TRUE COPY I, Wendy A. Lee, Clerk of the Village of Boonville, hereby certify that the foregoing is a full, true, and accurate copy of a resolution duly and regularly adopted by the governing body of the municipality, at a meeting duly and regularly held on February 14, 2023, at which quorum was present throughout, and the required majority of the governing body voted in favor of this resolution.

I further certify that this resolution is still in full force and effect and has not been revoked or modified.

Wendy A. Lee
Signature – Clerk

February 14, 2023
Date

Grant Administrator Kaiding stated that she just submitted the FEMA – Assistance to Firefighters Grant on 2/10/23, a \$50,000.00 micro-grant for turnout gear; for the WWTP – pending applications - \$1,000,000 WQIP grant application submitted 7/29/22 and \$3,000,000 FEMA grant application submitted 5/15/22. Miscellaneous and items on hold: E. Schuyler St. reline updated quote for 2023 by Town & County Bridge and Rail:

Village of Boonville Board of Trustees
13149 State Route 12
Boonville, NY 13309

Meeting of February 14, 2023
Page 6 of 7

\$139,092 and E. Schuyler St. is in need of paving. Discussion ensued regarding this topic; at this time, no action was taken.

Police- OIC Robenski presented his monthly report to the board prior to the meeting. In the month of January, a total of 259 calls for service were answered. The Boonville Police Department has been awarded an \$8,000.00 grant for the purchase of body camera systems. The grant will cover the purchase of three (3) body camera systems and will include data storage and insurance for approximately 3-5 years. The background investigation for one new candidate has been completed and that candidate is being recommended for a provisional appointment to the Village of Boonville Police Department.

WWTP- Ken Scherrieble emailed a January report to the board ahead of the meeting. Foreman Kafka stated that the wastewater treatment plant should have enough 55-gallon drums of polymer (4), which should be enough until the fall.

Fire- A report was submitted for the month of January prior to the meeting. In the month of January, a total of 6 calls were answered for service: 4 of the calls were in the Village and 2 were attended in the Town of Boonville. Chief Pritchard stated that the 1993 Spartan Tanker truck will need to be replaced next.

Zoning & Codes- CEO/ZEO Doolittle provided a December report via email, for the board to review. During the month of January, CEO/ZEO Doolittle conducted 6 inspections and 6 site visits and issued 1 certificate of occupancy. CEO/ZEO Doolittle's training schedule is as follows: all Fridays – January 13 (completed), February 17, March 17, April 21, May 12 and June 9; annual reports completed for New York State.

Old Business:

Snow/Brush Dump Permit- Briefly discussed by the Board; no decisions made at this time.

New Business:

March Regular Meeting- The regular meeting in March, originally scheduled for March 14th, will be postponed to Tuesday, March 21st, due to the possible lack of a quorum.

Village Investment Policy- A motion was made by Trustee Stabb, seconded by Trustee Stanford to amend the Village's Investment Policy, to add the NYCLASS (NY Cooperative Liquid Assets Securities System) investment program to its list of designated depositories and, furthermore, to increase the maximum amount of funds to be held at any one time to \$2,000,000.00. Ayes – Trustees Stabb, Stanford, and Mayor Dellerba; nays – none. Motion carried.

A motion was made by Trustee Stabb, seconded by Trustee Stanford to add the Village's Investment Policy to the Organizational Meeting list of items to be reviewed and adopted annually. Ayes – Trustees Stabb, Stanford and Mayor Dellerba; nays – none. Motion carried.

Transfer Site Heaters for new Storage Building- Foreman Brach presented the Board with two written quotes for the purchase of electric heaters to be installed at the Transfer Site's new storage building:

Mill's Electrical Supply	\$1,938.00
Utica Valley Electric Supply	\$3,638.00

A motion was made by Trustee Stabb, seconded by Trustee Stanford to approve of the purchase of the electric heaters at a total cost of \$1,938.00 from Mill's Electrical Supply. Ayes – Trustees Stabb, Stanford and Mayor Dellerba; nays – none. Motion carried.

WHIBNY Request- A request was made by Lisa Stanford, on behalf of WHIBNY (What's Happening in Boonville NY), for permission to conduct a parade on Main Street on Friday, March 17, 2023, St. Patrick's Day. A motion was made by Trustee Stabb, seconded by Mayor Dellerba to approve of the request as presented. Ayes – Trustee Stabb, Mayor Dellerba and Trustee Stanford; nays – none. Motion carried.

Village of Boonville Board of Trustees
13149 State Route 12
Boonville, NY 13309

Meeting of February 14, 2023
Page 7 of 7

Executive Session- A motion was made by Trustee Stanford, seconded by Trustee Stabb to enter Executive Session at 8:00 pm to discuss matters pertaining to specific employee and a potential individual for hire. At this time all meeting attendees exited the meeting with the exception of Treasurer Kaiding and OIC Robenski. Ayes – Trustees Stanford, Stabb, and Mayor Dellerba; nays – none. Motion carried. The meeting returned to regular session at 8:58 pm.

A motion was made by Trustee Stabb, seconded by Trustee Stanford to make an offer of employment to potential new hire for the police department, Mr. Thomas Bronson. Ayes – Trustees Stabb, Stanford and Mayor Dellerba; nays – none. Motion carried. Mr. Bronson’s offer of employment will contain the following parameters:

- Effective immediately, pending the passage of a psychological evaluation and fingerprinting, part-time employment at an hourly rate of \$18.00 during Phase I officer training portion.
- Upon successful completion of Phase I training and throughout Phase II training, candidate’s part-time hourly rate will increase to the current established rate for Village of Boonville part-time police officers.
- Upon successful completion of both Phase II officer training and Field Training Officer (FTO) program AND receipt of certification as a Police Officer by New York State Department of Criminal Justice Services (DCJS), candidate will be promoted to a full-time officer position with the Village of Boonville.
- Furthermore, candidate must agree to a three-year contract of employment with the Village of Boonville. Your first-year salary will be set at \$50,000.00 plus a benefits package. If candidate severs employment within the first three years, he agrees to pay all accrued training costs and appropriate fees and penalties.

A motion was made by Trustee Stabb, seconded by Trustee Stanford to authorize Attorney Young to initiate the Section 75 procedure with said employee as discussed. Ayes – Trustees Stabb, Stanford and Mayor Dellerba; nays – none. Motion carried.

Bills & Payroll- A motion was made by Trustee Stabb, seconded by Trustee Stanford to approve the bills of abstract #17 and #11 – Trust & Agency, and #15 Capital Project @ WWTP and the payrolls for the weeks of: January 22nd, 29th and February 5, 2023 as presented. Ayes – Trustees Stabb, Stanford and Mayor Dellerba; nays – none. Motion carried.

Gen. Fund	Abs #17	\$63,414.81	Vou: #334-361
WWTP Fund	Abs #17	\$47,644.88	Vou: #93-103
Transfer Site	Abs #17	\$2,104.74	Vou: #76-78
Trust & Agency	Abs #11	\$1,980.73	Vou: #25-27
Capital Project @ WWTP	Abs #15	\$73,393.00	Vou: #15

Adjournment: There being no other business, a motion was made to adjourn at 9:12 pm by Trustee Stanford, seconded by Trustee Stabb. Ayes – Trustees Stanford, Stabb, and Mayor Dellerba; nays – none. Motion carried.

Wendy Lee

Wendy Lee, Village Clerk