



## TOWN OF WILLSBORO

5 FARRELL ROAD WILLSBORO, NY 12996

518-963-8668

### TOWN OF WILLSBORO

TOWN BOARD MEETING

WILLSBORO TOWN HALL

January 12 2022

**Present:** Supervisor, Shaun Gilliland, Councilors: Steve Benway, Lane Sayward, Lorilee Sheehan, Scott Christian

**Guests:** Greg Gordon, Patrick McCauliffe. Wendy Sayward, Yvonne Pierce, Briana Pierce, Peter Paine, Travis Crowningshield, Justin Drinkwine, Glenn Sayward, Mike Phinney, Becky Crowningshield, Karen Dalton, Rick Dalton, Dick Walker

*Supervisor: Shaun Gilliland called the meeting to order at 6:30pm.*

*The board and guests recited the Pledge of Allegiance.*

*-Shaun opened the public hearing on the Town Of Willsboro Public Water System Bond Resolution.*

*-Estimated cost of improvements is 20 million dollars.*

*-Attorney read to ratify the resolution of water. -Motion made by Benway, Second by Sheehan, All in favor.*

*-Patrick McCauliffe, water superintendent, described the conditions and necessities needed for a long-term overhaul of the water system. Current plant was built in the early 1960s, it has been doing a good job for a very long time but the state regulations have gotten stricter and continue to become stricter. The type of treatment we have does not do a very good job of removing soluble organic content. Current plant does not have the ability to do any better than what it is currently doing. Storage is also an issue, can currently store 700,000-735,000 gallons, there have been a few times that we hit 600,000 gallons in a day which does not leave room for fire protection.*

*Shaun added that money is coming down the pike from federal government/structure bills that have not made it to the states yet (we do not know what the requirements are or how to qualify for it yet) but what we do know is you have to be shovel ready, meaning to have a plan, (we have) and have a bond. If we have everything ready to go, we can apply for the money as it becomes available, we are not looking at spending 20 million.*

*-Public Comment... none*

*-Board- any questions: Christian asked for a repeat of how many gallons of storage we have. Benway asked how many gallons a day (maximum) are produced. Pat said roughly 450 gallons a minute resulting in around 650,000 a day. Benway summarized that there may*

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come a day that we cannot pump enough water in a day to supply to provide service to our customers, and many other questions.

-Shaun closed the public hearing and opened the regular Town Board Meeting/Year End Meeting.

-Start with review of Meeting Minutes December 2022. Benway made a motion to approve minutes, Sayward seconded, no discussion, all in favor.

## Reports:

### ➤ Supervisor

o **Correspondence:** Unified Court System letter request court audit, the soon to be appointed audit committee will decide for this to happen.

o **Town:** Shaun was told yesterday that the Lake Champlain Basin program awarded our application for a \$125,000 grant for the backup mechanical screen addition. We have \$90,000 from DEC + this \$125,000 should fully cover the cost of that.

o **County:** Not many changes in the county since his last report. The mask distribution is continuing and home test kits will continue.

o **Motion to accept Warrant, Supervisor's Report.** Plan to have a meeting later this month to have the warrant approved.

**Town Clerk Report:** Started collecting taxes + water and sewer just went out, they are coming in which makes the office very busy. Sue appointed Susie Drinkwine as her Deputy Clerk and they are both working and learning together. Collected \$429,167.70 in taxes so far which is about 14.1% of what will be coming in. No questions for the Clerk. Sayward made a motion to accept Clerks' report. Christian seconded. All in favor.

### ➤ DPW Report

o **Sewer & Water:** Travis Crowningshield to discuss with Todd from the County about the grants for the sand/salt storage building. Todd will come back in the next week or two to sit down and discuss what can be done/what size the building needs to be/figure out the screen plant. By next month there should be an answer as to what way they are going to go. Ice ring should be completed tonight, a few guys have been working on it quite a bit. The guys have been working just about every weekend, we went through a lot of salt and sand during December and January because of the amount of freezing rain. Pat McCauliffe spoke again: showed pictures of Filters 3 and 4 needing repairs: there is a tremendous amount of pressure in these filters and it needs to be repaired as soon as possible. Pat is asking permission to reach out to JFP (who did the welding work a year in a half ago or so on other filters) to get someone down here asap. Benway moved to get someone to do the repair as soon as possible, Lorilee Seconded. No Discussion. Roll call: Sayward, Sheehan, Christian, Benway, Gilliland. All in favor and the motion is carried.

o **Ambulance District Report:** 31 calls for December, which is about average. Total response for 2021 was 455 calls, up from 348 calls from 2020. More community calls and less calls to senior housing. All members are vaccinated for Covid, no cases of Covid in the members due to transportation. Looking for a day time paid driver in

*2022 to pair up with the paid paramedic. Started recruitment and retention committee, community CPR, ordered a new ambulance that is expected to come at the end of the year. Looking for grants for self-loading stretchers.*

**-Youth Commission Report-** none.

➤ **Parks/Rec./Golf Course Report-** no report

RESOLUTIONS:

**Resolution No. 1 of 2022**

**Resolution Setting Salaries for Elected Officials**

**RESOLVED**, the following shall be the salaries for Town of Willsboro Elected Officials:

Town Supervisor \$37,329.24

Town Clerk / Tax Collector \$44,650.32

Highway Superintendent / DPW \$62,707.51

Town Councilperson \$4476.42

Town Justice \$13,380.90

Supervisor Gilliland called for a motion to accept salaries of elected officials; Sheehan made motion. Sayward seconded it. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in favor and the motion carried.

**Resolution No. 2 of 2022**

**Contracts in Force**

**RESOLVED**, all contracts in force as of December 31 2021, and remaining within their respective effective terms, shall remain in effect in 2022 until terminated, expired, renewed, or amended.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 3 of 2022**

**Resolution Designating Liaisons / Committees**

**RESOLVED**, that the following Town Council will serve as liaisons for the following Commissions, Departments, and Committees during 2022:

- Audit: Steven Benway, Lorilee Sheehan
- Ambulance District Coordinating Committee: Shaun Gilliland, Lane Sayward
- Youth Commission: Lorilee Sheehan
- Water / Sewer: Steve Benway, Scott Christian
- Noblewood Park: Lorilee Sheehan
- Hiring: Lorilee Sheehan, Lane Sayward
- Union: Steve Benway, Shaun Gilliland
- Emergency Preparedness: Steve Benway, Scott Christian
- Charges & Rates Review: Lorilee Sheehan, Lane Sayward

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 4 of 2022**  
**Resolution Designating Official Bank**

**RESOLVED**, that Champlain National Bank is designated to be the official bank to deposit the Town of Willsboro's monies during 2022.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 5 of 2022**  
**Resolution Designating Official Newspapers**

**RESOLVED**, the official newspaper for advertising in 2022 shall be the Press Republican, **BE IT FURTHER RESOLVED** that the Sun Community News shall also be designated as secondary official newspaper.

Benway made motion, Sheehan seconded. All in Favor and the motion carried.

**Resolution No. 6 of 2022**  
**Resolution Designating Mileage Allowance**

**RESOLVED**, that the Town Officials be compensated at \$0.585 cents per mile for use of private vehicles in the performance of their official duties in 2022 (IRS official rate).

Benway made motion, Sayward seconded. All in Favor and the motion carried. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in favor and the motion was carried.

**Resolution No. 7 of 2022**  
**Resolution to Set Date of Monthly Meetings**

**RESOLVED**, that the Town Board of the Town of Willsboro shall hold monthly meetings, the second Wednesday of each month at 6:30 PM at the Willsboro Town Hall unless changed by Board Resolution. **Special meetings or workshops will be called as required by the Supervisor or 2 or more Councilpersons.**

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 8 of 2022**

**Resolution to Approve attendance at Association of Counties Annual Meeting** **RESOLVED**, that the members of the Town Board are authorized to attend the 2022 New York Association of Counties virtual Annual Meeting if desired. Expenses to be reimbursed.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 9 of 2022**  
**Resolution Authorizing Supervisor to Send Financial Report**

**RESOLVED**, that the Supervisor shall submit to the Town Clerk and to the State Comptroller, a copy of the Annual Report for 2022 within 60 days after the close of the year. **An extension may be applied for as needed.**

Benway made motion, Sayward seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 10 of 2022**  
**Resolution to Appoint Registrar**

**RESOLVED**, that Susan Thompson is appointed to serve as Town Registrar for 2022.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 11 of 2022**  
**Resolution to Appoint Town Historian**

**RESOLVED**, that Ronald Bruno is appointed to serve as Town Historian for 2022 FURTHER **RESOLVED**, to sponsor Town Historian membership and dues in Association of Public Historians.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 12 of 2022**  
**Resolution to Appoint Zoning / Code Officer**

**RESOLVED**, that the Town Board reappoints Mr. Terry Lee Pulsifer Jr. as the Town of Willsboro Code Enforcement Officer for 2022.

Benway made motion, Sheehan seconded. All in Favor and the motion carried.

**Resolution No. 13 of 2022**  
**Resolution Authorizing Highway Superintendent to expend amounts under \$2000**  
**RESOLVED**, Pursuant to §142 of the Highway Law, that the Highway Superintendent be authorized to expend amounts under \$2000, per item, for repairs of Town equipment, tools, and other implements to be used for highway maintenance, construction and reconstruction; **ANY** other expenditure shall be reviewed by the Town Board.

Benway made motion, Sayward seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 14 of 2022**  
**Resolution to Appoint Dog Control Officer**

**RESOLVED**, that the Town Board does hereby appoint Perry Marsha to serve as Dog Control Officer for the Town of Willsboro for 2022.

Benway made motion, Sheehan seconded. All in Favor and the motion carried.

**Resolution No. 15 of 2022**  
**Resolution Appointing Town Counsel**

**RESOLVED**, that firm of Miller, Mannix, Schachner & Hafner LLC is hereby reappointed as Town's legal counsel for the Town of Willsboro by contract.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 16 of 2022**  
**Resolution Appointing Town Engineer**

**RESOLVED**, that Essex County Engineer, Todd Hodgdon, will be appointed as Town of Willsboro Town Engineer.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 17 of 2022**

**Resolution Appointing Supervisor's Clerk**

**RESOLVED**, that the Supervisor does hereby appoint Morgan Denton as Clerk to the Supervisor for the year 2022.

Christian made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 18 of 2022**

**Resolution to Appoint Board of Assessment Review (B.A.R.)**

**RESOLVED**, that the Town Board does hereby appoint, the following board members, to serve on the Assessment Board of Review for the year 2022.

Constance Eisenhardt

Darren Dickerson

Richard Drollette

Vacant

Vacant

Secretary: Morgan Denton

FURTHER RESOLVED, to appropriate the sum of \$500.00 for each member and secretary upon conclusion of B.A.R. proceedings for 2022.

Benway made motion, Sayward seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 19 of 2022**

**Resolution to Appoint Town Health Officer**

**RESOLVED**, that the Town Board does hereby appoint Smith House (UVM Health Network) to serve as Town Health Officer for the year 2022.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 20 of 2022**

**Resolution to Appoint Highway Deputy Supervisor**

**RESOLVED**, that the Town Board does hereby appoint Scott Blanchard to serve as Highway Deputy Supervisor for the year 2022.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 21 of 2022**

**Resolution to Delegate to the Supervisor Powers and Duties**

**RESOLVED**, Pursuant to § 3-7 of the Town Law, that the Supervisor is authorized to conduct duties necessary for the day-to-day administration of the Town for the year 2022, and to

expend under \$2,000, per item, for Town repairs or urgent incident charges. **ANY** other expenditure over \$2000 shall be subject to Town Procurement policy.

Christian made motion, Sayward seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 22 of 2022**

**Resolution to Appoint Water Superintendent**

**RESOLVED**, that the Town Board does hereby appoint Patrick McAuliffe to serve as Licensed Water Superintendent for 2022.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 23 of 2022**

**Resolution to Appoint Sewer Superintendent**

**RESOLVED**, that the Town Board does hereby appoint Patrick McAuliffe to serve as Sewer Superintendent for 2022.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution to Affirm Sewer District User Rates**

**RESOLVED**, the sewer district debt rate per parcel will be \$265.10 for 2022.

Benway made motion, Sayward seconded. Roll call- Sayward, Sheehan, Benway, Christian, Gilliland. All in Favor and the motion carried.

**Resolution No. 25 of 2022**

**Resolution to Affirm Sewer Debt Rate**

**RESOLVED**, the following will be the unit sewer rates for 2022 unless superseded by town ordinance:

Single residence-	\$360.00
Church-	
Rental per housing unit-	\$360.00
Small Commercial-	\$1080.00
Large Commercial-	\$2160.00

Benway made motion, Sayward seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 26 of 2022**

**Resolution to Affirm Water User Rates**

**RESOLVED**, the 2020 HRA account be closed out & funds transferred to 2022 account fund balances (\$3827.20 total all funds).

Benway made motion, Sayward seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 27 of 2022**

**Resolution to Close out 2020 HRA Account**

**RESOLVED**, that the 2020 HRA account be closed out & funds transferred to 2022 account fund balances (\$3827.20 total all funds).

Benway made motion, Sheehan seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 28 of 2022**

**Willsboro/Essex Youth Commission Youth Commission**

**RESOLVED**, the Willsboro Town Board ratifies the continued operation of a Town Youth Commission and youth recreation program in 2022.

**RESOLVED**, the Willsboro Town Board Reappoints the following persons to the Town of Willsboro Youth Commission:

Krissy Leerkes (Chair)

Jhami Santillo

Michelle Baker

Aimee Lobdell

Nancy Arthur

Tierra Reynolds

**Further RESOLVED**, that Krissy Leerkes is appointed as Representative for the Town of Willsboro to the ESSEX COUNTY YOUTH BOARD / PLANNING COMMITTEE.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 29 of 2022**

**Resolution to Appoint Deputy Town Supervisor**

**BE IT RESOLVED**, that the Town Board of the Town of Willsboro ratifies the appointment of Councilwoman Lorilee Sheehan as Deputy Town Supervisor for 2022.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 30 of 2022**

**Resolution to Appoint Clerk to the Courts**

**RESOLVED**, that the Town Board does hereby appoint Angeline Dickerson and Laura Carson to serve as clerks to the Courts for the year 2022.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 31 of 2022**

**Resolution to Appoint Deputy Town Clerk / Deputy Tax Collector**

**RESOLVED**, that the Town Board does hereby appoint Susan Drinkwine to serve as Deputy Town Clerk and Deputy Tax Collector for the year 2022 at a salary of \$7466.16.

Benway made motion, Sayward seconded. Roll call-Sayward, Sheehan, Christian, Gilliland. All in Favor and the motion carried.

**Resolution No. 32 of 2022**



**Resolution to Appoint Sole Assessor**

**RESOLVED**, that the Town Board does hereby appoint David Galarneau to serve as Sole Assessor for the year 2022 for the Town of Willsboro.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 33 of 2022**

**Resolution to Adopt Town Policy**

**RESOLVED**, that the Town Board does hereby agree to adopt the following Policies, **subject to additions, deletions, revision and updating**, for the year 2022.

- o Procurement
- o Investment
- o Employee Manual (2013)
- o Water (2009)
- o Wastewater Treatment
- o Mail Box (1966)
- o Rabies (1994)
- o Town & County Emergency Plan
- o Workplace Violence (2011)
- o Youth/Ski Program Transportation (2007)
- o Youth Commission (2015)
- o Town Credit Card Policy (2017)

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 34 of 2022**

**Resolution to Adopt Early Bill Payment**

**RESOLVED**, that the Town Board does hereby agree to renew the resolution for early payment of regularly occurring bills so as to avoid penalties for the year 2022. (phone, utilities, insurance, taxes, bond)

Benway made motion, Sayward seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 35 of 2022**

**Resolution to Adopt 2022 Holiday Schedule**

**RESOLVED**, that the Town Board does hereby agree to adopt the 2022 Essex County Government Holiday Schedule for the Town of Willsboro.

Benway made motion, Sheehan seconded. All in Favor and the motion carried.

**Resolution No. 36 of 2022**

**Resolution to Join the Plattsburgh-North Country Chamber of Commerce RESOLVED**, that the Town Board does hereby agree to join the Plattsburgh North Country Chamber of Commerce for 2022 at a rate of \$216.00.

Benway made motion, Sheehan seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 37 of 2022**

**Resolution to Renew Articles of Agreement with SPCA**

**RESOLVED**, that the Town Board does hereby agree to renew the Articles of Agreement with the SPCA and pay \$3098.25 for services for the year 2022.

Benway made motion, Sayward seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 38 of 2022**

**Resolution to Renew Paine Memorial Library Contract**

**RESOLVED**, that the Town Board does hereby agree to renew the contract with the Willsboro Library and pay the sum of \$20,000 for free library privileges for the year 2022.

Benway made motion, Sheehan seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 39 of 2022**

**Resolution to Renew Life Flight Contract**

**RESOLVED**, that the Town Board does hereby agree to renew the contract with Life Flight and pay the sum of \$100 for the year 2022.

Benway made motion, Sheehan seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 40 of 2022**

**Resolution to renew membership in New York Association of Towns** **RESOLVED**, that the Town Board does hereby agree to renew membership in the Association of Towns of the State of New York and pay the sum of \$1100.00 for the year 2022.

Benway made motion, Sheehan seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 41 of 2022**

**Resolution to Renew Membership in Adirondack Park Local Government Review Board**

**RESOLVED**, that the Town Board does hereby agree to renew membership in the Adirondack Park Local Government Review Group for 2022 at a cost of \$300.

Benway made motion, Sayward seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 42 of 2022**

**Resolution to Renew to Assess Delinquent Tax Re-Billing Fee**

**RESOLVED**, that the Town Board sets the Tax notice re-bill fee at \$2.00 to be added to the recipient's tax bill.

Benway made motion, Sawyard seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 43 of 2022**

**Resolution to Renew Membership in Adirondack Association of Towns and Villages**

**RESOLVED**, that the Town Board does hereby agree to renew membership in the Adirondack Park Local Government Review Group for 2022 at a cost of \$500.

Benway made motion, Sheehan seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 44 of 2022**

**Resolution to Renew Membership in New York Planning Federation**

**RESOLVED**, that the Town Board does hereby agree to renew membership in the New York Planning Federation for 2022 at a cost of \$270.

Benway made motion, Sheehan seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 45 of 2022**

**Resolution to appoint Chairman of Planning Board**

**RESOLVED**. The Town Board reappoints Greg Gordon as Chairman of the Town Planning Board for 2022.

Benway made motion, Sheehan seconded. All in Favor and the motion carried.

**Resolution No. 46 of 2022**

**Resolution to appoint Chairman of the Zoning Board of Appeals**

**RESOLVED**, The Town Board appoints Peter Sowizdral as Chairman of the Town Zoning Board of Appeals for 2022.

Benway made motion, Sheehan seconded. All in Favor and the motion carried.

**Resolution No. 47 of 2022**

**Resolution to appoint Secretary to Planning and Zoning Board of Appeals RESOLVED**, that the Town Board appoint Morgan Denton as Secretary to the Planning Board and Zoning Board of Appeals for 2022.

Benway made motion, Sayward seconded. All in Favor and the motion carried.

**Resolution No. 48 of 2022**

**Resolution to Renew New York Government Finance Officers Association**

**RESOLVED**, that the Town Board does hereby agree to renew membership in the New York Government Finance Officers Association for 2022 at a cost of \$175.

Benway made motion, Sayward seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No. 49 of 2022**

**Resolution to promulgate releveling listing to ESSEX COUNTY**

**RESOLVED**, that the TOWN BOARD authorizes the Supervisor to promulgate and transmit the Water District and Sewer District releveling listing to ESSEX COUNTY if the due date of the listing is prior to regularly scheduled Town Board meeting. The Supervisor will provide the listing to the Town Board at the meeting immediately following the submission due date.

Benway made motion, Sheehan seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

**Resolution No.51 of 2022**

**Resolution to Appoint Town of Willsboro Marriage Officer**

**RESOLVED**, that the Town Board appoints Susan Thompson as Town of Willsboro Marriage Officer pursuant to New York Marriage Law and New York town Law.

Benway made motion, Sheehan seconded. All in Favor and the motion carried.

**RESOLUTION DETERMINING PROPOSED  
IMPROVEMENTS TO THE TOWN OF WILLSBORO  
PUBLIC WATER SYSTEM  
TO BE IN THE PUBLIC INTEREST**

**RESOLUTION NO. 51-2022**

**INTRODUCED BY:** Benway

**WHO MOVED ITS ADOPTION ???**

**SECONDED BY:** Sayward

**WHEREAS**, in accordance with New York State Town Law, the Town of Willsboro (the "Town") Town Board duly established the Town of Willsboro Water District No. 1 (the "District"); and

**WHEREAS**, the Town owns and operates a water treatment plant (WTP) which supplies water to the District and to the Willsboro Bay Water Company; and

**WHEREAS**, the Town Board wishes to undertake improvements to the Town's public water system which are needed to meet current and future water system demands due to the age of the existing facilities, issues related to WTP upgrades and expansion, water storage, water quality and Department of Health regulations (the "Project"), all in accordance with Town Law Section 202-b; and

**WHEREAS**, M.J. Engineering and Land Surveying, P.C. ("M.J.") prepared plans for the Project and the plans were duly filed in the Town Clerk's Office and made available for public inspection, and

**WHEREAS**, the Town Board has determined that the project is an Unlisted Action under the State Environmental Quality Review Act (SEQRA), has determined to seek and has obtained

SEQRA Lead Agency status and on December 8, 2021, as Lead Agency, issued a Negative Declaration regarding the Project; and

**WHEREAS**, at a meeting held on December 8, 2021, the Town Board adopted a Resolution:

- (a) proposing improvements to the Town's WTP and public water supply storage and distribution systems as recommended in the plans for the Project prepared by M.J.;
- (b) specifying the estimated cost of such improvements as \$20,000,000; and
- (c) stating that the Town Board would meet on January 12, 2022 to hear all persons interested in this improvement of the Town's public water system and to take such other and further action as may be required or authorized by law; and

**WHEREAS**, a Notice of Public Hearing was posted and published not less than ten (10) days nor more than twenty (20) days before the date of the Public Hearing, as required by Town Law §202-b; and

**WHEREAS**, a Public Hearing was duly held at the time and place set forth in said Order, at which all persons desiring to be heard were duly heard;

**WHEREAS**, although the Town of Willsboro is a town partially within the Adirondack Park, the District does not contain State lands assessed at more than thirty percent (30%) of the total taxable assessed valuation of the District, so permission of the State Comptroller to the proposed expenditure is not required under Town Law §202-b; and

**WHEREAS**, the cost of the improvements will be paid from various District funds being a combination of serial bonds and/or bond anticipation notes, current fund balance and/or current funds; and

**WHEREAS**, the Town Board wishes to authorize the proposed Water District improvements in accordance with Town Law §202-b;

**NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

1. Upon the evidence given at the Public Hearing, it is hereby found and determined that it is in the public interest to make the improvements to the Town's public water system described in the Map and Plan at an estimated cost of \$20,000,000.

2. The Supervisor is hereby authorized to direct M.J. Engineering and Land Surveying, P.C. to prepare definite plans and specifications for the improvements, and to make a careful estimate of the expense and, with the assistance of Town Counsel, to prepare a proposed contract for the execution of the work.

3. Such project is hereby authorized and the Town Supervisor is hereby authorized to take all actions necessary to effectuate this Resolution.

4. This Resolution shall take effect immediately.

duly adopted this 12<sup>TH</sup> day of January, 2022 by the following vote:

AYES: Sayward, Sheehan, Christian, Benway, Gilliland

NOES:

ABSENT:

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**RESOLUTION NO.: 52**

**INTRODUCED BY:**

**SECONDED BY:**

**DATED:**

**RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$20,000,000 IN SERIAL BONDS OF THE TOWN OF WILLSBORO TO PAY THE COST OF IMPROVEMENTS TO THE TOWN'S PUBLIC WATER SYSTEM; AND AUTHORIZING THE ISSUANCE OF UP TO \$20,000,000 IN BOND ANTICIPATION NOTES OF THE TOWN OF WILLSBORO FOR THE SAME PURPOSE**

**WHEREAS**, in accordance with New York State Town Law, the Town of Willsboro (the "Town") Town Board duly established the Town of Willsboro Water District No. 1 (the "District"); and

**WHEREAS**, the Town owns and operates a water treatment plant (WTP) which supplies water to the District and to the Willsboro Bay Water Company; and

**WHEREAS**, improvements to the Town's public water system are needed to meet current and future water system demands due to the age of the existing facilities, issues related to WTP upgrades and expansion, water storage, water quality and Department of Health regulations; and

**WHEREAS**, the Town Board determined that the Project is an Unlisted Action under the State Environmental Quality Review Act (SEQRA), prepared and reviewed a Short-Form Environmental Assessment Form, conducted SEQRA coordinated review and, on December 8, 2021, adopted a SEQRA determination of nonsignificance (Negative Declaration);

**WHEREAS**, the Town Board duly held a Public Hearing on January 12, 2022, on the proposed Project as required by Town Law Section 202-b, determined that it is in the public interest to undertake the Project at a maximum estimated cost of \$20,000,000 and authorized the Project; and

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WILLSBORO, ESSEX COUNTY, NEW YORK, AS FOLLOWS:**

**Section 1.** The specific object or purpose for which the obligations authorized by this Resolution (the "Bond Resolution") are to be issued is improvements to the Town's WTP and the public water supply storage and distribution systems, including related preliminary and incidental costs (the "Project"), and such specific object or purpose is hereby authorized at a maximum estimated cost of Twenty Million and 00/100 Dollars (\$20,000,000.00).

**Section 2.** The plan for the financing of such maximum estimated cost is the issuance of up to \$20,000,000 in serial bonds and/or bond anticipation notes of said Town, hereby authorized to be issued pursuant to the Local Finance Law. The proceeds of the bonds or bond

anticipation notes may be used to reimburse expenditures paid by the Town from other funds or otherwise on or after the date of adoption of this Bond Resolution. The Town may submit applications for additional grants and/or low interest loans from the New York State Environmental Facilities Corporation (EFC) and/or other funding sources and, to the extent that any such moneys are received, may apply such funds to the payment of principal and interest on the bonds or bond anticipation notes. Pursuant to Local Finance Law Section 107.00(d)(9), a down payment from current funds is not required.

**Section 3.** The Town Board anticipates that the Town may pay certain capital expenditures in connection with the Project prior to the receipt of the proceeds of the Bonds. The Town Board hereby declares its official intent to use Bond proceeds to reimburse the Town for such Project expenditures occurring within sixty (60) days prior to adoption of this Resolution. This section of the Resolution is adopted solely for the purpose of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations and does not bind the Town to make any expenditure, incur any indebtedness or proceed with the acquisition.

**Section 4.** It is hereby determined that the period of probable usefulness of the specific object or purpose is forty (40) years, pursuant to Section 11(a)(1) of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed forty (40) years.

**Section 5.** The faith and credit of the Town of Willsboro, Essex County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as they 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. There shall annually be levied on all the taxable real property within the Willsboro Water District a tax sufficient to pay the principal of and interest on such obligations as they become due and payable.

**Section 6.** For the purpose of paying the cost of the Project, there are hereby authorized to be issued serial bonds of the Town up to a maximum amount of \$20,000,000 the maximum maturity of which shall not exceed the forty (40) year period of probable usefulness set forth above and which shall mature on or before such date as measured from the date of the bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier. The bonds may be issued in the form of a statutory installment bond.

**Section 7.** Thereby authorized to be issued bond anticipation notes for the specific object or purpose in an amount up to but not exceeding the \$20,000,000 maximum amount of serial bonds authorized to be issued, in anticipation of the issuance and sale of the serial bonds authorized, including renewals of such bond anticipation notes.

**Section 8.** Any bond anticipation notes shall be payable from the proceeds derived from the sale of the bonds or otherwise redeemed in the manner provided by Section 23.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the bond anticipation notes and the interest on them.

**Section 9.** There are no bond anticipation notes outstanding which have been previously issued in anticipation of the sale of these bonds. Neither are the bond anticipation notes hereby authorized renewal notes. These bond anticipation notes will be issued in anticipation of bonds for an assessable improvement. These notes shall mature at such time as the Town may determine and may be renewed from time to time, provided that in no event shall such notes or renewals extend more than one (1) year beyond the original date of issue except as permitted in the Local Finance Law.

**Section 10.** Subject to the terms and conditions of this Resolution and of the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this Resolution and the renewal of these notes, and the power to prescribe the terms, form and contents of the serial bonds and bond anticipation notes and the power to sell and deliver the serial bonds and bond anticipation notes issued in anticipation of the issuance of the bonds is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds and bond anticipation notes issued in anticipation of the issuance of the serial bonds and bond anticipation notes issued pursuant to this Resolution by manual or facsimile signature, and the Town Clerk is hereby authorized to affix or impress or imprint a facsimile of the seal of the Town to any of the serial bonds or bond anticipation notes and to attest such seal by manual or facsimile signature. If executed by facsimile signature, such obligation shall be authenticated by the manual countersignature of the Town Supervisor or a designated fiscal agent. The Town Supervisor, as Chief Fiscal Officer of the Town, is authorized to execute and deliver any documents and to take such other action as may be necessary and proper to carry out the intent of the provisions of this Resolution.

**Section 11.** The exact date of issuance of the bonds and/or notes and the exact date upon which they shall become due and payable shall be fixed and determined by the Chief Fiscal Officer, provided, however, that the maturity of the notes or renewals shall not exceed one (1) year from the date of issue except as permitted by the Local Finance Law.

**Section 12.** The Chief Fiscal Officer shall prepare the bonds and/or notes and sell them in accordance with the provisions of the Local Finance Law including, but not limited to, the provisions of Section 169.00, if applicable, and at such sale shall determine the interest rate to be borne by such bonds and/or notes, and whether fixed or variable. The Town Board authorizes the Chief Fiscal Officer to establish substantially level annual debt service or declining annual balance for the repayment of such Bonds if he believes it is in the best interests of the Town. The Town Board authorizes the Chief Fiscal Officer to issue such serial bonds in the form of a statutory installment bond.

**Section 13.** The bonds and/or notes may be sold at public or private sale in accordance with the provisions of the Local Finance Law. If the bonds and/or notes are to be sold at public sale, the Chief Fiscal Officer is hereby authorized to engage the services of a qualified fiscal advisor to assist the District in matters relating to such public sale.

**Section 14.** If issued, the bonds and/or notes shall be in registered form, and shall bear interest at the determined rate.



**Section 15.** The Chief Fiscal Officer shall deliver the bonds and/or notes to the purchaser only against a certified check or other immediately available funds. The proceeds of the sale of the bonds and/or notes shall be deposited and/or invested as required by Section 165.00 of the Local Finance Law, and the power to invest the proceeds of sale is hereby delegated to the Chief Fiscal Officer and the power to invest in any instruments described in Section 165.00 is expressly granted.

**Section 16.** To the extent that it is permitted to do so under the Internal Revenue Code of 1986, as amended (the "Code"), the Town hereby designates the bonds and/or notes as "qualified tax-exempt obligations" under Section 265(b)(3) of the Code. The Town hereby covenants that it will (i) take all actions on its part necessary to cause interest on the bonds and/or notes to be excluded from gross income for purposes of Federal income taxes and (ii) refrain from taking any action which would cause interest on the bonds and/or notes to be included in gross income for purposes of Federal income taxes.

**Section 17.** This Resolution is subject to permissive referendum pursuant to Section 35.00 of New York Local Finance Law and Article 7 of New York Town Law, and shall not take effect until such time as provided. The Town Clerk is hereby authorized and directed to post and publish the notice required for Resolutions subject to permissive referendum.

**Section 18.** However, State lands subject to taxation within the Town's boundaries are assessed at less than thirty percent (30%) of the total taxable assessed valuation of the Town, so permission of the State Comptroller to issue the bonds and/or notes is not required under Local Finance Law Section 104.10(3).

**Section 19.** Miller, Mannix, Schachner & Hafner, LLC, Glens Falls, New York, is hereby designated bond counsel.

**Section 20.** The validity of these serial bonds and bond anticipation notes may be contested only if:

- (1) These obligations are authorized for an object or purpose for which the Town 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 (20) days after the date of such publication; or
- (3) Such obligations are authorized in violation of the provisions of the State Constitution.

**Section 21.** This Resolution or a summary thereof shall be published in the Press Republican, which has been designated as the official newspaper of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**Section 22.** This Resolution shall take effect immediately, except as provided by Town Law Article 7 relating to permissive referendum requirements.

**Section 23.** The question of the adoption of this Resolution was duly put to a vote which resulted as follows:

Sayward made a motion. Sheehan seconded.

AYES: Sayward, Sheehan, Christian, Benway, Gilliland

NAYS:

ABSENT:

The Resolution was declared duly adopted by a vote of not less than two-thirds (2/3) of the full membership of the Town Board.

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Resolution No. 53

A Resolution to Introduce Local Law 1-2022

Establishing a Moratorium on New Commercial Development in the Town of Willsboro  
RESOLVED, Local Law 1-2022 is hereby introduced and a Public Hearing on the Proposed Local Law is scheduled for 26 January 2022 at 6:30 PM

**LOCAL LAW NO. 1 OF 2022**

**A LOCAL LAW**

**ESTABLISHING A MORATORIUM ON NEW COMMERCIAL  
DEVELOPMENT IN TOWN OF WILLSBORO**

**BE IT ENACTED BY THE WILLSBORO TOWN BOARD AS FOLLOWS:**

**1. Title and Authority** – This Local Law shall be known as the Town of Willsboro Commercial Development Moratorium Law. It is adopted pursuant to Municipal Home Rule Law §10.

**2. Purpose** – The Town of Willsboro includes commercial uses of a character which is essential to the continued development of the Town’s economy. However development which is incompatible with the existing character of Willsboro could compromise and inhibit more appropriate growth. The purpose of this moratorium is to allow the Town Board the opportunity to review and update the Comprehensive Plan and Town Zoning Law as appropriate for the current times including, but not limited to, analysis of where and in what manner new commercial growth is most appropriate. These efforts are undertaken to promote and protect the health, safety and welfare of the citizens of the Town.

**3. Definition** – For the purpose of this Local Law, “New Commercial Development” means any construction activity for the purpose of establishing a new commercial use. [It shall not include maintenance, improvement, renovation, expansion or demolition of existing structures.]

**4. Moratorium and Term** – The Town Board hereby imposes a moratorium on undertaking any New Commercial Development on any property within the Town of Willsboro for a period beginning on the effective date of this Local Law and continuing until [*last non-weekend/non-holiday day of the month 6 months from date of Local Law*], and further provides that no application under the Town Zoning Law or Subdivision Regulations involving any New

Commercial Development on property within the Town will be accepted, reviewed or approved during that period. This prohibition includes any development for which applications are currently pending or have been approved unless actual physical project construction has been substantially commenced as of 2022.

**5. Variances** – The Town Board shall have the power, after a Public Hearing, to vary or modify the application of any provision of this Local Law upon its determination that strict application of this Local Law would impose practical difficulties or extraordinary hardships upon an applicant and that the variance granted would not adversely affect the health, safety or welfare of the citizens of the Town or significantly conflict with the general purposes and intent of this

Local Law. Any request for a variance shall be in writing and filed with the Town Clerk. The Town Board shall conduct a Public Hearing on the application on not less than five (5) days' public notice and shall make its decision within thirty (30) days after the close of the Public Hearing.

**6. Extensions** – This moratorium may be extended for such additional periods as the Town Board may determine to be necessary to protect the public health, safety, and welfare of the citizens of the Town and accomplish the stated purposes and intent of this Local Law.

**7. Termination** – This moratorium may be terminated earlier than its expiration date upon enactment of additional local legislation governing commercial development within the Town or at the discretion of the Town Board.

**8. Effective Date** – This Local Law shall take effect upon filing by the office of the New York State Secretary of State or as otherwise provided by law.

*Benway made a motion. Sheehan seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland*

#### **Resolution No. 54 of 2022**

##### **Resolution to Establish a Town Parks Commission**

**WHEREAS**, the Town of Willsboro is enriched culturally and economically by having a plethora of parks, lakefront, riverfront, and public recreational amenities and,

**WHEREAS**, the Town Board recognized the need to develop comprehensive management and of our parks and amenities for the public good and enjoyment, and

**WHEREAS**, the Town appropriated monies for celebrations and other events on an annual basis,

**THEREFORE RESOLVED**, the Town Board established a Willsboro Parks Commission that will be responsible for oversight, scheduling, management, and promotion of town celebrations, parks, and public events. The Commission will be allotted funds within the town Budget for these activities, will develop schedules and assign responsibilities therein, and will provide the Town Board a yearly Parks Plan.

**Be IT FURTHER RESOLVED**, for 2022 for Parks Commission shall consists of the following citizens of Willsboro:

Lorilee Sheehan (chair)  
Glen Gherkens  
Kerry Foley  
Linda Jacques  
Alan Thompson  
Amy Provost  
Darren Darrah  
Alison Sucharowski  
Hannah Neilly  
Steve Benway

*Lorilee stated that the proposed members are the people that reached out after a previous board meeting, she reached out to each person that did reach out and asked if they were willing to participate, so those are the people that are proposed above.*

Christian made motion, Sayward seconded. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

*-As a start of the parks commission- Lorilee reached out to North Star Fireworks and has a contract for a firework display with a date (combining it with when the girl scouts do the tree lighting so it will be a combined community Christmas in the Boro).*

*Christmas in the 'Boro will be happening on December 10, 2022. The Willsboro School approved the use of their side field. North Star Fireworks is the same one that does the 4th of July.*

Benway made motion, Sayward seconded. Discussion- Christian asked if we could shop around- it seems like alot to him and asked Lorilee for the proposal from Northstar. Steve made a motion to allow the Supervisor to approve the current firework contract to compare to the one that we anticipate getting and make a decision based on the apple to apples price, not to go over \$8,000. Roll call- Sayward, Sheehan, Christian, Benway, Gilliland. All in Favor and the motion carried.

*Travis Crowningshield said in November we passed to mirror the covid check to the employees, at the time I believe we forgot a couple people, Pat Oliver and Nancy Huestes for the senior drivers. They are losing hours every week because of covid. So I think we should consider them for the extra money we are giving the rest of the workers. Also- we mirrored the County's policy and they gave all the elected officials the same,*

*Shaun- the county authorized a \$2000 premium for those that worked 1,000 and who were fully vaccinated. Share for Willsboro was \$32,000 which will payback the Town for the premiums we authorized. The authorized premium Shaun believes at this point is \$22,000, so there is still money if there are additions.*

Sheehan made a motion for the full time elected officials and the senior drivers, Benway seconded. Gilliland abstained. Roll call- Sayward, Sheehan, Christian, Benway, All in Favor and the motion carried.

*Lorilee Sheehan: wants the taxpayers of Willsboro to know- that only 3 Towns in our County have their own vans to Deliver to their people, which include Willsboro, Newcomb/Jay and 1/3 of Moriah. Sheehan questioned- because essentially the Taxpayers of Willsboro are paying twice while the other towns are having the County pay.*

Resolutions/Discussion from the Board:

Resolution to Enter Executive Session to discuss an ongoing Legal Matter

Benway made a motion to enter the executive session. Sayward seconded.

Adjourn