VILLAGE OF WHITEHALL

DEPARTMENT OF PUBLIC WORKS COMMITTEE MEETING

AUGUST 27, 2025

2:00 P.M.

Attendees: EJ Conzola, Devin Bulger, Paul Guillet, Bob Putorti, Mike LaChapelle, Jessie Neddo Pat Norton and Mayor Smith

Bills: Motion made by Trustee Norton seconded by Trustee LaChapelle to pay bills.

Applications: Motion made by Trustee LaChapelle seconded by Trustee Neddo to file applications. **CARRIED**

Motion made by Trustee Putorti seconded by Trustee Neddo to adopt EEO Officer & Policy

CARRIED

DRINKING WATER

1. Water Emergency
    a. Tribunal Letter and response DOH. DEC Consent Decree: The 4th Amendment and a resolution approving same are provided with this email. I need the Board to adopt the resolution and approve the modification.
    b. Disinfection: Resolution authorizing the increase in the project attached. Motion made by Trustee Norton seconded by Trustee LaChapelle **CARRIED**
    c. Finance
    Attached Bond Resolution dated August 27, 2025
        I. EFC
        II. RD
        III. NBRC
        IV. CDBG
2. Valve Replacement (also Poultney-Williams Sewer
    I. Status of engineering (MJ Engineering) Revised Contract?
    II. Grant administration (B. Murray/LaBella
    III. Lead Service Line Replacement
        1. RFQ for engineering services (ETA) 9/8/25)
3. SPDES Permit for water treatment facility (Waiting for Lab Results) Date test results

SANITARY SEWER

1. DEC/NYS Attorney General Consent Decree Status (M. Fuller)

2. EEO Resolution and Policy
3. Poultney – Williams Sewer CWSRF (EFC) Project #C5-5510-04-00
    a. Status (MJ Engineering)

4. Disinfection CWSRF Project #C5-5551-04-02, Disinfection
    a. Status (LaBella)
5. Subcatchment 3 – HMGP. Bob Murray on track
    a. Status (LaBella)

6. EPG Application(s)
    1. Subcatchment 4 & 5 – Not awarded Grant. Denial email
        i. April 11, 2025 deadline – Submitted (Bob Murray)

<u>GENERAL MATTERS</u>

1. Vacant Properties Clean Up Grant (CDBG) (b. MURRAY/LaBella)

<u>OTHER BOARD MATTERS</u>

1. **Oscar Juasex monthly payments of $400/mo till paid off** ($2896.36) **in Village costs)**
   Mayor Smith reported letter to Oscar – with agreement to Pay $400/mo
2. **Correspondence**
3. **Abstract**
4. **Applications – Motion filed by Trustee Norton seconded by Trustee LaChapelle to file** **<u>CARRIED</u>**
5. **Other Items**
    a. **Use Dave Chaplin (Docs) in place of Cummings for generator service? (Need Quote)**

Motion made by Mayor Smith seconded by Pat Norton to adjourn to Executive Session at 2:45 pm.

Motion made by Trustee Neddo seconded by Pat Norton to adopt resolution Execution of 4th amendment to consent decree. **<u>CARRIED</u>**
Motion made by Mayor Smith seconded by Trustee LaChapelle to negotiate with DOH. **<u>CARRIED</u>**

Motion made by Mayor Smith seconded by Trustee LaChapelle to adjourn meeting at 3:00 p.m. **CARRIED**

A regular meeting of the Board of Trustees of the Village of Whitehall, Washington County, New York was convened in public session at the Village Hall located at 57 Skenesborough Drive in said Village on August 27, 2025 at 6:00 p.m., local time.

The meeting was called to order by Mayor B. Philip Smith and, upon roll being called, the following members were:

PRESENT:

B. Philip Smith	Mayor
Patricia Norton	Deputy Mayor/Trustee
Robert Putorti Sr.	Trustee
Michael LaChapelle	Trustee
Jessie Neddo	Trustee

ABSENT:

The following persons were ALSO PRESENT:

Dawn M. Anthony	Village Clerk/Treasurer

The following resolution was offered by Trustee Patricia Norton, seconded by Trustee Michael LaChapelle, to wit;

BOND RESOLUTION DATED AUGUST 27, 2025

A RESOLUTION SUPPLEMENTING A BOND RESOLUTION DATED MAY 21, 2024, AUTHORIZING THE ISSUANCE OF ADDITIONAL SERIAL BONDS OF THE VILLAGE OF WHITEHALL, WASHINGTON COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $443,550 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE WASTEWATER EFFLUENT DISINFECTION PROJECT AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

WHEREAS, pursuant to a bond resolution dated May 21, 2024 (the "Prior Resolution"), the Board of Trustees of the Village of Whitehall, Washington County, New York (the "Village") authorized the issuance of serial bonds of the Village in an amount not to exceed $2,500,000 to finance the installation of infrastructure within the Village's wastewater treatment facility for effluent disinfection; and

WHEREAS, the Board of Trustees of the Village has determined that additional funds are required to finance the installation of said infrastructure and desires to supplement the Prior Resolution by authorizing the issuance of additional serial bonds of the Village in an amount not to exceed $443,550;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of 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 installation of infrastructure within the Village's wastewater treatment facility for effluent disinfection. The estimated maximum cost of said purpose is $2,943,550.

SECTION 2. The Board of Trustees plans to finance the additional cost of said purpose by the issuance of additional serial bonds of the Village in an amount not to exceed $443,550, hereby authorized to be issued therefor pursuant to the Local Finance Law. To offset a portion of the cost of said purpose, the Village has applied for and been awarded a Bipartisan Infrastructure Law grant from the New York State Environmental Facilities Corporation and a Water Quality Improvement Project grant from the New York State Department of Environmental Conservation and has applied for and expects to receive funding from the Community Development Block Grant program. The balance of the cost of said purpose, that being $2,500,000, shall be financed as provided in the Prior Resolution.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 4 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 (including, without limitation, receipt of bids submitted in an electronic format) 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 Environmental Conservation, 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:

B. Philip Smith	VOTING AYE
Patricia Norton	VOTING AYE
Robert Putorti Sr.	VOTING AYE
Michael LaChapelle	VOTING AYE
Jessie Neddo	VOTING AYE

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 Whitehall, 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 27th day of August, 2025 and entitled:

A RESOLUTION SUPPLEMENTING A BOND RESOLUTION DATED MAY 21, 2024, AUTHORIZING THE ISSUANCE OF ADDITIONAL SERIAL BONDS OF THE VILLAGE OF WHITEHALL, WASHINGTON COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $443,550 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE WASTEWATER EFFLUENT DISINFECTION PROJECT 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 27th day of August, 2025.

-SEAL-

Dawn M. Anthony
Village Clerk