

VILLAGE OF PORT DICKINSON
Village Board Meeting Agenda
March 24, 2020
5:00 pm
Port Dickinson Village Hall

Please take a moment to ensure that your cellphones are OFF or SILENCED.

PUBLIC HEARING:

AUDIT & PAYMENT OF CLAIMS: Abstract #16 (2019-2020)

1. Abstract of Unaudited vouchers for the General Fund for \$16,210.16
2. Abstract of Unaudited vouchers for the Water Fund for \$21,227.01
3. Abstract of Unaudited vouchers for the Sewer Fund for \$648.21

OLD BUSINESS:

RESOLUTIONS FOR APPROVAL:

1. Resolution authorizing the Mayor to sign Intermunicipal Agreement to Continue the Broome-Tioga Stormwater Coalition for Federal Phase II MS4 Stormwater Regulation Implementation in Broome and Tioga Counties.
2. Resolution authorizing the Mayor to sign A Memorandum of Agreement With the Municipal Corporations Compromising the Broome-Tioga Stormwater Asset Mapping Implementation in Broome and Tioga Counties
3. Resolution authorizing the Mayor to sign SMALL WIRELESS COMMUNICATIONS FACILITIES MASTER LICENSE AGREEMENT
4. Resolution authorizing the Village to join the NYSEG settlement negotiations as follows:
5. Resolution re-establishing Unemployment Reserve Fund as follows:
6. Resolution re-establishing DPW Reserve Fund as follows:
7. Resolution re-establishing Water Reserve Fund as follows:
8. Resolution re-establishing Sewer Reserve Fund as follows:
9. Resolution re-establishing General Reserve Fund as follows:
10. Resolution dissolving the Police Reserve Fund as follows:

NEW BUSINESS/DISCUSSION:

ADOURNMENT

VILLAGE OF PORT DICKINSON

RESOLUTION

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 24th day of March, 2020, the following resolution was offered and seconded:

WHEREAS, Avangrid, the parent company of NYSEG and RGE, had taken the position that when a customer buys their gas and/or electric supply from an Engery Services Company, NYSEG and RGE do not pay local Gross Receipts Tax on the revenue they derive from the delivery of that commodity; and

WHEREAS, NYCOM notified the Village of Port Dickinson that NYSEG and RGE had filed tariff updates with the Public Service Commission that would allow them to begin collecting and paying local Gross Receipts Tax on delivery-only revenue from their customers. This tariff update placed restrictions on municipalities by including a provision that taxes would be paid only after individual municipalities requested that they be collected, and by also requiring a signed agreement with each municipality prior to beginning the collection/payment process. This requires municipalities to waive their rights to any and all claims regarding past Gross Receipts Tax underpayment, including those related to the delivery-only revenue issue; and

WHEREAS, Computel Consultants, the firm that conducts all audits for the NYCOM Utility Savings Audit program (NYCOM USA), has hired the law firm of Underberg & Kessler to negotiate with NYSEG and RGE to resolve and secure compensation for past Gross Receipts Tax underpayment claims, and to bring NYSEG and RGE into compliance with Gross Receipts Tax laws; and

WHEREAS, the Village of Port Dickinson desires to join the audit and negotiation process that is being pursued through the NYCOM USA program as set forth herein.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the Village of Port Dickinson is hereby authorized to execute any and all documents necessary to join the audit and negotiation process through NYCOM USA on behalf of the Village of Port Dickinson; and it is further

RESOLVED that this resolution will take effect immediately.

CERTIFICATION

I, Susan Fox, do hereby certify that I am the Village Clerk of the Village of Port Dickinson and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board of the Village of Port Dickinson at a meeting thereof held at Port Dickinson Village Hall, 786 Chenango Street, Binghamton, New York on the 24th day of March, 2020. Said resolution was adopted by the following roll call vote:

Mayor Kevin M. Burke _____
Trustees Robert Aagre _____
Trustee James DeGennaro _____
Trustee Michael Cashman _____
Trustee Charles Harding _____

Dated: March 24, 2020

Village of Port Dickinson Seal

Susan Fox, Village Clerk
Village of Port Dickinson

VILLAGE OF PORT DICKINSON
RESOLUTION RE-ESTABLISHING UNEMPLOYMENT RESERVE FUND

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 14th day of April, 2020, the following resolution was offered and seconded:

WHEREAS, in an effort to provide a degree of financial stability and a cushion for unforeseen expenditures within the Village of Port Dickinson, the Village Board has established certain Reserve Funds to provide a cushion for unforeseen expenditures or revenue shortfalls that may arise; and

WHEREAS, during a recent routine audit of the Village of Port Dickinson, the auditors recommended that the Village Board re-establish its Reserve Funds; and

WHEREAS, a Reserve Fund entitled "Unemployment Reserve Fund" presently exists and is utilized to pay into the Unemployment Insurance Fund an amount equivalent to the amount of benefits paid to claimants and charged to the account of the Village in accordance with Article 18 of the Labor Law; and

WHEREAS, the amount allocated to the "Unemployment Reserve Fund" as of the date of adoption of this Resolution is \$16,593.24.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Port Dickinson hereby resolves to re-establish the "Unemployment Reserve Fund" pursuant to Section 6-m of the General Municipal Law. The purpose of this "Unemployment Reserve Fund" is to accumulate moneys to reimburse the State Unemployment Insurance Fund for payments made to claimants where the Village of Port Dickinson has elected to use the "benefit reimbursement" method; and be it further

RESOLVED, that the chief fiscal officer of the Village of Port Dickinson is hereby directed to deposit, secure, account, report and invest the moneys of this "Unemployment Reserve Fund" in the manner provided by the General Municipal Law; and be it further

RESOLVED, that expenditures from this "Unemployment Reserve Fund" shall be made only as required by law to pay into the State Unemployment Insurance Fund as set forth above; and be it further

RESOLVED that this resolution will take effect immediately.

VILLAGE OF PORT DICKINSON
RESOLUTION RE-ESTABLISHING DPW RESERVE FUND

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 14th day of April, 2020, the following resolution was offered and seconded:

WHEREAS, in an effort to provide a degree of financial stability and a cushion for unforeseen expenditures within the Village of Port Dickinson, the Village Board has established certain Reserve Funds to provide a cushion for unforeseen expenditures or revenue shortfalls that may arise; and

WHEREAS, during a recent routine audit of the Village of Port Dickinson, the auditors recommended that the Village Board re-establish its Reserve Funds; and

WHEREAS, a Reserve Fund entitled "DPW Reserve Fund" presently exists and is utilized to finance all or part of the purchase of vehicles, including, but not limited to, trucks, tractors, and other miscellaneous equipment used by the Village's Department of Public Works; and

WHEREAS, the amount allocated to the "DPW Reserve Fund" as of the date of adoption of this Resolution is \$15,211.89.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Port Dickinson hereby resolves to re-establish the "DPW Reserve Fund" pursuant to Section 6-c of the General Municipal Law. The purpose of this "DPW Reserve Fund" is to accumulate moneys to finance the cost of a type of equipment. The types of equipment to be finance from the "DPW Reserve Fund" are vehicles, including, but not limited to, trucks and tractors, and other miscellaneous equipment used by the Village's Department of Public Works; and it is further

RESOLVED, that the chief fiscal officer of the Village of Port Dickinson is hereby directed to deposit, secure, account, report and invest the moneys of this “DPW Reserve Fund” in the manner provided by the General Municipal Law; and be it further

RESOLVED, that except as otherwise provided by law, expenditures from this “DPW Reserve Fund” shall be made only for the purpose for which it was established. No expenditures shall be made without the approval of the Village Board, and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c; and be it further

RESOLVED that this resolution will take effect immediately.

VILLAGE OF PORT DICKINSON
RESOLUTION RE-ESTABLISHING WATER RESERVE FUND

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 14th day of April, 2020, the following resolution was offered and seconded:

WHEREAS, in an effort to provide a degree of financial stability and a cushion for unforeseen expenditures within the Village of Port Dickinson, the Village Board has established certain Reserve Funds to provide a cushion for unforeseen expenditures or revenue shortfalls that may arise; and

WHEREAS, during a recent routine audit of the Village of Port Dickinson, the auditors recommended that the Village Board re-establish its Reserve Funds; and

WHEREAS, a Reserve Fund entitled “Water Reserve Fund” presently exists and is utilized to finance the costs for emergency repairs affecting the Village’s Water System and equipment necessary for continued operation and maintenance of the Water System; and

WHEREAS, the amount allocated to the “Water Reserve Fund” as of the date of adoption of this Resolution is \$18,237.20.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Port Dickinson hereby resolves to re-establish the “Water Reserve Fund” pursuant to Section 6-d of the General Municipal Law. The purpose of this “Water Reserve Fund” is to accumulate moneys to finance the costs of repairs to capital improvements or equipment affecting or used in the operation and maintenance of the Village’s Water System; and be it further

RESOLVED, that the chief fiscal officer of the Village of Port Dickinson is hereby directed to deposit, secure, account, report and invest the moneys of this “Water Reserve Fund” in the manner provided by the General Municipal Law; and be it further

RESOLVED, that except as otherwise provided by law, expenditures from this “Water Reserve Fund” shall be made only for the purpose for which it was established. No expenditures shall be made without the approval of the Village Board, and such additional actions or proceedings as may be required by Section 6-d of the General Municipal Law or any other law; and be it further

RESOLVED that this resolution will take effect immediately.

VILLAGE OF PORT DICKINSON
RESOLUTION RE-ESTABLISHING SEWER RESERVE FUND

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 14th day of April, 2020, the following resolution was offered and seconded:

WHEREAS, in an effort to provide a degree of financial stability and a cushion for unforeseen expenditures within the Village of Port Dickinson, the Village Board has established certain Reserve Funds to provide a cushion for unforeseen expenditures or revenue shortfalls that may arise; and

WHEREAS, during a recent routine audit of the Village of Port Dickinson, the auditors recommended that the Village Board re-establish its Reserve Funds; and

WHEREAS, a Reserve Fund entitled “Sewer Reserve Fund” presently exists and is utilized to finance the costs for emergency repairs affecting the Village’s Sewer System and equipment necessary for continued operation and maintenance of the Sewer System; and

WHEREAS, the amount allocated to the “Sewer Reserve Fund” as of the date of adoption of this Resolution is \$27,526.34.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Port Dickinson hereby resolves to re-establish the “Sewer Reserve Fund” pursuant to Section 6-d of the General Municipal Law. The purpose of this “Sewer Reserve Fund” is to accumulate moneys to finance the costs of repairs to capital improvements or equipment affecting or used in the operation and maintenance of the Village’s Sewer System; and be it further

RESOLVED, that the chief fiscal officer of the Village of Port Dickinson is hereby directed to deposit, secure, account, report and invest the moneys of this “Sewer Reserve Fund” in the manner provided by the General Municipal Law; and be it further

RESOLVED, that except as otherwise provided by law, expenditures from this “Sewer Reserve Fund” shall be made only for the purpose for which it was established. No expenditures shall be made without the approval of the Village Board, and such additional actions or proceedings as may be required by Section 6-d of the General Municipal Law or any other law; and be it further

RESOLVED that this resolution will take effect immediately.

VILLAGE OF PORT DICKINSON
RESOLUTION RE-ESTABLISHING THE GENERAL RESERVE FUND

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 14th day of April, 2020, the following resolution was offered and seconded:

WHEREAS, in an effort to provide a degree of financial stability and a cushion for unforeseen expenditures within the Village of Port Dickinson, the Village Board has established certain Reserve Funds to provide a cushion for unforeseen expenditures or revenue shortfalls that may arise; and

WHEREAS, during a recent routine audit of the Village of Port Dickinson, the auditors recommended that the Village Board re-establish its Reserve Funds; and

WHEREAS, a Reserve Fund entitled “General Reserve Fund” presently exists and is utilized to finance all or part of the cost of construction, reconstruction, and/or acquisition of capital improvements such as land, buildings, and building alterations for the Village; and

WHEREAS, the amount allocated to the “General Reserve Fund” as of the date of adoption of this Resolution is \$2,494.82.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Port Dickinson hereby resolves to re-establish the “General Reserve Fund” pursuant to Section 6-c of the General Municipal Law. The purpose of this “General Reserve Fund” is to accumulate moneys to finance the cost of a type of capital improvement. The types of capital improvement to be financed from the “General Reserve Fund” are the construction, reconstruction, and/or acquisition of land, buildings, and building alterations; and be it further

RESOLVED, that the chief fiscal officer of the Village of Port Dickinson is hereby directed to deposit, secure, account, report and invest the moneys of this “General Reserve Fund” in the manner provided by the General Municipal Law; and be it further

RESOLVED, that except as otherwise provided by law, expenditures from this “General Reserve Fund” shall be made only for the purpose for which it was established. No expenditures shall be made without the approval of the Village Board, and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c; and be it further

RESOLVED that this resolution will take effect immediately.

VILLAGE OF PORT DICKINSON
RESOLUTION DISSOLVING POLICE RESERVE FUND

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 14th day of April, 2020, the following resolution was offered and seconded:

WHEREAS, the Village Board established certain Reserve Funds to provide a cushion for unforeseen expenditures or revenue shortfalls that may arise; and

WHEREAS, a Reserve Fund entitled Police Reserve Fund for the purpose of purchasing vehicles used by the Village's Police Department has been deemed unnecessary and shall therefore be dissolved; and

WHEREAS, the balance of said Police Reserve Fund is \$0.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Port Dickinson hereby resolves to dissolve the Police Reserve Fund as set forth herein; and it is further

RESOLVED that this resolution will take effect immediately.