

TOWN OF DIX – REGULAR MEETING – AUGUST 28, 2017

The Regular Meeting of the Town of Dix Board was held on Monday August 28, 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
Deputy Town Clerk Helen Teed
Supt. of Highways Scott Yaw
Chairman Planning Board, Mike Pierce

ABSENT: Councilman Robert DeNardo
Code Officer Dave Patterson
Attorney Robert Halpin
Chairman Zoning Board of Appeals

ALSO PRESENT:

VISITORS: Marv Geyer and Phil Barnes

ADDITIONS TO AGENDA:

PUBLIC COMMENTS:

Marv Geyer requested a response from the Dix Town Board in reference to the sewer smells he was getting in his house after the August race. In response Supervisor Russell and Councilman Smith would contact WGI, the engineers and the Village of Watkins Glen treatment plant.

REPORTS:

The Highway Department reported they had shared services with Schuyler County, Town of Reading and Town of Hector, pulled shoulders for better drainage, mowing road sides, installed culvert pipe for driveways of 3 people, started on County Line extension, building up road with gravel, ditching and trimming brush, hauled in 800 ton of free creek gravel for DEC to shop and screened to be used on County Line extension, installed guardrail on Beaver Dams Moreland Road, waiting on Bothar Paving to do Roloson Hollow Road and started to haul in sand for winter from City Hill.

The Code Officer had no report.

The Planning Board discussed the Public Hearing on September 26, 2017 at 7:00PM at the Dix Town Hall on 304 Seventh Street for 2 subdivisions and requested the Town Clerk to advertise for the meeting.

Zoning Board of Appeals had no report.

The Town of Dix Court reported that 87 fines were collected for a total of \$3,692.00 in the month of July 2017.

The Landfill Commission had no report.

The Fire Department Committee had no report.

RESOLUTION # 72
APPROVE MINUTES

On motion by Councilman Hammond, seconded by Councilman Meehan, the following Resolution was

APPROVED: AYES - 4 NAYES - 0

RESOLVED, that the minutes of the Regular Meeting on July 24, 2017 is hereby approved.

RESOLUTION # 73
APPROVE TOWN CLERKS REPORT

On motion by Councilman Hammond, seconded by Councilman Meehan the following Resolution was

APPROVED: AYES - 4 NAYES - 0

RESOLVED, that the Town Clerk's Report for the month of July 2017 is hereby approved.

RESOLUTION # 74
APPROVE TOWN SUPERVISOR'S REPORT

On motion by Councilman Hammond, seconded by Councilman Meehan the following Resolution was

APPROVED: AYES - 4 NAYES - 0

RESOLVED, that the Town Supervisor's Report for the month of July 2017 is hereby approved.

RESOLUTION # 75
APPROVE AUDIT:

On motion by Councilman Hammond, 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 A1064 – 1080	3,116.68
General Fund – Outside Village	Claims B1077 – B1080	200.37
Beaver Dams Fire Department	Claim 1081	1,276.13
Montour Falls Fire Department	Claim 1082	560.26
Watkins Glen Fire Department	Claim 1083	1,276.13
Highway Fund – Town wide	Claims 679 – 691	3,373.77
Highway Fund – Outside Village	Claims 692 - 695	10,210.52
Trust & Agency	Claim 125 - 129	9,546.90
Special Water Fund	Claims SW198 – SW199	19,942.68
Special Sewer Fund	Claims SS196 – SS197	27,148.56

CORRESPONDENCE:

OLD BUSINESS:

The Dix Town Board approved having the Highway Department check and do normal and routine maintenance on water and sewer generators.

NEW BUSINESS:

The Dix Town Board approved having the contractors bid package checks deposited.

Supervisor Russell will attend the Shared Services Plan meeting on September 6, 2017 for the purpose of voting on plan.

RESOLUTION # 76

APPROVE STATE AND MUNICIPAL FACILITIES PROGRAM (SAM) GRANT

On motion by Supervisor Russell, seconded by Councilman Smith the following Resolution was

APPROVED: AYES - 4 NAYES - 0

RESOLVED, that the Dix Town Board approves the State and Municipal Facilities Program (SAM) Grant agreement.

RESOLUTION

WHEREAS, the Town of Dix (the "Town") of Dix has been awarded a certain State Aid to Municipalities Grant (the "Grant"); and

WHEREAS, the Grant is to be administered pursuant to a certain Grant Disbursement Agreement between Dormitory Authority of the State of New York and the Town (the "Agreement"), the form of which has been presented to the Town Board of the Town.

NOW, THEREFORE, the Town Board of the Town adopts the following Resolution:

RESOLVED, that the Agreement is approved; and

RESOLVED, that the Town Supervisor is authorized to sign the Agreement on behalf of the Town, and take any and all additional actions necessary or advisable in connection therewith.

Date: August 28, 2017

RESOLUTION # 77

RESOLUTION FOR AGREEMENT WITH MUNICIPAL ELECTRIC AND GAS (MEGA)

On motion by Councilman Smith, seconded by Councilman Hammond the following Resolution was

APPROVED: AYES - 3 NAYES - 1 (Hammond)

RESOLVED, that the Town Board approves agreement with Municipal Electric and Gas Alliance (MEGA).

**RESOLUTION NO. 77 OF 2017
Town of Dix, New York**

RESOLUTION REGARDING THE EXPLORATION OF A COMMUNITY CHOICE
AGGREGATION PROGRAM AND ENTERING INTO AN ADMINISTRATION
AGREEMENT WITH THE MUNICIPAL ELECTRIC AND GAS ALLIANCE (MEGA)

A meeting of the Town Board of the Town of Dix, Schuyler County, New York was convened in public session at the Town Hall located at 304 7th Street, Watkins Glen, New York 14891 on August 28, 2017 at 7:00 o'clock p.m.

WHEREAS, the New York State Public Service Commission (“NYSPSC”), on April 21, 2016, adopted an Order authorizing cities, towns and villages within the State to create Community Choice Aggregation (“CCA”) Programs, by themselves or in concert with other municipalities (hereinafter “NYSPSC Order Authorizing CCAs”); and

WHEREAS, establishing a Community Choice Aggregation Program allows a municipal government to aggregate the energy supply needs of its residents and businesses, and to negotiate and enter into energy supply contracts with Energy Service Companies (“ESCOs”) on behalf of these citizens to obtain lower-cost energy prices, often at a fixed or predictable cost, as well as environmental benefits, and opportunities to pursue community-based energy initiatives; and

WHEREAS, the Town of Dix seeks to explore CCA as a potential opportunity for energy consumers within the Town of Dix because of the potential benefits a CCA would produce for residential and small business owners, through the joint, aggregated provision of energy supplies and value-added services at better prices due to the market power of the aggregation; and

WHEREAS, the NYSPSC Order Authorizing CCAs specifically states that municipalities are permitted to engage a third party CCA Administrator to assist in the development and implementation of a CCA Program, including the eventual solicitation and management of energy supply agreements for CCA customers; and

WHEREAS, the Municipal Electric and Gas Alliance (“MEGA”), a not-for-profit Local Development Corporation established in New York State, seeks to create one or more regional CCA(s) to aggregate customers from multiple municipalities throughout a given region in the State, which will enable MEGA to leverage a broad customer base to obtain competitively priced energy contracts thereby yielding greater savings and other benefits to CCA customers; and

WHEREAS, MEGA contemplates supporting the creation and implementation of these regional CCAs, in accordance with the NYSPSC Order Authorizing CCAs, in its capacity as a third-party CCA Administrator for those municipalities seeking to form CCAs; and

WHEREAS, MEGA further seeks to provide information, advice, public outreach, consumer education assistance, support for competitive bid solicitation, competitive supplier selection and monitoring of New York State regulations to municipalities considering forming a CCA; and

WHEREAS, MEGA, since its inception in 1998, has gained the experience necessary to perform the services of CCA Administrator, having successfully managed energy procurement aggregation programs for hundreds of New York State municipalities, saving taxpayers millions of dollars through competitive public bidding of energy supplies and services; and

WHEREAS, MEGA's generic plans for procurement of energy supply reflects an understanding of CCA opportunities for the Town of Dix, as well as market and regulatory conditions representing the best practices in the industry; and

WHEREAS, the Town of Dix seeks to engage MEGA as the CCA Administrator, to assist in its efforts to better understand, educate the public on, and develop a Program to enable, a CCA; and

WHEREAS, MEGA would be engaged by the Town of Dix as a provider of professional services requiring special and technical skills, expertise and knowledge, therefore the contract for these services is exempt from competitive bidding requirements contained in New York General Municipal Law § 103; and

WHEREAS, in the event the Town of Dix decides to authorize a CCA, the Town of Dix is interested in joining together with other CCAs in its region, through the MEGA aggregation, to leverage a broader customer base to obtain cost savings and other benefits for residents;

NOW, THEREFORE, BE IT RESOLVED that the Supervisor is hereby authorized to sign a Community Choice Aggregation Administration Agreement with MEGA, which incorporates the following terms:

1. The Town of Dix will retain MEGA to assist with efforts to explore the potential benefits to this community of creating a CCA here, and in educating the public and local officials on CCAs. As CCA Administrator MEGA will assist the community in exploration of the Town of Dix's potential participation in a CCA Program and development of plans for the implementation of the CCA Program, as required by the NYSPSC Order Authorizing CCAs.
2. In the event the Town of Dix opts to proceed with the creation of a CCA, MEGA would serve as the Town of Dix's CCA Administrator throughout the formation and implementation of the CCA Program.

