

**SPECIAL TOWN BOARD MEETING**

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**Re-establishing Town Reserve Funds**

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Town of Ulysses

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September 2, 2020

Audio of the minutes are available on the website at [ulysses.ny.us](http://ulysses.ny.us).

The meeting was held via videoconference on the Zoom platform.

Notice of Town Board meetings are posted on the Town's website and Clerk's board.

**CALL TO ORDER:**

Ms. Zahler called the meeting to order at 8am.

**ATTENDANCE:**

Ms. Zahler noted all in attendance:

TOWN OFFICIALS PRESENT:

Supervisor- Nancy Zahler

Board members- Richard Goldman, Michael Boggs, Katelin Olson, Marc Devokaitis

Town Clerk- Carissa Parlato

Second Deputy Supervisor- Michelle Wright

**RE-STATING THE INTENT OF THE "A236 / A915 ASSIGNED FUNDS"**

**RESOLUTION # 167 of 2020: RE-STATING THE INTENT OF THE "A236 / A915 ASSIGNED FUNDS"**

WHEREAS, the Town of Ulysses ("Town") has various Assigned Funds where sums of money have been set aside for specific use, and

WHEREAS, these Assigned Funds are allowed in the General Funds (the "A fund") and less formal than reserves allowed by the New York State Office of the State Comptroller, and

WHEREAS, the appropriation of these assigned funds do not require a permissive referendum or public hearing, and

WHEREAS, the Town would like to re-state the intent for the assigned funds based on notes left in the previous budget years when funds were added to the Assigned Funds,

RESOLVED, that the following list of Assigned Fund titles are followed by the balance as of the date this resolution was passed as well as the intended purpose of the fund when it was first earmarked:

1. A915.2 Recreation: balance of \$23,584 with the intent to earmark funds for future expenses related to parks and other public spaces.
2. A915.3 Audit: balance of \$8,300 with the intent to earmark funds for future expenses related to the cost of auditing services.
3. A915.4 Legal: balance of \$6,027 with the intent to earmark funds for future expenses related to legal costs above and beyond the budgeted amount.

- 4. A915.5 Youth: \$3,644 with the intent to earmark funds for future expenses related to youth commission.
- 5. A915.6 Environmental Protection: \$10,046 with the intent to earmark funds for future expenses related to purchase or lease land from farmers for environmental reasons e.g. buffer strips, stormwater retention ponds, or other ditch remediation best practices.

Moved: Mr. Goldman                      Seconded: Ms. Olson

Ms. Zahler                      aye  
Ms. Olson                      aye  
Mr. Boggs                      aye  
Mr. Goldman                      aye  
Mr. Devokaitis                      aye

Vote: 5-0

Date Adopted: 9/2/2020

**RE-ESTABLISHING THE “A231 / A815 UNEMPLOYMENT INSURANCE PAYMENT RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-m OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION # 168 of 2020: RE-ESTABLISHING THE “A231 / A815 UNEMPLOYMENT INSURANCE PAYMENT RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-m OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, pursuant to N.Y. General Municipal Law Section 6-m the governing board of any municipal corporation which has elected to become liable for payments in lieu of contributions required of employers liable for contributions under article eighteen of the labor law may establish a reserve fund to be known as an unemployment insurance payment reserve fund, and

WHEREAS, there may be paid into such fund (a) such amounts as may be provided therefor by budgetary appropriations, (b) amounts from any other fund authorized by this general municipal law by resolution subject to permissive referendum, and (c) such other funds as may be legally appropriated, and

WHEREAS, expenditures may be made from this fund as required by law to pay into the Unemployment Insurance Fund an amount equivalent to the amount of benefits paid to claimants and charged to the account for the municipal corporation in accordance with Section 581(1)(e), and

WHEREAS, a referendum is not required either to create or expend from the Unemployment Insurance Payment Reserve Fund, and

WHEREAS, the Town has funds in the sum of \$8,315 already set aside for use as prescribed by law for the Unemployment Insurance Payment Reserve, which funds are denoted as "A231 / A815 Unemployment Reserve Fund", now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y. General Municipal Law Section 6-m there be and hereby is re-established an Unemployment Insurance Payment Reserve Fund in the A fund in the amount of \$8,315 to cover the eligible costs as prescribed by law.
2. Such unemployment insurance payment reserve fund is to be known as the "A231 / A815 Unemployment Insurance Payment Reserve Fund."
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$8,315, be and the same hereby is appropriated for the "A231 / A815 Unemployment Insurance Payment Reserve" and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$8,315 to the A231 / A815 Unemployment Insurance Payment Reserve Fund.
4. Such additional sums as may hereafter be appropriated shall become part of the A231 / A815 Unemployment Insurance Payment Reserve Fund.
5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
6. No expenditure shall be made from the Unemployment Insurance Payment Reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-m of the General Municipal Law of the State of New York.
7. If the Town Board shall, hereafter terminate its election to become liable for payments in lieu of contributions, the moneys remaining in this fund may be transferred to any other fund authorized by law, only to the extent that the moneys in this fund shall exceed in amount the sum sufficient to pay all pending claims.

8. By this Resolution the Town Board specifically supersedes any previous Resolution that established an Unemployment Insurance Payment Reserve Fund, by whatever name called, in the A Fund.

9. This resolution shall take effect immediately.

Moved: Mr. Goldman                      Seconded: Ms. Olson

Ms. Zahler                      aye

Ms. Olson                      aye

Mr. Boggs                      aye

Mr. Goldman                      aye

Mr. Devokaitis                      aye

Vote: 5-0

Date Adopted: 9/2/2020

**RE-ESTABLISHING THE “A232 / A827 RETIREMENT CONTRIBUTION RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-r OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION # 169 of 2020: RE-ESTABLISHING THE “A232 / A827 RETIREMENT CONTRIBUTION RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-r OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, pursuant to N.Y. General Municipal Law (N.Y. GML) Section 6-r the governing board of any municipal corporation which is a participating employer as defined by N.Y. Retirement and Social Security Law Sections 2(20) or (302)(20) can create a Retirement Contribution Reserve Fund for the payment of retirement contributions which are defined as all or any portion of the amount payable to the New York State and Local Employees’ Retirement System, and

WHEREAS, a referendum is not required either to create or expend money from the Retirement Contribution Reserve Fund for the purpose authorized by law as outlined in this resolution, and

WHEREAS, the Town has funds in the sum of \$19,794 already set aside for use as prescribed by law for the Retirement Contribution Reserve, which funds are denoted as "A232 / A827 Retirement Contribution Reserve Fund", now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y. GML Section 6-r there be and hereby is re-established a retirement contribution reserve fund in the amount of \$19,794 to cover the cost all or a portion of retirement contributions for which the Town is obligated to pay as prescribed by law.
2. Such reserve fund is to be known as the "A232 / A827 Retirement Contribution Reserve Fund."
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$19,794, be and the same hereby is appropriated for the "A232 / A827 Retirement Contribution Reserve" and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$19,794 to the A232 / A827 Retirement Contribution Reserve Fund.
4. Such additional sums as may hereafter be appropriated shall become part of the A232 / A827 Retirement Contribution Reserve Fund.
5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
6. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-r of the General Municipal Law of the State of New York.
7. The chief fiscal officer of the Town shall account for this Retirement Contribution Reserve Fund separate and apart from all other funds of the Town. Such accounting shall show: the source, date and amount of each sum paid into the fund; the interest earned by such fund; capital gains or losses resulting from the sale of investments of this fund; the order, purpose thereof, date and amount of each payment from this fund; the assets of the fund, indicating cash balance and a schedule of investments. The chief fiscal officer, within sixty days of the end of each fiscal year, shall furnish a detailed report of the operation and condition of this fund to the Town Board.
8. In accordance with N.Y. General Municipal Law Section 6-r(8) the members of the Town Board for the duration of their respective terms on the board are hereby declared trustees of this Retirement Contribution Reserve Fund and shall be subject to all the duties and responsibilities imposed by law on trustees.
9. No member of the governing board of such municipal corporation shall:

(a) authorize a withdrawal from a retirement contribution reserve fund for any purpose except as provided in this section; or

(b) expend any money withdrawn from such fund for a purpose other than as provided in this section.

10. By this Resolution the Town Board specifically supersedes any previous Resolution that established an A232/A827 Retirement Contribution Reserve in the A Fund.

11. This resolution shall take effect immediately.

Moved: Ms. Zahler                      Seconded: Ms. Olson

Ms. Zahler                      aye

Ms. Olson                      aye

Mr. Boggs                      aye

Mr. Goldman                      aye

Mr. Devokaitis                      aye

Vote: 5-0

Date Adopted: 9/2/2020

**RE-ESTABLISHING THE “A233 / A867 EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-p OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION #170 of 2020: RE-ESTABLISHING THE “A233 / A867 EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-p OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS pursuant to N.Y. General Municipal Law (N.Y. GML) Section 6-p the governing board of any municipal corporation may establish a reserve fund to be known as the employee benefit accrued liability reserve fund, and

WHEREAS, upon the creation of such fund, the municipality may make expenditures, made according to the Town Personnel Policy, from the fund for any accrued employee benefit payment due an employee of the municipal corporation upon termination of the employee's service, provided however, that no municipality shall make an expenditure from such fund for

any employee benefit for which the municipal corporation has established a reserve fund under any other provision of law, and

WHEREAS, a referendum is not required either to create or expend money from the Employee Benefit Accrued Liability Reserve for the purposes permitted by law as outlined in this resolution, and

WHEREAS, the Town has funds in the sum of \$13,041 already set aside for allowable uses, which funds are denoted as "A233 / A867 Employee Benefit Accrued Liability Reserve", now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y. GML Section 6-p there be and hereby is re-established an Employee Benefit Accrued Liability Reserve Fund in the amount of \$13,041 to cover applicable costs as prescribed by law.
2. Such reserve fund is to be known as the "A233 / A867 Employee Benefit Accrued Liability Reserve Fund."
3. The purpose of this fund shall be to pay for any accrued "employee benefit" due an employee of the Town on termination of the employee's service. Employee benefits for this purpose means the authorized cash payment of monetary value of accrued and accumulated but unused and unpaid sick leave, personal leave, holiday leave, vacation time, time allowances granted in lieu of overtime compensation and any other forms of payment for accrued but unliquidated time earned by municipal employees and payable to municipal employees upon termination of service, whether by retirement or otherwise.
4. Lump sum payments upon separation from service that are calculated in a manner unrelated to accrued, unliquidated leave time credits are not eligible for payment from this Employee Benefit Accrued Liability Reserve Fund.
5. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$13,041, be and the same hereby is appropriated for the "A233 / A867 Employee Benefit Accrued Liability Reserve" and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$13,041 to the A233 / A867 Employee Benefit Accrued Liability Reserve.
6. Such additional sums as may hereafter be appropriated shall become part of the A233 / A867 Employee Benefit Accrued Liability Reserve.
7. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.

8. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-p of the General Municipal Law of the State of New York.

If the Town Board at any time determines that this fund is no longer needed, any remaining moneys may be transferred to any other reserve fund authorized by N.Y. GML (supported by the same tax base), but only to the extent that the moneys in this fund exceed a sum sufficient to pay all liabilities incurred or accrued against the employee benefit accrued liability fund, as certified to the Town Board by the chief fiscal officer prior to discontinuance of this fund.

9. By this Resolution the Town Board specifically supersedes any previous Resolution that established an A233 / A867 Employee Benefit Accrued Liability Reserve in the A Fund.

10. This resolution shall take effect immediately.

Moved: Ms. Zahler                      Seconded: Mr. Boggs

Ms. Zahler	aye
Ms. Olson	aye
Mr. Boggs	aye
Mr. Goldman	aye
Mr. Devokaitis	aye

Vote: 5-0

Date Adopted: 9/2/2020

**RE-ESTABLISHING THE “A235 / A882 BUILDING REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION # 171 of 2020: RE-ESTABLISHING THE “A235 / A882 BUILDING REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, pursuant to N.Y. General Municipal Law (GML) Section 6-d a town can create and maintain a Repair Reserve Fund to pay for certain repairs to capital improvements or equipment that do not recur annually or at shorter intervals, and

WHEREAS, there is no referendum requirements for the establishment of or appropriation of funds from a repair reserve fund, however, any appropriation of funds out of a repair reserve fund is subject to public hearing as prescribed by law with a lapse of at least five days from the date of publication of notice of the public hearing the date set for such public hearing, and

WHEREAS, in an emergency, appropriations out of this repair reserve fund are allowable without a public hearing as long as a resolution for appropriation is approved by at least a two-thirds vote of the full board (not just those present), as well as the requirement that at least one-half of the expenditure is repaid in the next fiscal year, and the balance repaid by the end of the fiscal year after that, and

WHEREAS, the Town has funds in the sum of \$47,112 already set aside for building repairs, which funds are denoted as "A235 / A882 Building Repair Reserve", now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y. GML Section 6-d there be and hereby is re-established a building repair reserve fund in the amount of \$47,112 to cover the cost of eligible building repairs that are not annually recurring repairs or ones that recur on a shorter interval than annually.
2. Such repair reserve fund is to be known as the "A235 / A882 Building Repair Reserve Fund."
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$47,112, be and the same hereby is appropriated for the "A235 / A882 Building Repair Reserve" and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$47,112 to the A235 / A882 Building Repair Reserve.
4. Such additional sums as may hereafter be appropriated shall become part of the A235 / A882 Building Repair Reserve Fund.
5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the N.Y. GML. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
6. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-d of the N.Y. GML.
7. By this Resolution the Town Board specifically supersedes any previous Resolution that established an A235 / A882 Building Repair Reserve Fund in the A Fund.
8. This resolution shall take effect immediately.

Moved: Ms. Zahler                      Seconded: Mr. Devokaitis

Ms. Zahler                      aye

Ms. Olson                    aye  
Mr. Boggs                   aye  
Mr. Goldman                aye  
Mr. Devokaitis             aye

Vote: 5-0

Date Adopted: 9/2/2020

**RE-ESTABLISHING THE “A237 / A880 CONTINGENCY AND TAX STABILIZATION RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-e OF THE GENERAL MUNICIPAL LAW, SUBJECT TO PERMISSIVE REFERENDUM**

**RESOLUTION # 172 of 2020: RE-ESTABLISHING THE “A237 / A880 CONTINGENCY AND TAX STABILIZATION RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-e OF THE GENERAL MUNICIPAL LAW, SUBJECT TO PERMISSIVE REFERENDUM**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, when preparing a tentative budget, if the current balance of the contingency and tax stabilization reserve fund exceeds 10 percent of the eligible portion of the annual budget for the current fiscal year, any excess must be used to reduce the amount of real property taxes needed to finance the eligible portion of the annual budget for the next fiscal year, and

WHEREAS, ‘eligible portion of the annual budget’ means, in the case of contingency and tax stabilization reserve fund established for a town, the town-wide general fund and highway fund portions of the annual budget and the part of the town outside of the village, the general and highway fund portions of the annual budget, and

WHEREAS, contingency and tax stabilization reserve funds are created by resolution and subject to permissive referendum, and

WHEREAS, the Town has funds in the sum of \$4,018 already set aside, which funds are denoted as “A237 / A880 Contingency and Tax Stabilization Reserve Fund”, now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That there be and hereby is re-established a Contingency and Tax Stabilization Reserve Fund in the amount of \$4,018
2. Such capital reserve fund is to be known as the “A237 / A880 Contingency and Tax Stabilization Reserve Fund.”
3. Appropriation of funds from this reserve fund require a prior recommendation of the Town Supervisor and approval by at least a two-thirds vote of the full Town Board (not just members present at a meeting).
4. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$4,018, be and the same hereby is appropriated for the “A237 / A880 Contingency and Tax Stabilization Reserve Fund” and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$4,018 to the A237 / A880 Contingency and Tax Stabilization Reserve Fund.
5. Such additional sums as may hereafter be appropriated shall become part of the A237 / A880 Contingency and Tax Stabilization Reserve Fund.
6. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
7. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-e of the General Municipal Law of the State of New York.
8. By this Resolution the Town Board specifically supersedes any previous Resolution that established an A237 / A880 Contingency and Tax Stabilization Reserve Fund in the A Fund.
9. This resolution shall take effect on the day following the thirtieth day after publication of notice by the Town Clerk regarding its adoption stating that it is subject to a permissive referendum unless a petition for referendum is received by the Town Clerk by the requisite number of voters in which case the resolution shall only become effective upon being certified by the Board of Elections as adopted following a duly held election..

FURTHER RESOLVED that pursuant to General Municipal Law 6-e, this resolution is subject to

permissive referendum conducted in accordance with Article 7 of the N.Y. Town Law; and be it

FURTHER RESOLVED that the Town Clerk will post and public notice of the permissive referendum in accordance with law and provide a copy of such notice to the Town Supervisor.

Moved: Ms. Zahler      Seconded: Mr. Boggs

Ms. Zahler                aye

Ms. Olson                aye

Mr. Boggs                aye

Mr. Goldman            aye

Mr. Devokaitis         aye

Vote: 5-0

Date Adopted: 9/2/2020

**RE-ESTABLISHING THE “B230 / B815 UNEMPLOYMENT RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-m OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION # 173 of 2020: RE-ESTABLISHING THE “B230 / B815 UNEMPLOYMENT RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-m OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historic intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, a referendum is not required either to create or expend from the Unemployment Reserve but is required by law for the exclusive use of paying into the Unemployment Insurance Fund an amount equivalent to the amount of benefits paid to claimants, whose compensation was previously charged to the B or DB funds, and charged to the account of the municipality, and

WHEREAS, the Town has funds in the sum of \$5,023 already set aside for use as prescribed by law for the Unemployment Reserve, which funds are denoted as “B230 / B815 Unemployment Reserve Fund”, now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That there be and hereby is re-established an unemployment reserve fund in the B fund in the amount of \$5,023 to cover the cost as prescribed by law.
2. Such unemployment reserve fund is to be known as the “B230 / B815 Unemployment Reserve Fund.”
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$5,023, be and the same hereby is appropriated for the “B230 / B815 Unemployment Reserve Fund” and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$5,023 to the B230 / B815 Unemployment Reserve Fund.
4. Such additional sums as may hereafter be appropriated shall become part of the B230 / B815 Unemployment Reserve Fund.
5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
6. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-m of the General Municipal Law of the State of New York.
7. By this Resolution the Town Board specifically supersedes any previous Resolution that established an Unemployment Reserve Fund in the B Fund.
8. This resolution shall take effect immediately.

Moved: Ms. Zahler

Seconded: Mr. Boggs

Ms. Zahler	aye
Ms. Olson	aye
Mr. Boggs	aye
Mr. Goldman	aye
Mr. Devokaitis	aye

Vote: 5-0

Date Adopted: 9/2/2020

**RE-ESTABLISHING THE “B231 / B879 VEHICLE RESERVE FUND” OF THE TOWN OF ULYSSES A SPECIFIC CAPITAL RESERVE FUND FOR THE B FUND VEHICLE UNDER SECTION 6-c OF THE GENERAL MUNICIPAL LAW, SUBJECT TO PERMISSIVE REFERENDUM**

**RESOLUTION #174 of 2020: RE-ESTABLISHING THE “B231 / B879 VEHICLE RESERVE FUND” OF THE TOWN OF ULYSSES A SPECIFIC CAPITAL RESERVE FUND FOR THE B FUND VEHICLE UNDER SECTION 6-c OF THE GENERAL MUNICIPAL LAW, SUBJECT TO PERMISSIVE REFERENDUM**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, there is a requirement to state the specific purpose and estimated maximum cost of the equipment in the resolution establishing a Specific Capital Reserve Fund, and

WHEREAS, the purpose of this Reserve Fund is to accumulate moneys to finance the cost of a vehicle for the use of the Code and Planning Offices, with the estimated maximum cost of \$35,000, and

WHEREAS, the Town has funds in the sum of \$5,023 already set aside for a vehicle for the Code Enforcement and Planning Offices, which funds are denoted as “B231 / B879 Equipment Reserve”, now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y. General Municipal Law (N.Y. GML) §6-c there be and hereby is re-established a specific capital reserve fund in the amount of \$5,023 to cover the cost of the future purchase of B fund vehicle for use by the Code Enforcement and Planning offices.
2. Such specific capital reserve fund is to be known as the “B231 / B879 Vehicle Purchase Reserve Fund.”
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$5,023, be and the same hereby is appropriated for the

“B231 / B879 Vehicle Purchase Reserve Fund” and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$5,023 to the B231 / B879 Vehicle Reserve Fund.

4. Such additional sums as may hereafter be appropriated shall become part of the B231 / B879 Vehicle Purchase Reserve Fund.

5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.

6. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York.

7. The Chief Fiscal Officer of the Town shall account for this fund in the manner outlined in N.Y. GML 6-c(10).

8. In accordance with N.Y. General Municipal Law Section 6-c(11) the members of the Town Board for the duration of their respective terms on the board are hereby declared trustees of this B231 / B879 Vehicle Purchase Reserve Fund and shall be subject to all the duties and responsibilities imposed by law on trustees.

9. By this Resolution the Town Board specifically supersedes any previous Resolution that established a B231 / B879 Vehicle Reserve Fund in the B Fund.

10. This resolution shall take effect on the day following the thirtieth day after publication of notice by the Town Clerk regarding its adoption stating that it is subject to a permissive referendum unless a petition for referendum is received by the Town Clerk by the requisite number of voters in which case the resolution shall only become effective upon being certified by the Board of Elections as adopted following a duly held election.

FURTHER RESOLVED that pursuant to General Municipal Law 6-c, this resolution is subject to permissive referendum conducted in accordance with Article 7 of the N.Y. Town Law; and be it

FURTHER RESOLVED that the Town Clerk will post public notice of the permissive referendum in accordance with law and provide a copy of such notice to the Town Supervisor.

Moved: Ms. Zahler

Seconded: Ms. Olson

Ms. Zahler                    aye

Ms. Olson                    aye

Mr. Boggs                    aye  
Mr. Goldman                aye  
Mr. Devokaitis             aye

Vote: 5-0

Date Adopted: 9/2/2020

**RE-ESTABLISHING THE “B234 / B867 EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-p OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION #175 of 2020: RE-ESTABLISHING THE “B234 / B867 EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-p OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS pursuant to N.Y. General Municipal Law (N.Y. GML) Section 6-p the governing board of any municipal corporation may establish a reserve fund to be known as the employee benefit accrued liability reserve fund, and

WHEREAS, upon the creation of such fund, the municipality may make expenditures from the fund, made according to the Town Personnel Policy, for any accrued employee benefit payment due an employee of the municipal corporation upon termination of the employee's service, provided however, that no municipality shall make an expenditure from such fund for any employee benefit for which the municipal corporation has established a reserve fund under any other provision of law, and

WHEREAS, a referendum is not required either to create or expend money from the Employee Benefit Accrued Liability Reserve for the purposes permitted by law as outlined in this resolution, and

WHEREAS, applicable accrued liabilities in the B and DB fund are eligible for appropriation out of this reserve, and

WHEREAS, the Town has funds in the sum of \$18,589 already set aside for allowable uses, which funds are denoted as “B234 / B867 Employee Benefit Accrued Liability Reserve”, now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y. GML Section 6-p there be and hereby is re-established an employee benefit accrued liability reserve fund in the amount of \$18,589 to cover applicable costs as prescribed by law.
2. Such reserve fund is to be known as the “B234 / B867 Employee Benefit Accrued Liability Reserve.”
3. 3. The purpose of this fund shall be to pay for any accrued “employee benefit” due an employee of the Town on termination of the employee’s service. Employee benefits for this purpose means the authorized cash payment of monetary value of accrued and accumulated but unused and unpaid sick leave, personal leave, holiday leave, vacation time, time allowances granted in lieu of overtime compensation and any other forms of payment for accrued but unliquidated time earned by municipal employees in the B and DB funds and payable to municipal employees upon termination of service, whether by retirement or otherwise
4. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$18,589, be and the same hereby is appropriated for the “B234 / B867 Employee Benefit Accrued Liability Reserve” and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$18,589 to the B234 / B867 Employee Benefit Accrued Liability Reserve.
5. Such additional sums as may hereafter be appropriated shall become part of the B234 / B867 Employee Benefit Accrued Liability Reserve.
6. Lump sum payments upon separation from service that are calculated in a manner unrelated to accrued, unliquidated leave time credits are not eligible for payment from this Employee Benefit Accrued Liability Reserve Fund.
7. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
8. No expenditure shall be made from the reserve fund except by authorization of the

Town Board of the Town of Ulysses pursuant to the provisions of section 6-p of the General Municipal Law of the State of New York.

9. By this Resolution the Town Board specifically supersedes any previous Resolution that established a B234 / B867 Employee Benefit Accrued Liability Reserve in the B fund.

10. This resolution shall take effect immediately.

Moved: Ms. Zahler                      Seconded: Mr. Boggs

Ms. Zahler	aye
Ms. Olson	aye
Mr. Boggs	aye
Mr. Goldman	aye
Mr. Devokaitis	aye

Vote: 5-0

Date Adopted: 9/2/2020

**RE-ESTABLISHING THE “DA231 / DA882 SNOW & ICE REMOVAL AND ROAD REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-f OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION # 176 of 2020: RE-ESTABLISHING THE “DA231 / DA882 SNOW & ICE REMOVAL AND ROAD REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-f OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, towns are authorized by New York General Municipal Law (N.Y. GML) §6-f to establish and maintain reserve funds for snow and ice removal and road repairs provided that such expenses are not of a nature that recur annually or at shorter intervals, and

WHEREAS, there is no referendum requirements for the establishment of a snow and ice removal and repair reserve fund, appropriations out of a repair reserve fund is subject to

public hearing as prescribed by law after prior public notice published at least five days prior to the public hearing, and

WHEREAS, in an emergency, appropriations out of this repair reserve fund are allowable without a public hearing as long as a resolution for appropriation is approved by at least two-thirds vote of the full board (not just member present at a meeting), as well as the requirement that at least one-half of the expenditure is repaid in the next fiscal year, and the balance repaid by the end of the fiscal year after that, and

WHEREAS, the Town has funds in the sum of \$37,560 already set aside for snow and ice removal and repair caused by removal, which funds are denoted as "DA231 / A882 Snow and Ice Repair Reserve", now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y. GML §6-f there be and hereby is re-established a repair reserve fund in the amount of \$37,560 to cover the cost of snow and ice removal and related repairs.
2. Such repair reserve fund is to be known as the "DA231 / A882 Snow and Ice Removal and Road Repair Reserve."
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$37,560, be and the same hereby is appropriated for the "DA231 / A882 Snow and Ice Repair Reserve" and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$37,560 to the DA231 / A882 Snow and Ice Removal and Road Repair Reserve.
4. Such additional sums as may hereafter be appropriated shall become part of the DA231 / A882 Snow and Ice Removal and Road Repair Reserve.
5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
6. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-f of the General Municipal Law of the State of New York.
7. By this Resolution the Town Board specifically supersedes any previous Resolution that established a DA231 / A882 Snow and Ice Removal and Road Repair Reserve in the DA Fund.

8. This resolution shall take effect immediately.

Moved: Ms. Zahler                      Seconded: Mr. Goldman

Ms. Zahler                      aye  
Ms. Olson                      aye  
Mr. Boggs                      aye  
Mr. Goldman                      aye  
Mr. Devokaitis                      aye

Vote: 5-0

Date Adopted: 9/2/2020

**RE-ESTABLISHING THE “DA232 / DA883 BRIDGE REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION # 177 of 2020: RE-ESTABLISHING THE “DA232 / DA883 BRIDGE REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, New York General Municipal Law (N.Y. GML) §6-d authorizes towns to establish and maintain reserve funds to pay for certain repairs to capital improvements or equipment provided that such repairs do not recur annually or at shorter intervals, and

WHEREAS, there is no referendum requirements for the establishment of a repair reserve fund, appropriations out of a repair reserve fund is subject to public hearing as prescribed by law, and

WHEREAS, in an emergency, appropriations out of this repair reserve fund are allowable without a public hearing as long as a resolution for appropriation is approved by at least two-thirds vote of the full board (not just members present), as well as the requirement that at least one-half of the expenditure is repaid in the next fiscal year, and the balance repaid by

the end of the fiscal year after that, and

WHEREAS, the Town has funds in the sum of \$280,427 already set aside for building repairs, which funds are denoted as “DA232 / A883 Bridge Repair Reserve”, now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y. GML §6-d there be and hereby is re-established a repair reserve fund in the amount of \$280,427 to cover the cost of bridge repairs.
2. Such repair reserve fund is to be known as the “DA232 / A883 Bridge Repair Reserve.”
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$280,427, be and the same hereby is appropriated for the “A235 / A882 Building Repair Reserve” and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$280,427 to the DA232 / A883 Bridge Repair Reserve.
4. Such additional sums as may hereafter be appropriated shall become part of the DA232 / DA883 Bridge Repair Reserve.
5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
6. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-d of the General Municipal Law of the State of New York.
7. By this Resolution the Town Board specifically supersedes any previous Resolution that established a DA232 / DA883 Bridge Repair Reserve in the DA Fund.
8. This resolution shall take effect immediately.

Moved: Ms. Zahler

Seconded: Ms. Olson

Ms. Zahler	aye
Ms. Olson	aye
Mr. Boggs	aye
Mr. Goldman	aye
Mr. Devokaitis	aye

Vote: 5-0

Date Adopted: 9/2/2020

**RE-ESTABLISHING THE “DB230 / DB878 CAPITAL RESERVE FUND” OF THE TOWN OF ULYSSES AS A TYPE CAPITAL RESERVE FUND FOR HIGHWAY UNDER SECTION 6-c OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION #178 of 2020: RE-ESTABLISHING THE “DB230 / DB878 CAPITAL RESERVE FUND” OF THE TOWN OF ULYSSES AS A TYPE CAPITAL RESERVE FUND FOR HIGHWAY UNDER SECTION 6-c OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, there is no requirement to state an estimated maximum cost of the equipment or improvement in the resolution establishing a Type Capital Reserve Fund, and

WHEREAS, the Town has funds in the sum of \$62,360 already set aside for equipment for the Highway Department, which funds are denoted as “DB230 / DB878 Capital Reserve”, now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y. GML §6-c there be and hereby is re-established a capital reserve fund in the amount of \$62,360 to cover the cost of future highway capital expenses that do not recur annually or on a shorter interval.
2. Such capital reserve fund is to be known as the “DB230 / DB878 Capital Reserve Fund” and is a “type” reserve fund.
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$62,360, be and the same hereby is appropriated for the “DA233/DA878 Capital Reserve Fund” and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the

sum of \$62,360 to the DB230 / DB878 Capital Reserve Fund.

4. Such additional sums as may hereafter be appropriated shall become part of the DB230 / DB878 Capital Reserve Fund.

5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.

6. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York.

7. The Chief Fiscal Officer of the Town shall account for this fund in the manner outlined in N.Y. GML 6-c(10).

8. In accordance with N.Y. General Municipal Law Section 6-c(11) the members of the Town Board for the duration of their respective terms on the board are hereby declared trustees of this DB230 / DB878 Capital Reserve Fund and shall be subject to all the duties and responsibilities imposed by law on trustees.

9. By this Resolution the Town Board specifically supersedes any previous Resolution that established a Capital Reserve Fund in the DB Fund.

10. This resolution shall take effect immediately.

Moved: Ms. Zahler                      Seconded: Mr. Boggs

Ms. Zahler                      aye

Ms. Olson                      aye

Mr. Boggs                      aye

Mr. Goldman                      aye

Mr. Devokaitis                      aye

Vote: 5-0

Date Adopted: 9/2/2020

***The next resolutions were bundled into one motion and one vote:***

**RE-ESTABLISHING THE “SW1-230 / SW1-882 REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION # 179 of 2020: RE-ESTABLISHING THE “SW1-230 / SW1-882 REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, there is no referendum requirements for the establishment of a repair reserve fund, appropriations out of a repair reserve fund is subject to public hearing as prescribed by law, and

WHEREAS, in an emergency, appropriations out of this repair reserve fund are allowable without a public hearing as long as a resolution for appropriation is approved by at least two-thirds vote of the full Town Board (not just members present at a meeting), as well as the requirement that at least one-half of the expenditure is repaid in the next fiscal year, and the balance repaid by the end of the fiscal year after that, and

WHEREAS, the Town has funds in the sum of \$2,316 already set aside for repairs, which funds are denoted as “SW1-230 / SW1-882 Repair Reserve”, now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y. GML 6-d there be and hereby is re-established a repair reserve fund in the amount of \$2,316 to cover the cost of repairs.
2. Such repair reserve fund is to be known as the “SW1-230 / SW1-882 Repair Reserve.”
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$2,316, be and the same hereby is appropriated for the “SW1-230 / SW1-882 Repair Reserve” and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$2,316 to the SW1-230 / SW1-882 Repair Reserve.
4. Such additional sums as may hereafter be appropriated shall become part of the SW1-230 / SW1-882 Repair Reserve.

5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
6. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-d of the General Municipal Law of the State of New York.
7. By this Resolution the Town Board specifically supersedes any previous Resolution that established a SW1-230 / SW1-882 Repair Reserve in the SW1 Fund.
8. This resolution shall take effect immediately.

**RE-ESTABLISHING THE “SW2-230 / SW2-882 REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION # 180 of 2020: RE-ESTABLISHING THE “SW2-230 / SW2-882 REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, New York General Municipal Law (N.Y. GML) §6-d authorizes towns to establish and maintain reserve funds to pay for certain repairs to capital improvements or equipment provided that such repairs do not recur annually or at shorter intervals, and

WHEREAS, there is no referendum requirements for the establishment of a repair reserve fund, appropriations out of a repair reserve fund is subject to public hearing as prescribed by law, and

WHEREAS, in an emergency, appropriations out of this repair reserve fund are allowable without a public hearing as long as a resolution for appropriation is approved by at least two-

thirds vote of the full board (not just members present at a meeting), as well as the requirement that at least one-half of the expenditure is repaid in the next fiscal year, and the balance repaid by the end of the fiscal year after that, and

WHEREAS, the Town has funds in the sum of \$202 already set aside for repairs, which funds are denoted as “SW2-230 / SW2-882 Repair Reserve”, now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That there be and hereby is re-established a repair reserve fund in the amount of \$202 to cover the cost of repairs.
2. Such repair reserve fund is to be known as the “SW2-230 / SW2-882 Repair Reserve.”
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$202, be and the same hereby is appropriated for the “SW2-230 / SW2-882 Repair Reserve” and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$202 to the SW2-230 / SW2-882 Repair Reserve.
4. Such additional sums as may hereafter be appropriated shall become part of the SW2-230 / SW2-882 Repair Reserve.
5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
6. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-d of the General Municipal Law of the State of New York.
7. By this Resolution the Town Board specifically supersedes any previous Resolution that established a SW2-230 / SW2-882 Repair Reserve in the SW2 Fund.
8. This resolution shall take effect immediately.

**RE-ESTABLISHING THE “SW3-230 / SW3-882 REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION # 181 of 2020: RE-ESTABLISHING THE “SW3-230 / SW3-882 REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, New York General Municipal Law (N.Y. GML) §6-d authorizes towns to establish and maintain reserve funds to pay for certain repairs to capital improvements or equipment provided that such repairs do not recur annually or at shorter intervals, and

WHEREAS, there is no referendum requirements for the establishment of a repair reserve fund, appropriations out of a repair reserve fund is subject to public hearing as prescribed by law, and

WHEREAS, in an emergency, appropriations out of this repair reserve fund are allowable without a public hearing as long as a resolution for appropriation is approved by at least two-thirds vote, as well as the requirement that at least one-half of the expenditure is repaid in the next fiscal year, and the balance repaid by the end of the fiscal year after that, and

WHEREAS, the Town has funds in the sum of \$30,105 already set aside for repairs, which funds are denoted as “SW3-230 / SW3-882 Repair Reserve”, now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y GML §6-d there be and hereby is re-established a repair reserve fund in the amount of \$30,105 to cover the cost of repairs which repairs are not expenses that recur on an annual basis or shorter interval.
2. Such repair reserve fund is a “type” reserve fund and is to be known as the “SW3-230 / SW3-882 Repair Reserve.”
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$30,105, be and the same hereby is appropriated for the “SW3-230 / SW3-882 Repair Reserve” and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$30,105 to the SW3-230 / SW3-882 Repair Reserve.

4. Such additional sums as may hereafter be appropriated shall become part of the SW3-230 / SW3-882 Repair Reserve.
5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
6. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-d of the General Municipal Law of the State of New York.
7. By this Resolution the Town Board specifically supersedes any previous Resolution that established a SW3-230 / SW3-882 Repair Reserve in the SW3 Fund.
8. This resolution shall take effect immediately.

**RE-ESTABLISHING THE “SW4-230 / SW4-882 REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

**RESOLUTION # 182 of 2020: RE-ESTABLISHING THE “SW4-230 / SW4-882 REPAIR RESERVE FUND” OF THE TOWN OF ULYSSES UNDER SECTION 6-d OF THE GENERAL MUNICIPAL LAW**

WHEREAS, the Town of Ulysses (“Town”) has various “reserve funds” for which it has not been able to locate resolutions establishing those reserve funds, and

WHEREAS, out of an abundance of caution, the Town Board deems it prudent to re-establish any such reserve funds that may have previously been established to ensure clarity including clearly identifying the (1) category of reserve fund (i.e. whether it is a “type reserve fund” or “specific reserve fund”) and (2) purpose for which money may be expended from such reserve fund, and

WHEREAS, the historical intent and purpose of these reserve funds is understood and will be preserved during the re-establishment process, and

WHEREAS, New York General Municipal Law (N.Y. GML) §6-d authorizes towns to establish and maintain reserve funds to pay for certain repairs to capital improvements or equipment provided that such repairs do not recur annually or at shorter intervals, and

WHEREAS, there is no referendum requirements for the establishment of a repair reserve fund, appropriations out of a repair reserve fund is subject to public hearing as prescribed by law, and

WHEREAS, in an emergency, appropriations out of this repair reserve fund are allowable without a public hearing as long as a resolution for appropriation is approved by at least two-thirds vote of the full board (not just members present at a meeting), as well as the requirement that at least one-half of the expenditure is repaid in the next fiscal year, and the balance repaid by the end of the fiscal year after that, and

WHEREAS, the Town has funds in the sum of \$1,009 already set aside for repairs, which funds are denoted as "SW4-230 / SW4-882 Repair Reserve", now therefore be it

RESOLVED by the Town Board of the Town of Ulysses, duly convened in special session as follows:

1. That pursuant to N.Y. GML 6-d there be and hereby is re-established a repair reserve fund in the amount of \$1,009 to cover the cost of repairs, which repairs costs are not expenses that recur on an annual basis or a shorter interval.
2. Such repair reserve fund is to be known as the "SW4-230 / SW4-882 Repair Reserve."
3. That out of the surplus moneys of the Town now on hand for the year 2020 and not otherwise appropriated, the sum of \$1,009, be and the same hereby is appropriated for the "SW4-230 / SW4-882 Repair Reserve" and the Town Supervisor of the Town of Ulysses is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$1,009 to the SW4-230 / SW4-882 Repair Reserve.
4. Such additional sums as may hereafter be appropriated shall become part of the SW4-230 / SW4-882 Repair Reserve.
5. The Town Supervisor, in her/his discretion, may invest the moneys in the fund in the manner provided in section 6-f of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the reserve fund.
6. No expenditure shall be made from the reserve fund except by authorization of the Town Board of the Town of Ulysses pursuant to the provisions of section 6-d of the General Municipal Law of the State of New York.
7. By this Resolution the Town Board specifically supersedes any previous Resolution that established a SW4-230 / SW4-882 Repair Reserve in the SW4 Fund.
8. This resolution shall take effect immediately.

Moved: Ms. Zahler

Seconded: Ms. Olson

Ms. Zahler            aye  
Ms. Olson            aye  
Mr. Boggs            aye  
Mr. Goldman        aye  
Mr. Devokaitis      aye

Vote: 5-0

Date Adopted: 9/2/2020

After completing the review and re-establishment of reserve funds, the Town Board reviewed the following resolution introduced on 8/25.

**INVEST HIGHWAY FUND BRIDGE REPAIR RESERVE FUND MONEYS IN \$48,120 STATUTORY INSTALLMENT BOND OF THE TOWN (for the WD3 Aerator Project)**

**RESOLUTION # 183 OF 2020: INVEST HIGHWAY FUND BRIDGE REPAIR RESERVE FUND MONEYS IN \$48,120 STATUTORY INSTALLMENT BOND OF THE TOWN ( for the WD3 Aerator Project)**

Whereas, the Town has previously established a Highway Fund Bridge Repair Capital Reserve Fund pursuant to section 6-d of the General Municipal Law, and pursuant to the terms of the establishment of such Reserve Fund, the Supervisor may invest the moneys of such Reserve Fund in any manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town;

Whereas, the Town Board has previously adopted a bond resolution authorizing the issuance of up to \$977,000 of serial bonds to finance the costs of the increase and improvement of the facilities of Water District No. 3 within the Town;

Whereas, a Statutory Installment Bond issued by the Town is an allowable investment of such Reserve Fund;

Therefore, be it resolved that the Town shall issue a \$48,120 Statutory Installment Bond to the Reserve Fund pursuant to the terms contained within the bond certificate as follows

UNITED STATES OF AMERICA  
STATE OF NEW YORK  
TOMPKINS COUNTY  
TOWN OF ULYSSES  
\$48,120

**GENERAL OBLIGATION (STATUTORY INSTALLMENT) BOND, 2020 (FEDERALLY TAXABLE)**

The Town of Ulysses, in Tompkins County, a municipality of the State of New York (the "Town"), hereby acknowledges itself indebted and for value received promises to pay to the Town of Ulysses Bridge Repair Capital Reserve Fund (the "Original Registered Owner"), or registered assigns, the principal sum of FOURTY EIGHT THOUSAND ONE

HUNDRED TWENTY DOLLARS (\$48,120) in three (3) annual installments and to pay interest on the unpaid balance of such principal sum at the rate of NINE TENTHS PERCENT (0.90%) per annum as set forth below:

DATE OF PAYMENT	PRINCIPAL AMOUNT	INTEREST AMOUNT	TOTAL AMOUNT
September 1, 2021	\$16,120.00	\$433.08	\$16,553.0
September 1, 2022	\$16,000.00	\$288.00	\$16,288.0
September 1, 2023	\$16,000.00	\$144.00	\$16,144.0

The interest is computed on the basis of a 360-day year of twelve (12) 30-day months beginning as of the September 1, 2020, and payable annually thereafter on August 15 in each year from the date of this bond until this bond matures, or prior redeemed. Interest will not be paid on any installments of principal, or of interest, after the due date thereof. Both the installments of principal of and interest on this bond will be paid to the registered owner of this bond in lawful money of the United States only upon presentation of this bond for notation of any such payment thereon at the offices of the Town.

This bond is a statutory installment bond, the principal sum of which cannot exceed One Million Dollars (\$1,000,000) unless it is issued and sold to the United States of America or an agency thereof, and is issued pursuant to Section 62.10 of the Local Finance Law and pursuant to a bond resolution duly adopted by the Town Board of the Town on June 13, 2017 authorizing the issuance of up to \$977,000 bonds to pay the cost of the increase and improvement of the facilities of Water District No. 3 within the Town. This bond may not be converted into a coupon bond.

This bond is callable in whole or in part, on any date, at the option of the owner, prior to maturity.

The faith and credit of the Town are hereby irrevocably pledged for the payment of the installments of principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and statutes of the State of New York to exist, to have happened and to have been performed precedent to and in the issuance of this bond, exist, have happened and have been performed, and that this bond, together with all other indebtedness of the Town, is within every debt and other limit prescribed by the Constitution and laws of such State.

IN WITNESS WHEREOF, the obligor has caused this bond to be signed and its seal to hereunto affixed and attested as appears below and to be dated as of the 26th day of August 2020.

Moved: Ms. Zahler

Seconded: Ms. Olson

**Discussion:** After the initial discussion of proposed interest rates for this investment as being possibly too high at 1.9% annually, Deputy Supervisor/Budget Officer Michelle Wright researched rates and recommended an annual rate of .90%. The Board considered the proposed revision to be more appropriate given the current national fiscal policy and federal borrowing rates.

Ms. Zahler	aye
Ms. Olson	aye
Mr. Boggs	aye
Mr. Goldman	aye
Mr. Devokaitis	aye

Vote: 5-0

Date Adopted: 9/2/2020

**ADJOURN:**

Ms. Olson moved to adjourn the meeting at 9:18am. This was seconded by Mr. Boggs and passed unanimously.

*Respectfully Submitted by Carissa Parlato,  
9/2/2020*