

VILLAGE OF PORT DICKINSON
Village Board Meeting Agenda
April 23, 2024
5:00 pm
Port Dickinson Village Hall

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

CALL TO ORDER

Roll Call Attendance
Trustee Cashman
Trustee DeGennaro
Trustee Moss
Trustee Warholic

APPROVAL OF MINUTES: April 9, 2024 meeting

PUBLIC PARTICIPATION:

TREASURER'S REPORT:

AUDIT & PAYMENT OF CLAIMS #21 (2023-2024)

1. Abstract of Unaudited vouchers for the General Fund for \$125,136.27
2. Abstract of Unaudited vouchers for the Water Fund for \$158.24
3. Abstract of Unaudited vouchers for the Sewer Fund for \$29.99

RESOLUTIONS FOR APPROVAL:

1.

VILLAGE OF PORT DICKINSON

**RESOLUTION REGARDING A DETERMINATION OF TYPE OF ACTION
AND SIGNIFICANCE UNDER THE STATE ENVIRONMENTAL QUALITY
REVIEW ACT FOR THE ROCHELLE ROAD WATER MAIN PROJECT**

At a meeting of the Village Board of the Village of Port Dickinson, held at Village Hall, 786 Chenango Street in said Village on the 23rd day of April, 2024, the following resolution was offered and seconded:

WHEREAS, the Village Board has considered the impacts to the environment regarding the Rochelle Road Water Main Project, including, but not limited to, furnishing and installing 180+/- feet of 8 inch PVC water main, tie into existing 8 inch water on Beacon Street at Rochelle Road, connecting a new 8 inch water to existing water main at crossover to Phelps Street, furnishing and installing 1,720+/- feet of 6 inch PVC water main making tie in at Dickinson Avenue at Rochelle Road, reconnecting new water main to existing water main on Hillcrest Avenue and Kirkwood Avenue, furnishing and installing 10 new isolation valves on new water main, furnishing and installing 4 new fire hydrants, furnishing and installing 47 new service laterals to residential homes with new curb stop valves, and furnishing and installing backfill materials, blacktop patch, grass seeding (the "Project"); and

WHEREAS, pursuant to the regulations, the Village Board has considered the significance of the potential environmental impacts of the Project by using the criteria specified in Section 617.4 of the Regulations, and examined the Environmental Assessment Form prepared herewith together with other available supporting information, to identify the relevant areas of environmental concern, and thoroughly analyzing the identified areas of relevant environmental concern.

NOW THEREFORE BE IT RESOLVED by the Village Board of the Village of Port Dickinson as follows:

RESOLVED that the Village Board hereby declares that the Project is an Unlisted action within the meaning of 6 NYCRR 617.4 and therefore is subject to review under SEQRA and the regulations thereunder; and be it further

RESOLVED that based upon an examination of the Environmental Assessment Form and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Village Board’s knowledge of the Project and such further of its potential environmental impacts as the Village Board has deemed appropriate, the Village Board finds and determines that no significant adverse environmental impacts are noted in the Environmental Assessment Form for the Project and none are known to the Village Board and, therefore, the Project will not have a significant adverse environmental impact as a consequence of the foregoing. This resolution shall serve as the Negative Declaration for the Project; and be it further

RESOLVED this resolution shall 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 on the 23rd day of April, 2024. Said resolution was adopted by the following roll call vote:

Mayor: Kevin M. Burke	<u> YES </u>
Trustee James DeGennaro	<u> YES </u>
Trustee Michael Cashman	<u> YES </u>
Trustee Robert Warholic	<u> YES </u>
Trustee Robert Moss	<u> YES </u>

Dated: April 23, 2024

(Village of Port Dickinson Seal)

Susan Fox, Village Clerk
Village of Port Dickinson

2. BOND RESOLUTION

(SUBJECT TO PERMISSIVE REFERENDUM)

At a regular meeting of the Board of Trustees of the Village of Port Dickinson, Broome County, New York, held at the Village Hall, in Binghamton, New York, in said Village, on the 23rd day of April, 2024, at five o'clock (5:00) P.M., Prevailing Time.

The meeting was called to order by Mayor Kevin Burke, and upon roll being called, the following were

PRESENT:

Trustee Michael Cashman

Trustee James DeGennaro

Trustee Robert Moss

Trustee Robert Warholic

ABSENT:

The following resolution was offered by Trustee
_____Cashman_____, who moved its adoption, seconded by Trustee
_____Moss_____, to-wit:

BOND RESOLUTION DATED APRIL 23, 2024.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE CONSTRUCTION OF IMPROVEMENTS TO AND RECONSTRUCTION OF THE WATER DISTRIBUTION SYSTEM, IN AND FOR THE VILLAGE OF PORT DICKINSON, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$567,000 AND AUTHORIZING THE ISSUANCE OF \$300,000 SERIAL BONDS OF SAID VILLAGE TO PAY A PORTION OF THE COST THEREOF.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be an Unlisted 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 any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project; 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 Port Dickinson, Broome County, New York, as follows:

Section 1. The construction of improvements to and reconstruction of the water distribution system, in and for the Village of Port Dickinson, Broome County, New York, together with original furnishings, equipment, machinery, apparatus, appurtenances, and site and incidental improvements and expenses in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$567,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

- a) by the issuance of \$300,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law;
- b) by the expenditure of \$18,000 capital reserve fund monies hereby authorized to be expended therefor; and
- c) by the expenditure of not to exceed \$249,000 other available funds hereby authorized to be expended therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 1 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 will exceed five years.

Section 4. The faith and credit of said Village of Port Dickinson, Broome County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such 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 such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds 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, the chief fiscal officer. 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 and/or loan agreement, and any other agreements with the New York State Department of Health 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 class of objects or purposes described in Section 1 hereof, 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, the same shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. Pursuant to the provisions of Section 36.00 of the Local Finance Law, 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:

<u>Mayor Kevin Burke</u>	VOTING	<u>__ YES</u>
<u>Trustee Michael Cashman</u>	VOTING	<u>__ YES</u>
<u>Trustee James DeGennaro</u>	VOTING	<u>__ YES</u>
<u>Trustee Robert Moss</u>	VOTING	<u>__ YES</u>
<u>Trustee Robert Warholic</u>	VOTING	<u>__ YES</u>

The resolution was thereupon declared duly adopted.

* * * * *

The dates of the meetings are posted on the Village website, www.portdickinsonny.gov, at least 2 weeks prior to meeting dates.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 23 day of April, 2024.

Susan Fox, Village Clerk

OLD BUSINESS:

- Angel of Hope - Community Assn will not be collecting donations. Attorney VanWhy recommends approaching an already existing non-profit agency to collect funds as establishing a new non-profit agency is expensive and ongoing management of the agency may falter. Trustee Moss will discuss with the Angel of Hope Committee.

NEW BUSINESS/DISCUSSION:

ADJOURNMENT

Motion by Trustee Cashman, seconded by Trustee Moss to adjourn.

AYES: Trustees Cashman, DeGennaro, Moss, Warholic

NAYS: None