

VILLAGE OF PORT DICKINSON
Village Board Meeting Agenda
November 13, 2012
6:00 pm
Port Dickinson Elementary School

APPROVAL OF MINUTES: October 9, 2012

PUBLIC PARTICIPATION:

TREASURER'S REPORT:

AUDIT & PAYMENT OF CLAIMS:

1. No. as listed on the Abstract of Unaudited vouchers for the General Fund for \$
2. No. as listed on the Abstract of Unaudited vouchers for the Water Fund for \$
3. No. as listed on the Abstract of Unaudited vouchers for the Sewer Fund for \$
4. No. as listed on the Abstract of Unaudited Vouchers for the Capital Projects Elevator Fund for \$

COMMUNICATIONS:

COMMITTEE REPORTS:

Administration/Code Enforcement/Community Association – James L. DeGennaro, Trustee
Parks/Water/Sewer – Robert J. Aagre, Trustee
Planning Board – none
Public Safety – Richard T. Felo, Trustee
Public Works – Michael Cashman, Trustee
Zoning Board of Appeals – none

OLD BUSINESS:

RESOLUTIONS FOR APPROVAL:

1. Resolution scheduling a Public Hearing on December 11, 2012 at 6:00pm at Port Dickinson Elementary School on Local Law 8-2012 A LOCAL LAW OF THE VILLAGE OF PORT DICKINSON AMENDING CHAPTER 49 OF THE VILLAGE CODE ENTITLED “SEWERS”
2. Resolution authorizing the Village Clerk to submit the unpaid taxes for the year 2012 and unpaid water/sewer for the periods 07/01/11-06/30/12 to the Broome County Commissioner of Finance

NEW BUSINESS:

ADJOURNMENT

A LOCAL LAW OF THE VILLAGE OF PORT
DICKINSON AMENDING CHAPTER 49 OF
THE VILLAGE CODE ENTITLED "SEWERS"

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

Section 1.

Chapter 49 of the Village Code adopted August 6, 1985 as Local Law No. 1-1985, as amended, be and hereby is further amended by this Local Law as follows:

A. A new §49-26A is added to Article VI (Use Regulations) providing as follows:

1. Pursuant to §12.05.01 of the Rules and Regulations (the "Regulations") of the Binghamton-Johnson City Joint Sewage Board (the "Joint Board") any applicant for a sewer connection or modification resulting in new sewage flows of more than 2,500 gallons per day shall prepare a Sewer Connection Application on a form promulgated by the Joint Board accompanied by a Sewer Extension Engineering Report prepared by a New York State Licensed Professional Engineer containing the information required by Joint Board Regulation §12.05.02, which application shall be submitted for approval to the Village Board of Trustees and the Joint Board.

2. Such application will be disapproved by the Village Board of Trustees, by resolution without public hearing if it shows associated flows will exceed the capacity of the Village's sewage collection system or if a Sewer Capacity Analysis from the point of the Village's connection to the Joint Board treatment plant indicates associated flows will exceed the capacity of that system.

3. Upon approval or approval with conditions of said application by the Village Board of Trustees, by resolution without public hearing, within 45 days of receipt of the application, the Joint Board will perform a Hydraulic and Pollutant Loading Capacity analysis at its treatment plant and shall approve or approve said application contingent upon issuance of a Flow Credit Note pursuant to the Article 13- I/I Offset Program of the Joint Board Regulations if the new or modified sewer connection adds flows greater than 2,500 gallons per day within the I/I Remediation Boundary established by said Program unless the new flow is exempt from compliance with said Program pursuant to the provisions of §13.06 of the Joint Board Regulations. As the Village approval or approval with conditions is subject to review and action by the Joint Board; any required analysis under NYS State Environmental Quality Review Act shall be a coordinated review with The Joint Board acting as lead agency.

B. Paragraph A of §49-32 (Authority of Joint Sewage Board) of the Village Code is amended to provide as follows:

A. Notwithstanding any other provisions of law, the admission into the village public sewers of any wastes shall be subject to the review and approval of the Joint Board. The Joint Board is hereby granted authority, concurrent with that of the village, to enforce against any user within the village all requirements necessary to ensure compliance with the provisions of the rules and regulations of the Joint Board including but not limited to the provisions of Articles 12 (New or Modified Sewer Connection Application Program, Article 13 (Infiltration/Inflow Offset Program) and Article 14 (Capacity, Management, Operation and Maintenance (CMJOM) Program. Nothing contained herein, however, shall be construed as precluding the village from seeking against any user such remedial action as it deems appropriate for correcting any violation of its local laws, ordinances or regulations governing use of the village public sewer system.

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 this Local Law are hereby repealed.

Section 4. 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.