**Village of Sylvan Beach**

**Board Meeting**

**September 18, 2023**

The Village Board of the Village of Sylvan Beach held their Regular Board meeting on Monday, September 18, 2023 at 6:30 pm. The meeting was attended with board members present and the public was provided with a link to attend via zoom videoconference. Deputy Mayor Mark Daily presided over the meeting with the following in attendance. Mayor Sullivan is absent due to travel for work.

**Roll Call:**

Mayor Richard Sullivan Absent (work)

Trustee Mark Daily Present

Trustee David DeSantis Present

Trustee Sue Mackay Present

Trustee Thaddeus Lawrence Present

**Others in Attendance:**

Michael Sayles, Village Administrator

Norm Leach, Oneida County Legislator

Joe Rowland, Tugg Hill Commission

**Approval of Minutes:**

Motion made by Trustee DeSantis and seconded by Trustee Lawrence to accept the minutes of the Regular Meeting of August 21, and September 5, 2023 as reported by the Village Clerk. Carried as follows:

Trustee Daily Aye Trustee DeSantis Aye

Trustee Mackay Aye Trustee Lawrence Aye

**Approval and Audit of Bills:**

|  |  |
| --- | --- |
| General Fund | $ 13,968.76 |
| Park Fund | $ 27,585.91 |
| Resort District | $ 0.00 |
| Water District | $ 3,365.63 |
| EOLWPAP | $ 40,263.59 |
| SBSD | $ 3,722.00 |
| **Total** | **$ 88,905.89** |

Motion was made by Trustee Mackay and seconded by Trustee DeSantis to approve payment of all bills to be paid from September 5, 2023 through September 15, 2023 in the amount of $88,905.89 as presented and reviewed by the Village Board of Trustees.

Carried as follows:

Trustee Daily Aye Trustee DeSantis Aye

Trustee Mackay Aye Trustee Lawrence Aye

**Reports:**

Village Clerk/Treasurer – circulated and reviewed during audit review

Michael Sayles, Village Administrator

* Signs at 16th and Pioneer all on 1 post
* Speed Bumps in with just a couple complaints mostly thank you
* Will be receiving $7500 from jet ski race for rental of the Sunset Part for campers
* Will be closing bath house at end of the month and removing port a johns as well

Trustee Daily asked if mums will be installed and Michael indicated he had called Debrucque’s

Norm Leach, Oneida County Executive reported on events happening with Oneida County and the progress being made

Joe Rowland of the Tug Hill Commission reported on up coming meetings and training

**Communications:**

**Announcements**

**Public:**

**Resolutions:**

**BOND RESOLUTION**

**(SUBJECT TO PERMISSIVE REFERENDUM)**

The following resolution was offered by Trustee David DeSantis, who moved its adoption, seconded by Trustee Thad Lawrence

BOND RESOLUTION DATED SEPTEMBER 18, 2023 superceding that of july 19, 2021.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM**,** THE ISSUANCE OF AN ADDITIONAL $650,000 BondS OF THE VILLAGE OF SYLVAN BEACH, ONEIDA COUNTY, NEW YORK, TO PAY PORTION OF THE COST OF THE Construction of improvements to and reconstruction of the village sewer collection system in and for said village to pay portion of the cost thereof.

WHEREAS, the capital project hereinafter described has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have a significant impact on the environment; and

WHEREAS, the Board of Trustees of the Village of Sylvan Beach, Oneida County, New York, on March 15, 2021, duly adopted a bond resolution authorizing the issuance of $2,650,000 bonds of said Village to pay the cost of the construction of improvements to and reconstruction of the Village sewer collection system, in and for Village of Sylvan Beach, Oneida County, New York, and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose is $3,300,000, an increase of $650,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional $650,000 bonds of said Village for such specific object or purpose to pay a portion of the cost thereof; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Sylvan Beach, Oneida County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the cost of the construction of improvements to and reconstruction of the village sewer collection system in and for Village of Sylvan Beach, Oneida County, New York, there are hereby authorized to be issued an additional $650,000 bonds of the Village of Sylvan Beach, Oneida County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be $3,300,000 which specific object or purpose is hereby authorized at said maximum estimated cost. The plan for the financing of the $3,300,000 maximum estimated cost thereof is as follows:

(a) By the issuance of the $2,650,000 bonds of said Village authorized to be issued pursuant to bond resolution dated March 15, 2021; and

(b) By issuance of the $650,000 bonds of said Village herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized shall exceed five years.

Section 4. The faith and credit of said Village of Sylvan Beach, Oneida County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations 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 year. There shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer. Such notes shall be of such terms, 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.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Village Treasurer shall deem best for the interests of said Village, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Village Treasurer shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. 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 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Village Treasurer is hereby further authorized, at the Village Treasurer’s sole discretion, to execute a project finance agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof and of the bond resolution dated March 15, 2021, or a portion thereof, by a bond, and/or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of the Local Finance Law.

Section 10. 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 such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. Upon this resolution taking effect, a summary thereof shall be published in the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This resolution is adopted subject to permissive referendum. The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows

:

Trustee Daily\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ VOTING \_\_\_\_\_\_\_\_\_\_\_\_\_

Trustee Mackay\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ VOTING \_\_\_\_\_\_\_\_\_\_\_\_\_

Trustee DeSantis\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ VOTING \_\_\_\_\_\_\_\_\_\_\_\_\_

Trustee Lawarence\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ VOTING \_\_\_\_\_\_\_\_\_\_\_\_\_

The resolution was thereupon declared duly adopted.

**WHEREAS,** the Village Clerk has been asked to conduct such examination and audit of the village justice records for fiscal year ending 2023 and

**THEREFORE,** the Village Clerk has completed the examination and audit of the village justice records and finds the village justice records to be incompliance in accordance with the annual audit checklist provided by the State of New York Unified Court System

**BE IT RESOLVED** by Trustee Mackay and seconded by Trustee Lawrence to accept the findings from the Village Clerk that the village justice records are in compliance for fiscal year ending 2023. Carried as follows

Trustee Daily Aye Trustee DeSantis Aye

Trustee Mackay Aye Trustee Lawrence Aye

The Village Court is requesting authorization from the Village Board to apply for funding from the Justice Court Assistance Program during the upcoming grant cycle. One required component of that application is a Resolution from the Village Board authorizing the Village Court to apply for this funding.

**BE IT RESOLVED** by Trustee Daily and seconded by Trustee Lawrence that the Village of Sylvan Beach authorizes the Village of Sylvan Beach Village Court to apply for a JCAP grant in the 2023-2024 grant cycle up to $30,000.00. Carried as follows

Trustee Daily Aye Trustee DeSantis Aye

Trustee Mackay Aye Trustee Lawrence Aye

**Old Business:**

Approval of changes to the Village of Sylvan Beach Procurement Policy as proposed by the Village Administrator.

Motion was made by Trustee DeSantis and seconded by Trustee Lawrence to approve the changes to the Village of Sylvan Beach Procurement Policy as proposed by the Village Administrator. Carried as follows:

Trustee Daily Aye Trustee DeSantis Aye

Trustee Mackay Aye Trustee Lawrence Aye

**New Business:**

John Porter has completed all the campground inspections for 2023, Lone Pine, Hidden Point, Fish Creek Marina and Sidney Boat Club and has found the all to be substantially compliant and recommends that the operating permits be approved.

Motion made by Trustee Lawrence and seconded by Trustee Mackay to approve of the operating permits for Lone Pine, Hidden Point, Fish Creek Marina and Campground and Sidney Boat Club for the 2023 Season. Carried as follows

Trustee Daily Aye Trustee DeSantis Aye

Trustee Mackay Aye Trustee Lawrence Aye

Daniel Lehmann, Street Superintendent is looking to send the DPW to the Highway & Public Works Expo October 18th from 8-3 at the NYS Fairgrounds

Motion was made by Trustee DeSantis and seconded by Trustee Lawrence to authorize the DPW to attend the Highway & Public Works Expo on October 18th. Carried as follows

Trustee Daily Aye Trustee DeSantis Aye

Trustee Mackay Aye Trustee Lawrence Aye

Michael Sayles has received from Ber-National a quote for 6 more pay stations at a cost of $67,895.00 giving the Village all new machines and all the same style and taking credit cards

Motion was made by Trustee DeSantis and seconded by Trustee Lawrence to move forward with the purchase of the 6 pay stations through Ber-National as a sole source at a cost of $67,895.00. Carried as follows

Trustee Daily Aye Trustee DeSantis Aye

Trustee Mackay Aye Trustee Lawrence Aye

**Adjournment:**

Motion was made by Trustee Mackay and seconded by Trustee Lawrence to adjourn the meeting at 7:30 pm. Carried as follows:

Trustee Daily Aye Trustee DeSantis Aye

Trustee Mackay Aye Trustee Lawrence Aye

Respectfully reported by

Wanda E Durant

Village Clerk-Treasurer

**DRAFT**