

**Village of Port Dickinson  
Monthly Board Meeting  
March 22, 2022**

**Officers Present:**

<b>Mayor</b>	<b>Kevin M. Burke</b>
<b>Trustees</b>	<b>Michael Cashman</b>
	<b>James DeGennaro</b>
	<b>Charles Harding</b>
	<b>Robert Moss</b>
<b>Clerk</b>	<b>Susan Fox</b>
<b>Treasurer</b>	<b>Sandra Reifler</b>
<b>Absent</b>	<b>Trustee</b> <b>Robert Moss</b>

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

**PUBLIC HEARING:**

1. Proposed Local Law No. 3- 2022 entitled “A Local Law to Override the Tax Levy Limit Established in General Municipal Law Section 3-C”

Mayor Burke explained that this local law is in place in case the approved Village Budget exceeds the Tax Levy Limit

Motion by Trustee Cashman, seconded by Trustee DeGennaro, for a Resolution closing the Public Hearing

AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING  
NAY NONE

2. Proposed Local Law No. 4- 2022 entitled “A Local Law Amending Chapter 30 of the Village Code entitled “Dumping”  
Mayor Burke explained that this local law clarifies Section 30-3A

Motion by Trustee Harding, seconded by Trustee Cashman, for a Resolution closing the Public Hearing

AYE TRUSTEES: CASHMAN, DEGENNARO, HARDING  
NAY NONE

**TREASURER’S REPORT:**

Tentative Budget has been filed with the Village Clerk and is available on the Village website.

**AUDIT AND PAYMENT OF CLAIMS: Abstract #17 (2021-2022)**

Motion by Trustee Harding, seconded by Trustee DeGennaro, to pay claims as listed on the Abstract of Unaudited Vouchers for the General Fund for \$9,487.80

AYE TRUSTEES: CASHMAN, DEGENNARO  
NAY NONE

Motion by Trustee Harding, seconded by Trustee Cashman, to pay claims as listed on the Abstract of Unaudited Vouchers for the Water Fund for \$130.53

AYE TRUSTEES: CASHMAN, DEGENNARO  
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 \$35.71

AYE TRUSTEES: CASHMAN, DEGENNARO  
NAY NONE

**RESOLUTIONS FOR APPROVAL:**

1. Motion by Trustee DeGennaro, seconded by Trustee Cashman for a resolution approving Local Law 3-2022  
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 22nd day of March, 2022, the following resolution was offered and seconded:

**WHEREAS**, notice was given that the Village Board will hold a public hearing on March 22, 2022 at 5:00 p.m. for Local Law No. 3 of the year 2022 entitled “A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Village, and posted on the Village Clerk’s signboard; and

**WHEREAS**, said public hearing was duly held March 22, 2022 at 5:00 p.m. 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. 3 of 2022 entitled “A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C” 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.

    AYE    TRUSTEES: CASHMAN, DEGENNARO  
    NAY    NONE

2. Motion by Trustee Harding, seconded by Trustee DeGennaro for a resolution approving Local Law 4-2022

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 22nd day of March, 2022, the following resolution was offered and seconded:

**WHEREAS**, notice was given that the Village Board will hold a public hearing on March 22, 2022 at 5:00 p.m. for Local Law No. 4 of the year 2022 entitled “A Local Law Amending Chapter 30 ‘Dumping’”; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Village, and posted on the Village Clerk’s signboard; and

**WHEREAS**, said public hearing was duly held March 22, 2022 at 5:00 p.m. 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. 4 of 2022 entitled “A Local Law Amending Chapter 30 ‘Dumping’” 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.

AYE TRUSTEES: CASHMAN, DEGENNARO  
NAY NONE

3. Motion by Trustee Harding, seconded by Trustee DeGennaro for a resolution as follows:  
**WHEREAS**, the Village Board duly adopted the "NYS Fire Prevention and Building Construction" code to provide minimum requirements to safeguard the public safety of the Village; and

**WHEREAS**, the Village Code Enforcement Officer administers and enforces all provisions of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Code, and the Village Code; and

**WHEREAS**, the Village requires the issuance of a building permit for the construction, enlargement, alteration, repair, removal or demolition of any building or other structure; and

**WHEREAS**, the New York State Uniform Fire Prevention and Building Code regulates the design, construction, installation, alteration and repair of equipment and systems using solar systems; and

**WHEREAS**, the New York State Energy Research and Development Authority has developed a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes; and

**WHEREAS**, the Village Board desires to promote the streamlining of the application process for small-scale photovoltaic system installations under 25 kW in size by adopting the New York State Unified Solar Permit application form and implementing the new procedures.

**NOW THEREFORE, BE IT RESOLVED**, that the Village of Port Dickinson hereby adopts the New York State Unified Solar Permit application form and procedures for the installation of small scale photovoltaic systems; and it is further

**RESOLVED**, that the Village Code Enforcement Officer is hereby directed to use said New York State Unified Solar Permit application for and procedures in the issuance of building permits for the installation of small-scale photovoltaic systems; and it is further

**RESOLVED**, that any further actions required of the Village to effect the foregoing are hereby authorized and the Mayor is hereby authorized to execute and deliver any instruments, documents or the like as required to effect the same.

**RESOLVED** that this resolution will take effect immediately.

AYE TRUSTEES: CASHMAN, DEGENNARO  
NAY NONE

**OLD BUSINESS:**

- Juneteenth holiday – to be discussed at the April 12, 2022 meeting
- ARPA funding – Treasurer attended a webinar on the use of the funds, restrictions have been lessened.
- The Mayor is working with the grant writer and the Empire State Development Fund to secure funding for the Rochelle Rd water main replacement.

**NEW BUSINESS:**

- Mayor Burke will review the Juneteenth holiday
- ARPA funding – report has to be filed by the Treasurer by April indicating what the Village plans to do with the funds

**EXECUTIVE SESSION:**

Motion by Trustee DeGennaro, seconded by Trustee Cashman, to move to Executive Session to discuss a personnel matter.

AYE TRUSTEES: CASHMAN, DEGENNARO  
NAY NONE

Motion by Trustee Harding, seconded by Trustee DeGennaro, for a resolution to close Executive Session.

AYE TRUSTEES: CASHMAN, DEGENNARO  
NAY NONE

Motion by Trustee Harding, seconded by Trustee DeGennaro, to adjourn at 5:30PM.

AYE TRUSTEES: CASHMAN, DEGENNARO  
NAY NONE

Respectfully submitted,  
Susan E. Fox, Village Clerk

**VILLAGE OF PORT DICKINSON  
LOCAL LAW NO. 3 FOR THE YEAR 2022  
LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT  
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

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

**Section 1. Legislative Intent.**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Village of Port Dickinson pursuant to General Municipal Law §3-c, and to allow the Village of Port Dickinson to adopt a budget for the fiscal year beginning June 1, 2022 and ending May 31, 2023 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

**Section 2. Authority.**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Village Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the Village Board.

**Section 3. Tax Levy Limit Override.**

The Village Board of the Village of Port Dickinson, County of Broome is hereby authorized to adopt a budget for the 2022/2023 fiscal year that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**Section 4. Remainder**

Except as hereinabove amended, the remainder of the Code of the Village of Port Dickinson shall remain in full force and effect.

**Section 5. 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 6. Effective Date**

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

**VILLAGE OF PORT DICKINSON  
LOCAL LAW NO. 4 OF 2022  
AMENDING CHAPTER 30 “DUMPING”**

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

Section 1. Section 30-3A entitled “Garbage and Rubbish Removal” is hereby amended as follows:

- A. The person in control of any private lands in the Village shall arrange at his own cost and expense for the removal at least once per week of all garbage and rubbish, including but not limited to furniture and appliances generated from said lands, which shall be placed at the curb line not earlier than 2:00 PM on the day preceding the collection day in suitable containers including garbage cans, recycling bins, and lawn debris containers, or securely stacked in bundles so as to prevent blowing and scattering. All of such containers must be removed from the curb area not later than 8:00 p.m. on collection day, and shall be placed and stored behind the building and out of view from the street or roadway. In no event may garbage or rubbish containers be stored in front of, in the front yard, or on the front porches of buildings. Garbage and rubbish containers shall be stored in a manner as to prevent blowing about or scattering. In the event that any garbage can, recycling bin, or debris container or other related items cannot be stored out of view from the street or roadway, the property owner shall screen such areas of storage by opaque fencing and or plantings. The Commissioner of Public Works may establish the collection day and reasonable rules and regulations concerning specific requirements for the placement of garbage and rubbish for collection, if collection is undertaken by the Village. A violation of such rules and regulations shall be a violation of this section.

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.