

RESOLUTION # ____ of 2023: Establishing a Capital Reserve Fund to finance a “Type” of Highway Equipment

WHEREAS, the Town Board of the Town of Denmark is vested with the authority and responsibility to plan for replacement of its Highway Equipment; and

WHEREAS, the Town Board of the Town of Denmark is vested with the authority and responsibility to manage and control the finances of the Town and plan for the payment for such equipment; and

WHEREAS, Town Board considers establishing a “Type” of Highway Equipment Reserve Fund is prudent to accomplish these legitimate objectives; and

WHEREAS, the Town Board is prepared to proceed.

NOW, THEREFORE, BE IT RESOLVED, that:

1. Pursuant to NY General Municipal Law §6-c a “Type” Capital Reserve Fund to be known as the “Highway Equipment Reserve Fund” to finance certain Highway Equipment, shall be established.
2. The purpose of this reserve fund is to accumulate monies to finance the cost of a “Type” of Reserve Fund, as specified above.
3. There is no maximum cost for the Highway Equipment Reserve.
4. The Town Supervisor, as Chief Fiscal Officer, is hereby authorized and directed to deposit an initial deposit of \$10,000 from the Fund Balance.
5. The Town Supervisor, as Chief Fiscal Officer, is hereby authorized and directed to deposit and secure the monies of this reserve fund in the manner as provided by NY General Municipal Law §10 and which may be invested in the manner provided by NY General Municipal Law §11 and consistent with the investment policy of the Town of Denmark.
6. Any interest earned, or capital gains realized on all monies deposited or invested in this Highway Equipment and Repair Reserve Fund shall accrue to and become a part of the Reserve Fund.
7. The Chief Fiscal Officer shall account for the Reserve Fund in a manner which maintains a separate identity of the Highway Equipment Reserve Fund and shows the date and the amount of each sum paid into the fund, interest earned by the Fund, Capital Gains or losses resulting from investments of the Fund, the amount and date of each withdrawal from the fund and the total assets of the Fund, showing cash balances and a schedule of investments and shall, at the end of each fiscal year, render to the Town Board, , a detailed report of the operation and condition of the Highway Equipment Reserve Fund.
8. Except as otherwise provided by law, expenditures from the Highway Equipment Reserve Fund shall be made only for the purpose for which this Fund is established. No expenditures shall be made from this Reserve Fund without the approval of the Town Board and such additional actions or proceedings as may be required by NY General Municipal Law §6- c including a **permissive referendum** if required by NY General Municipal Law §6-c(4) and as the same may be amended from time to time.
9. The Town Supervisor, Town Clerk, and Town’s agents are authorized to take such steps as necessary to accomplish the objectives of this Resolution.
10. This Resolution shall take effect immediately.