

**Village of Port Dickinson
Monthly Board Meeting
February 25, 2020
Port Dickinson Village Hall**

Officers Present:

**Mayor
Trustees**

**Kevin M. Burke
Michael Cashman
James DeGennaro
Charles Harding**

**Attorney
Clerk
Treasurer
Trustee**

**Nathan VanWhy
Susan Fox
Sandra Reifler
Robert Aagre**

Absent

The meeting was called to order at 5:00 pm by Mayor Kevin Burke.

PUBLIC HEARING:

- 1. Proposed Local Law 2-2020, amending Section 62 of the Village Code entitled "Water"

Motion to close the Public Hearing by Trustee Harding, seconded by Trustee Cashman
AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING
NAY NONE

- 2. Proposed Local Law 3-2020, amending Section 49 of the Village Code entitled "Sewer"

Motion to close the Public Hearing by Trustee Cashman, seconded by Trustee Harding
AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING
NAY NONE

PUBLIC COMMENT:

AUDIT AND PAYMENT OF CLAIMS: Abstract #14 (2019-2020)

Motion by Trustee Harding, seconded by Trustee DeGennaro, to pay claims as listed on the Abstract of Unaudited Vouchers for the General Fund for \$25,822.00

AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING
NAY NONE

Motion by Trustee Cashman, seconded by Trustee DeGennaro, to pay claims as listed on the Abstract of Unaudited Vouchers for the Water Fund for \$38,712.37

AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING
NAY NONE

Motion by Trustee Harding, seconded by Trustee Cashman, to pay claims as listed on the Abstract of Unaudited Vouchers for the Sewer Fund for \$186.87

AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING
NAY NONE

RESOLUTIONS:

- 1. Motion by Trustee Harding, seconded by Trustee Cashman, for a Resolution determining Proposed Local Law 2-2020, amending Section 62 of the Village Code entitled "Water" is a Type II Action, SEQRA form is not needed.

AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING
NAY NONE

- 2. Motion by Trustee Harding, seconded by Trustee Cashman, for a Resolution determining Proposed Local Law 3-2020, amending Section 49 of the Village Code entitled “Sewer” is a Type II Action, SEQRA form is not needed.
 AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING
 NAY NONE

- 3. Motion by Trustee Harding, seconded by Trustee DeGennaro, for a resolution adopting Local Law 2-2020, amending Section 62 of The Village Code entitled “Water”
 AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING
 NAY NONE

- 4. Motion by Trustee Harding, seconded by Trustee Cashman, for a resolution adopting Local Law 3-2020, amending Section 49 of The Village Code entitled “Sewer”
 AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING
 NAY NONE

OLD BUSINESS:

NEW BUSINESS:

- 1. Request from Stephanie DeAngelo to put neighborhood yard sale in Newsletter. Since it is included on PDCA Facebook page, it will be included in PDCA section of newsletter with appropriate contact info. The Board agreed to replace (relocate) a wooden bench in the park with a metal bench.
- 2. Verizon Wireless Representative, Greg Hanley, presented information on Small Cells and their request to locate one in the south end of the Village on a NYSEG owned pole. They will provide their agreement to the Village Attorney for review.

ADJOURNMENT: Motion by Trustee Harding, seconded by Trustee Cashman for a motion to adjourn at 5:40 PM.

AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING
NAY NONE

Respectfully submitted,
Susan E. Fox, Village Clerk

**VILLAGE OF PORT DICKINSON
LOCAL LAW NO. 2 OF 2020 AMENDING
CHAPTER 62 OF THE VILLAGE CODE ENTITLED “WATER”**

Be it enacted by the Board of Trustees of the Village of Port Dickinson as follows:

Section 1. Chapter 62 of the Village Code, as amended, be and hereby is amended as follows:

Section 62-5.A. entitled “Water meters” shall be deleted entirely and replaced with the following:

All water service shall be metered, except as provided in § 62-7, and no more than one (1) meter may be installed on any one (1) service.

Section 62-8.A. entitled “Rates and bills” shall be deleted entirely and replaced with the following:

Effective November 1, 2018 water rates shall consist of a flat operational cost of \$70.41 plus a charge based upon water consumption of \$4.64 per hundred cubic feet. Water bills shall be due and payable to the designated agent of the Board of Trustees of the Village of Port Dickinson in March, July and November of each year and if not paid within thirty (30) days after receipt, a fee of fifteen percent (15%) will be added for the next twenty (20) days. If the bill is not paid by the end of said twenty-day period, the water may be shut off. Service will be restored M-F, 7a.m. to 2p.m. upon payment of the bill with a fifteen percent (15%) penalty and a \$75.00 service charge. If service is restored after the regular hours of M-F, 7a.m. to 2p.m., there will also be an additional after hours charge of \$200.00.

Section 2. Separability

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

Section 3. Repealer

All Ordinances, Local Laws and parts thereof inconsistent with the Local Law are hereby repealed.

Section 4. Effective Date

This local law shall take effect upon filing with the New York Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**VILLAGE OF PORT DICKINSON
LOCAL LAW NO. 3 OF 2020 AMENDING
CHAPTER 49 OF THE VILLAGE CODE ENTITLED “SEWERS”**

Be it enacted by the Board of Trustees of the Village of Port Dickinson as follows:

Section 1. Chapter 49 of the Village Code, as amended, be and hereby is amended as follows:

Section 49-8. entitled “Basis of billings” shall be deleted entirely and replaced with the following:

Effective November 1, 2017, sewer rents shall consist of a flat operations cost of \$8.75 plus a charge of \$3.96 per one hundred (100) cubic feet of metered water billed to the owner of the premises, except that the Village Board, in its discretion, may make due allowance for commercial use of water, the number and kinds of plumbing fixtures connected with the sewer system.

Section 2. Separability

The provisions of this local law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this local law or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this local law would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and as if such person or circumstance, to which the local law or part thereof is held inapplicable, had been specifically exempt therefrom.

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VILLAGE OF PORT DICKINSON
RESOLUTION APPROVING LOCAL LAW NO. 2-2020

At a regular meeting of the Village Board of the Village of Port Dickinson, held at Village Hall, 786 Chenango Street in said Village on the 25th day of February, 2020, the following resolution was offered and seconded:

WHEREAS, the Village of Port Dickinson scheduled a public hearing for February 25, 2020 at 5:00 p.m. for Local Law No. 2 of the year 2020 entitled “A Local Law Amending Chapter 62 of the Village Code entitled ‘Water’”; and

WHEREAS, notice of said public hearing was duly advertised in the Press & Sun-Bulletin, the official newspaper of the Village, and posted on the Village Clerk’s signboard; and

WHEREAS, said public hearing was duly held at Village Hall, 786 Chenango Street in the Village at 5:00 p.m. on February 25, 2020, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(26) and (33); and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said local law.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Port Dickinson hereby adopts said local law as Local Law No. 2-2020 entitled “A Local Law Amending Chapter 62 of the Village Code entitled ‘Water’” a copy of which is attached hereto and made a part hereof; and it is further

RESOLVED that the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Village of Port Dickinson, and to give due notice of the adoption of said Local Law to the Secretary of State; and it is further

RESOLVED that this resolution will take effect immediately upon filing with the Department of State.

VILLAGE OF PORT DICKINSON
RESOLUTION APPROVING LOCAL LAW NO. 2-2020

At a regular meeting of the Village Board of the Village of Port Dickinson, held at Village Hall, 786 Chenango Street in said Village on the 25th day of February, 2020, the following resolution was offered and seconded:

WHEREAS, the Village of Port Dickinson scheduled a public hearing for February 25, 2020 at 5:00 p.m. for Local Law No. 3 of the year 2020 entitled “A Local Law Amending Chapter 49 of the Village Code entitled ‘Sewers’”; and

WHEREAS, notice of said public hearing was duly advertised in the Press & Sun-Bulletin, the official newspaper of the Village, and posted on the Village Clerk’s signboard; and

WHEREAS, said public hearing was duly held at Village Hall, 786 Chenango Street in the Village at 5:00 p.m. on February 25, 2020, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”), it has been determined by the Village Board that adoption of the proposed Local Law constitutes a Type II Action as defined under 6 NYCRR 617.5(26) and (33); and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said local law.

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Section 2. Separability

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Section 3. Repealer

All Ordinances, Local Laws and parts thereof inconsistent with the Local Law are hereby repealed.

Section 4. Effective Date

This local law shall take effect upon filing with the New York Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**VILLAGE OF PORT DICKINSON
LOCAL LAW NO. 3 OF 2020 AMENDING
CHAPTER 49 OF THE VILLAGE CODE ENTITLED “SEWERS”**

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