

TOWN OF DIX – REGULAR MEETING – APRIL 24, 2017

The Regular Meeting of the Town of Dix Board was held on Monday April 24, 2017. The Meeting was called to order by Supervisor Harold Russell at 7:00 PM.

PRESENT: Supervisor Harold Russell  
Councilman Jeff Meehan  
Councilman Dominic Smith  
Councilman Frank Hammond  
Town Clerk James A. McMahon  
Bookkeeper to Supervisor Kristi Pierce  
Supt. of Highways Scott Yaw  
Code Officer Dave Patterson  
Attorney Robert Halpin  
Chairman Planning Board, Mike Pierce

ABSENT: Councilman Robert DeNardo  
Chairman Zoning Board of Appeals  
Deputy Town Clerk Helen Teed

ALSO PRESENT: Chris Cornett – VP Watkins Glen International  
Chuck Franzese

VISITORS:

ADDITIONS TO AGENDA:

PUBLIC COMMENTS:

Chris Cornett of Watkins Glen International invited the Town Board to visit the track and see changes and what's going on.

Chuck Franzese answered questions in regards to New Town Hall.

REPORTS:

The Highway Department reported they had repaired #9 grader cylinder on bucket, internal parts all rebuilt, repaired #20 International transmission T&R did job, started road project on Mill Hill Road, spent 2 weeks at salt companies for waste salt to fill bins, swept all roads, Town of Montour borrowed broom tractors to do their roads, #18 replaced exhaust system, #6 had cluster rebuilt at United Radio in Syracuse, having issues with it shutting down and repaired a few washouts after heavy rain storm.

The Code Officer reported that 37 Building Permits were completed between 04/24/2016 and 04/24/2017 and 22 Building Permits were still open from 04/24/2016 to 04/24/2017.

The Planning Board discussed the work being done on Business Park. The Planning Board would not meet on April 25, 2017.

Zoning Board of Appeals had no report.

The Town of Dix Court reported that 34 fines were collected for a total of \$3,544.00 in the month of March 2017.

The Landfill Commission reported they had a regular monthly meeting and paid bills.

The Fire Department Committee had no report.

RESOLUTION # 47  
APPROVE MINUTES

On motion by Councilman Smith, seconded by Councilman Meehan, the following Resolution was  
APPROVED: AYES - 4 NAYES - 0  
RESOLVED, that the minutes of the Regular Meeting on March 27, 2017 is hereby approved.

RESOLUTION # 48  
APPROVE TOWN CLERKS REPORT

On motion by Supervisor Russell, seconded by Councilman Meehan, the following Resolution was  
APPROVED: AYES - 4 NAYES - 0  
RESOLVED, that the Town Clerk's Report for the month of March 2017 is hereby approved.

RESOLUTION # 49  
APPROVE TOWN SUPERVISOR'S REPORT

On motion by Supervisor Russell, seconded by Councilman Meehan, the following Resolution was  
APPROVED: AYES - 4 NAYES - 0  
RESOLVED, that the Supervisor's Report for the month of March 2017 is hereby approved.

RESOLUTION # 50  
APPROVE AUDIT:

On motion by Councilman Smith, seconded by Councilman Meehan, the following Resolution was  
APPROVED: AYES - 4 NAYES - 0  
RESOLVED, that the Audit is approved as follows:

General Fund – Town wide	Claims A969 – 993	12,404.58
General Fund – Outside Village	Claims B988 – B992	343.86
Highway Fund – Town wide	Claims 626 – 636	47,490.98
Highway Fund – Outside Village	Claims 637 - 639	2,714.39
Trust & Agency	Claim 111 - 113	9,543.09
Special Water Fund	Claims SW182 – SW184	8,317.29
Special Sewer Fund	Claims SS181 – SS181	4,781.38

CORRESPONDENCE:

OLD BUSINESS:

NEW BUSINESS:

RESOLUTION # 51

SET UP NEW CHECKING ACCOUNT NEW TOWN HALL

On motion by Councilman Smith, seconded by Councilman Meehan, the following

Resolution was

APPROVED: AYES - 4 NAYES - 0

RESOLVED, that the Dix Town Board approves setting up new checking account for New Town Hall.

RESOLUTION # 52

BOND RESOLUTION AUTHORIZING CONTRUCTION OF NEW TOWN HALL

On motion by Councilman Meehan, seconded by Supervisor Russell, Supervisor Russell instructed the Town Clerk to call the roll of the Town Board which was done with the following results:

Supervisor Russell	Aye
Councilman Meehan	Aye
Councilman Hammond	Aye
Councilman Smith	Aye
Councilman DeNardo	Absent

RESOLVED, that the Dix Town Board approves the Bond Resolution authorizing construction of New Town Hall.

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW TOWN HALL AT 2266 CR 17 IN WATKINS GLENS, NEW YORK IN AND FOR THE TOWN OF DIX, SCHUYLER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$574,579 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$349,579 SERIAL BONDS OF SAID TOWN TO PAY PART OF THE COST THEREOF.

WHEREAS, the capital project hereinafter described has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, it has been determined will not result in any significant adverse environmental effects and SEQRA compliance materials are available in the office of the Town Clerk where they may be inspected during regular business hours; NOW, THEREFORE, BE IT

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Dix, Schuyler County, New York, as follows:

Section 1. The construction of a new Town Hall at 2266 CR 17 in Watkins Glens, New York in and for the Town of Dix, Schuyler County, New York, including site improvement, furnishings and equipment, as well as costs incidental thereto, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$574,579.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is as follows:

- (a) By the issuance of \$349,579 bonds of the Town, hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law; and
- (b) By the expenditure of \$225,000 available funds.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 11(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Dix, Schuyler 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 in said Town, 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 bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, 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 Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the 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 bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. 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 Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. 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 Town 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 8. 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 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

On motion by Councilman Smith, seconded by Councilman Meehan, the meeting  
Adjourned at 7:50 PM.

Respectfully submitted \_\_\_\_\_ James A. McMahon  
Town Clerk, Town of Dix