

MINUTES  
For  
Village of Dryden  
Board of Trustees Meeting  
Held on Thursday, January 15<sup>th</sup>, 2009

MAYOR PRESENT: Reba. L. Taylor  
TRUSTEES PRESENT: Bob Witty, Charlie Becker, Don Norman  
TRUSTEES EXCUSED Randy Sterling  
SUPERVISORS PRESENT: Sgt. Randy Mack, Supt. Ron Moore  
ATTORNEY PRESENT: David Dubow  
SECRETARY PRESENT: Abby Homer  
GUESTS PRESENT: Matt Cooper-Dryden Courier  
Wendy Martin-30 E. Main Street  
Shannon Walters, Village Engineer  
Mike Lane-East Main St. Resident

Mayor Taylor opened privilege of the floor at 7:00 p.m. There were no questions or comments and privilege of the floor closed at 7:02 p.m.

ITEMS REQUIRING BOARD ACTION:

There were no new members of Neptune Hose Co. #1, Inc.

The Board discussed the recent 1-6-09 “kick off” and financial meeting related to the WWTP project. Mayor Taylor stated that funding will be sought through NYS EFC/Clean Water State Revolving Fund and Rural Development may be an additional funding avenue. It was also noted that an additional sewer rate increase may not be needed depending on the funding package. The Village appears to be in a good funding position as a result of the economic stimulus package proposal.

A resolution was introduced to authorize the expenditure for the design phase of the Engineering contract with MRB. It was noted that there is sufficient money in the reserves to cover the cost as estimated in the contract for the design phase. Attorney Dubow briefly explained the process which brought the Village up to the point of tonight, when the payment will be authorized, subject to a permissive referendum. After the 30 day referendum is up (with no protest), payment is authorized.

A monthly progress report was distributed by MRB Group.

On a motion by Trustee Becker, seconded by Trustee Norman, the following was passed. Vote: Becker-Aye, Norman-Aye, Witty-Aye, Taylor-Aye.

RESOLUTION No.1-09  
Wastewater Treatment Plant  
Capital Reserve Fund Expenditure  
Authorization Resolution for Engineering Services

WHEREAS:

A. The Village of Dryden (the “Village”) has for many years operated a wastewater treatment plant and sewer collection system (collectively the “WWTP”) for the benefit of its property owners and residents and other outside users for which agreements have been entered into; and

B. The Village has over an extended period of time undertaken a comprehensive evaluation and study with respect to the WWTP operations and the need for its upgrade, including, but not limited to, expansion, reconstruction and/or replacement; and

C. A Wastewater Collection and Treatment Facility Plan (the “Plan”) with respect to the proposed upgrade of the WWTP was prior hereto prepared for the Village and submitted to the New York State Department of Environmental Conservation (“NYSDEC”), which Plan has been approved by NYSDEC; and

D. The Village, after an extensive review of proposals submitted by a number of engineering firms, has elected to proceed with MRB Group Engineering, Architecture and Surveying, PC (“MRB Group”) for the purpose of retaining professional services related to the proposed upgrade of the WWTP, such services including, but not limited to, the preparation of engineering and design plans, assistance with bidding and/or negotiating one or more construction contracts, and the provision of construction and post-construction oversight and input (the “Engineering Services”); and

E. The Village has entered into a written agreement with MRB (the “MRB Agreement”) with respect to and providing for the agreed upon Engineering Services, the design phases and bidding/negotiating phase of which provide for payment of the sum of \$338,000 in increments over a projected period of seven (7) months; and

F. The Village has established and continues to maintain a sewer system capital reserve fund with respect to the WWTP, which reserve fund currently holds approximately \$553,949.61; and

G. The Village wishes to (i) proceed with the Preliminary Design Phase, Final Design Phase and Bidding or Negotiating Phase of the Engineering Services for the WWTP under the MRB Agreement and (ii) authorize the expenditure of the necessary funds therefore from its sewer system capital reserve fund;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Board of Trustees hereby determines, pursuant to Part 617 of the Implementing Regulations pertaining to Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act [“SEQRA”]), that the engagement of MRB in conjunction with the provision of the Preliminary Design Phase, Final Design Phase and Bidding or Negotiating Phase of the Engineering Services for the WWTP under the MRB Agreement and the expenditure of funds therefore from the Village’s sewer system capital reserve fund as provided for herein are collectively a Type II action relating to “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site ...,” and constituting “routine or continuing agency administration and management, not including new

programs or major reordering of priorities that may affect the environment,” and thus may be processed without further regard to SEQRA; and

2. The Village Board of Trustees hereby (i) confirms its authorization for MRB to proceed with the performance of the Engineering Services associated with the Preliminary Design Phase, Final Design Phase and Bidding or Negotiating Phase for the WWTP as provided for in the MRB Agreement; and (ii) authorizes the expenditure of up to \$338,000 from the Village’s sewer system capital reserve fund for payment of such services as such payments come due in accordance with the terms and provisions of the MRB Agreement; and

3. This resolution is adopted subject to a permissive referendum as required by law.

The Board then discussed the WWTP project which has been identified as a Type 1 action, which, necessitates a Lead Agency to be identified to complete the Long Environmental Assessment Form “LEAF”. The Village will send out notification of its’ intent to be lead agent to the other involved party (DEC), and notification to other interested parties (TC3, Tompkins County and the Town of Dryden). If no other agency offers to take on the lead agency role, then the Village Board of Trustees will begin the SEQR process related to the WWTP project.

On a motion by Trustee Witty and seconded by Trustee Norman, the following was passed. Vote: Witty-Aye, Norman-Aye, Becker-Aye, Taylor-Aye.

RESOLUTION No.2-09  
SEQR/Lead Agency

**Wastewater Treatment Plant Upgrade Project SEQR and**  
**SERP Lead Agency Designation Resolution**

WHEREAS:

A. The Village of Dryden (the “Village”) has for many years operated a wastewater treatment plant and sewer collection system (collectively the “WWTP”) for the benefit of its property owners and residents and other outside users for which agreements have been entered into; and

B. The Village has over an extended period of time undertaken a comprehensive evaluation and study with respect to the WWTP operations and the need for its upgrade, including, but not limited to, expansion, reconstruction and/or replacement (the “WWTP Upgrade Project”); and

C. A Wastewater Collection and Treatment Facility Plan (the “Plan”) with respect to the WWTP Upgrade Project was prior hereto prepared for the Village and submitted to the New York State Department of Environmental Conservation (“NYSDEC”), which Plan has been approved by NYSDEC; and

D. The Village has engaged the services of MRB Group Engineering, Architecture and Surveying, PC (“MRB Group”) as its outside engineering firm for the purpose of providing professional services related to the WWTP Upgrade Project (the “Engineering Services”); and

E. The Village has undertaken efforts to pursue available funding sources for the WWTP Upgrade Project, including, but not limited to, the New York State Clean Water State Revolving Fund (“the “CWSRF”) administered by New York State Environmental Facilities Corporation (the “EFC”); and

F. The Village has directed its engineer to coordinate her efforts with MRB Group regarding the WWTP Upgrade Project and the Engineering Services and funding efforts related thereto, including compliance with the environmental review for the WWTP Upgrade Project in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”) and the environmental impact review procedures required by independent CWSRF regulations (“SERP”); and

G. Preparation of a Full Environmental Assessment Form (“EAF”) and additional related documents as required by SEQR and SERP (collectively the “Environmental Review Documents”) for the WWTP Upgrade Project has been undertaken on behalf of the Village, which Environmental Review Documents will include information as to other involved agencies under SEQR and SERP with which review of the WWTP Upgrade Project will need to be coordinated;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Village Board of Trustees hereby determines that the WWTP Upgrade Project is a Type I action under SEQR and SERP for which the Village of Dryden Board of Trustees is an involved agency; and
2. The Village Board of Trustees wishes to assume Lead Agency status in connection with the coordinated SEQR and SERP environmental reviews of the WWTP Upgrade Project; and
3. The Village Board of Trustees hereby directs that written notice be provided to all other involved agencies under SEQR and SERP with which review of the WWTP Upgrade Project will need to be coordinated, which notice shall include the EAF and such other information and materials deemed necessary and appropriate.

The Board discussed the results of the annual water system survey -The Health Department noted the poor condition of the Lee Road reservoir, and the poor condition of the Ferguson Road tank roof. They noted their support of replacing the Lee Road reservoir and for seeking the potential high yield water source near Dryden Lake. Based on the findings by the Health Department, Mayor Taylor requested MRB Group to submit a proposal to review needs related to the Village’s water system.

The Board briefly discussed an e-mail sent from the EPA to the Village regarding Water Source Protection. Supt. Moore was authorized to contact Stephen Gould from the EPA and request additional information. Mayor Taylor suggested Village Planning Board member/USGS employee Ed Bugliosi be involved in the discussions related to water source protection.

The sidewalk snow removal issue discussed at the last Board of Trustees meeting was briefly discussed again. The DPW will continue to clear sidewalks as it has in the past, priority being the Village Streets, while still promoting a walking Village.

The mailbox placement location discussed at the last Board of Trustees meeting was briefly discussed again. All agreed the Village will take the same position as the State and County DOTs'; and will not dictate placement of mailboxes, nor replace them if damaged by the snowplow.

The Board reviewed and discussed the budget amendments as submitted by Clerk/Treasurer Marrotte. The only one was a transfer from full time police to part time police. On a motion by Trustee Norman and seconded by Trustee Becker, the following was passed. Vote: Norman-Aye, Becker-Aye, Witty-Aye, Taylor-Aye.

RESOLUTION No.3-09  
Budget Line Item Transfer

**Resolved**, that the Board of Trustees of the Village of Dryden, hereby approves the budget line item transfers as submitted by Clerk/Treasurer Marrotte.

The Board reviewed and discussed the 1-15-09 Abstract. On a motion by Trustee Witty and seconded by Trustee Becker, the following was passed. Vote: Witty-Aye, Becker-Aye, Norman-Aye, Taylor-Aye.

RESOLUTION No.4-09  
1-15-09 Abstract

**Resolved**, that the Board of Trustees of the Village of Dryden, hereby approves and authorizes the Mayor to sign the 1/15/09 Abstract.

The Board reviewed and discussed the August & September, 2008 meeting minutes. On a motion by Trustee Becker and seconded by Trustee Norman, the following was passed. Vote: Becker-Aye, Norman-Aye, Witty-Aye, Taylor-Aye.

RESOLUTION No.5-09  
Minutes

**Resolved**, that the Board of Trustees of the Village of Dryden, hereby approves the minutes from the 8-21-08 & 9-18-08 with any corrections noted.

There was no new business for the Board to take action on.

ITEMS FOR BOARD DISCUSSION:

The Board discussed the sales tax report. The revenues have-been what was predicted, but a loss is anticipated by the end of the fiscal year. Mayor Taylor stated that it is likely, the 2009/2010 Budget will have a decreased revenue projection compared to previous years.

It was noted that the unanticipated revenue of \$1,800 was received from the recent NYSEG easement proposal.

The Board discussed missing radio equipment the Village should have received in lieu of payment for the Walker Road radio tower contract. Lee Shurtleff has indicated that he will pursue the missing equipment on behalf of the Village after he was contacted by Chief Ryan.

The Board discussed the near completion of the alternate easement agreement with TC3/Foundation to access the Lee Road water reservoir. The old agreement on the books had to be revised do to the location of the new dormitories.

Village resident Mike Lane expressed concern over the Village giving up the right to access via Lee Road. He indicated there were plans to extend Lee Road and further develop that area.

Attorney Dubow stated that the area in question is in the Town of Dryden and is owned by TC3 Foundation; therefore the Village does not have any rights to the land. The Village has always had access to the water reservoir via the easement, and will continue to maintain access via a different route.

The Board discussed the problems with the old water line from the 1800's that provides service to contract customers on North St. The line is in poor shape and needs replacing, however with no district; the questions of who responsibility it is to replace the line and pay the associated costs . leaves the Village in a quandary. The Village has made interim repairs annually, but the line must be replaced per the Tompkins County Health Department. This will need to be discussed with the Town at the next Public Works Committee meeting. The history of the water line's original purpose was noted-"The old farm was the original source of water for the Village as the Lee Road reservoir site was part of the old farm property. The old farmhouse was eventually turned into a home for elderly women which was run by the Village. The line was run at that time solely to serve the old farm house. The original farm house burned down and the Village ceased maintaining the site and it was since bought by TC3 Foundation and used as a Head Start pre-school. The services were run off the line subsequently via private contracts between the property owners, with the Village.

The receipt of the Village Hall energy Audit was noted. The preparer will be asked to present the findings to Board next week. A fault noted was the windows.

The Board briefly discussed a letter from Thoma Development stating that the Village is no longer obligated to publish the fair housing information due to no active CDBG Grants (although could continue as good faith). All agreed to continue to advertise the fair housing information as the cost is not substantial and the Village may apply for additional CDBG grants in the future.

The Board noted information from the County Environmental Management Council seeking new members. The Village appointed Martha Ferger, but there are still vacancies if anyone knew of an interested Village Resident. Mr. Bard Prentiss was mentioned as a possibility.

The Board noted a thank you letter Mayor Taylor received from the newly prior Fire Chief Ron Flynn. He thanked her for keeping an open relationship with the Fire Department throughout his term.

The Board discussed the progress the Planning Board has made with the re-zoning proposal for the newly annexed land to the North of the Village. A "Light Industrial" concept was the starting point and Meira Hertzberg from Thoma Development has met with the Planning Board to refine the concept and present to the Board. The funds for Thoma's assistance will be subtracted from the retainer the Village has built up for grant writing.

The Board noted a change in the February Public Works Committee meeting, from the 12<sup>th</sup> to the 11<sup>th</sup>, 7:00 a.m.

The Board noted a meeting will be held next week with Clerk/Treasurer Marrotte, Trustee Becker and the Auditor to review the findings of the 2007/2008 Audit.

The Board noted a memo from Chief Ryan advising staff and personnel of the upcoming re-accreditation of the Police Department, scheduled for 1-20/22-2009.

Upon no further business or action, Trustee Norman motioned the Board to adjourn. Motion was seconded by Trustee Becker and passed. Vote: Norman-Aye, Becker-Aye, Witty-Aye, Taylor-Aye.

RESOLUTION No.6-09

Adjourn

**Resolved**, that the Board of Trustees of the Village of Dryden, hereby adjourns the meeting at 8:05 p.m. not to re-convene.