**MINUTES**

First Draft

For the

Village of Dryden

Broad of Trustees Meeting

Held on Wednesday September, 2019 at 6:00 PM

**MAYOR:** Michael Murphy

**TRUSTEES PRESENT:**  Jason Dickinson, Clay Converse, Debbie Fisher, Dan Wakeman

**SUPERVISORS PRESENT:** Paul Sabin, Superintendent of Public Works,

 Sgt. Josh Tagliavento, OIC

**DEPUTY CLERK/TREASURER**: Rotha Marsh, also recording Secretary

**ATTORNEY PRESENT**: William Troy III, Barney, Grossman, Dubow & Troy

**GUEST**: Ken Scherrieble/Camden Group;

 Rich DeGuida/ MRB Group

 Residents: Joyce Day, Sue Bahney, Carol MacDowell, Charles Tipling, Karen Moshier, Janet Vorstadt, Loren Sparling, Mary Ellen Rumsey, Corwin Holtz, Deborah Holtz, Michelle Brackin, Linda Dibble, Jonathan Kirkwyland, Katrina Schickel, Martha Ferger, David Cutter, Linda Nydam, Charles Nydam, Mary Lynch, Donna Stone, Gladys West, Kelly Ritter, Diane Pamel

The Pledge of Allegiance was recited and Mayor Murphy opened the Board meeting at 6:05pm

**Adjourn to Executive Session to discuss proposed litigation to reconvene:**

On a motion by Trustee Converse and seconded by Trustee Dickinson the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

 Resolution No. 9.18.1-2019

Close to Executive Session

**Resolved,** that the Board of Trustees of the Village of Dryden hereby goes into Executive Session to discuss proposed litigation at 6:05 p.m.

Reconvene at 6:48p.m.

**Public Hearing:**

Open Public Hearing on Providing Defense and Indemnity for Public Officials at 7:03p.m.

Mayor Murphy explained the proposed Local Law No. 7, Section 60616 to Provide Defense and Indemnity for Public Officers. He asked the audience and Board if there were any questions or concerns. There were none.

The Public Hearing was closed at 7:06 p.m.

**Privilege of the Floor**:

Privilege of the Floor was opened at 7:06p.m.

Beautification Brigade:

First speaker -Michelle Bracken announced that after 13 years and over 10,000 hours the Dryden Beautification Brigade will disband on November 1. The brigade has greatly improved the appearance of the Village, has trained many volunteers and inspired many residence to improve their own properties under the guidance and leadership of Mary Kirkwyland who has decided to step down to spend more time on her landscape business. The group met and discussed finding someone to replace Mary but have been unable so they are here hoping the Village will hire someone who could do the job that Mary has been doing. Michelle handed out a description of what they felt the job entailed.

David Cutter- There is much more than the planters, the gardens, and the t-shirts, the beautification brigade does a lot more than make Dryden beautiful, it has brought community spirt. He personally has stayed in Dryden because of this infrastructure and he doesn’t want to lose this.

Jonathan Kirkwyland- Jonathan first publicly thanked the Group for being here and their support, then passed on the news that Michelle Bracken will be leaving the Village. He would like the Village to maximize on what the Village has, provide professional training to acquire new skills, look for someone who has expertise in the field plants and beautification.

Mary Ellen Rumsey- Mary moved here 50 years ago, she feels that people coming to the Village look at the plants and like what they see and that is what brings the kind of people we need to live in the Village.

Katrina Schickel- They had a wedding celebration for their son. People who used to live in the Village that moved away came to the celebration commented on how beautiful the Village was now.

Jan Vorstadt- Her son and daughter-in-law have been looking for a home in Dryden and have discovered that they don’t stay on the market long as people want homes in Dryden. She is a teacher at the school; her students have noticed the flowers as do other people. She feels it is less like to have vandalism if the Village is keep beautiful.

Kim Schenck- Kim has lived here her whole life and does not want to see the Village go backwards, she is willing to support someone that the Village hires to organize the group.

Karen Moshier- The beautification does more than plant they go around picking up trash

Trustee Jason Dickinson- amazed at the number of volunteers for the Brigade that are here, agrees people litter less when the streets look beautiful, people do notice.

Charles Tipling – opened Movie House and More- proud of the flower box in front of his shop, thinks flowers do great for business. The Brigade like the Dairy Days brings everybody together and makes the Village look beautiful.

Donna Stone-The Brigade does a great job on Arbor Day and has been instrumental in making Dryden a “Tree City”

Mayor Mike Murphy – Thinks the Village takes it for granted now, but thinks it’s nice that the community comes together like it has and agrees that we need to do something to keep the Village looking great and the community spirit intact. He believes that Paul (Sabin) and the Board are committed to continuing the beautification efforts. Trustee Fisher is good at organizing so he asked her to meet with the volunteers and start compiling a list for what and who they all are.

Martha Ferger- has a landmark Sycamore Tree in her front yard that they planted 60 years ago. Sycamores are the largest deciduous trees in North America. She used to be able to put her hands around it and now can’t stretch her arms around its trunk.

As there were no more speakers Mayor Murphy requested Trustee Fisher to read and present a Proclamation thanking the Dryden Beautification Brigade.

Mayor Murphy then asked the crowd if they had anything else they wanted to discuss.

Joyce Day- thinks that even though she has seen more Police Patrol on South Street that the Village should look into getting solar flashing signs that show your speed.

Katrina Schickel – lives across from the water tank on Ferguson Rd. and is concerned with the way it looks. Rich DeGuida informed her and the Board that DN Tanks and Adham Piping would be there the first two weeks of October to finish the restoration and the tank would definitely look better.

 Linda Nydam- 34 Lake St. would like to see a side walk put in to make it safer for all the walkers and school kids that go by.

Mary Ellen Ramsey is concerned about the crosswalk near the Library. She feels that it is unsafe, not really visible and not stopping traffic.

Privilege of the Floor was closed at 7:47 pm

**Monthly Reports:**

**Ken Scherrible** Average daily flows are .350 million gallons, Neuros and Camden Group are still working on concerns with the blowers. Ken will be attending a conference in Chicago and will find time to discuss the problems with Neuros. . Ken suggests not paying any other Neuros bills until satisfied with the blowers. A new check valve was installed into SBR blower #2. Koester has installed #1 Influent pump and everything is working to specs. The flow monitors are collecting data on Ferguson and Logans Run. Bill Troy brought up Algae Blooms and wondered if the sewer system could be a problem. Ken assured the Board that the system the Village has (point source pollution) is no concern for causing Algae Blooms, that unfortunately agriculture (nonpoint sources) is more to blame.

**Rich DeGuida**- Rich reiterated that site restoration at the Ferguson Rd. Tank and also at the TC3 Tank would be done the first two weeks in October.

Mayor Murphy asked Rich about the draft Memorandum of Agreement between the Village and Dryden Central School District. Rich stated that Tompkins County Health Department brought to his attention that the Dryden Central School District was installing 8” pipe in an area that 10” pipe would benefit the Village in future development. Rich and the Mayor met with the school and the School has agreed to do a change order for 10” pipe if the Village of Dryden would incur the additional costs. This amount is $56,797.00 for the change order, which includes a restocking fee for the 8” pipe that was previously ordered. The Board discussed the significance of spending this amount of money now to save money in the future as there is a real possibility of a development on an adjacent parcel of land that would require the 10” pipe for its water needs.

**ITEMS FOR BOARD ACTION:**

**Authorize Mayor to sign Memorandum of Agreement with DCSD after Attorney has approved:**

On a motion by Trustee Wakeman and seconded by Trustee Converse the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.1A-2019

Authorize Mayor to sign Memorandum of Agreement with DCSD

 **Resolved,** that the Board of Trustees of the Village of Dryden authorize the Mayor to sign a Memorandum of Agreement (subject to approval from the Village Attorney as to form and Substance) between the Village of Dryden and the Dryden Central School District regarding a change order made by the Dryden Central School District changing the use of 8” pipe to 10” pipe including a restocking fee. The cost for this to the Village is $56,797.00 plus a credit of $1908.54 on their first invoice in 2020. The Funds for this are to come from Water Fund Balance.

**Approve Part 3 of Amendment #11 for MRB Group- Water System Hydrants, Valves and Curb Stops Field Location Data Collection:**

On a motion by Trustee Fisher and seconded by Trustee Wakeman the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.1B-2019

Approve Part 3 of Amendment #11 for MRB Group

 **Resolved,** that the Board of Trustees of the Village of Dryden hereby approves part 3 of Amendment #11-Additional field services required to perform GPS location of fire hydrants, valves, and curb stops recently installed by the General Contractor as part of the water mains construction. The cost shall not exceed $9600.00 for (5) five days of field date collection.

**Approve Hiring of Mikel Fazzari as P/T Police Officer:**

On a motion by Trustee Dickinson and seconded by Trustee Converse the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.2-2019

Approve hiring Mikel Fazzari as P/T Police Officer

 **Resolved,** that the Board of Trustees of the Village of Dryden hereby approves hiring Mikel Fazzari as a part time Police Officer effective September 18, 2019 at the DPBA contract rate.

**Approve hiring Brad Bates as P/T Police Officer:**

On a motion by Trustee Converse and seconded by Trustee Dickinson the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman- Aye

Resolution No. 9.18.3-2019

Approve hiring Brad Bates as P/T Police Officer

**Resolved,** that the Board of Trustees of the Village of Dryden hereby approves hiring Brad Bates as a part time Police Officer effective September 18, 2019 at the DPBA contract rate

**Accept Taylor Potter’s Resignation:**

On a motion by Trustee Fisher and seconded by Trustee Dickinson the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.4-2019

Accept Taylor Potter’s Resignation

**Resolved,** that the Board of Trustees of the Village of Dryden hereby accepts Taylor Potter’s Resignation as Full Time Police Officer effective September 25, 2019

**Appoint Tyler DeCoursey to 90 day F/T Police Officer:**

On a motion by Trustee Converse and seconded by Trustee Dickinson the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Abstain

Resolution No. 9.18.5-2019

Appoint Tyler DeCoursey as a 90 day F/T Police Officer

**Resolved,** that the Board of Trustees of the Village of Dryden hereby approves appointing Tyler DeCoursey as Temporary 90 day Full Time Police Officer beginning October 1, 2019 and ending December 29, 2019 per the DPBA contract rate

**Approve pay increase for Sgt. Debra Lawrence:**

On a motion by Trustee Fisher and seconded by Trustee Wakeman the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.6-2019

Approve pay increase for Sgt. Debra Lawrence

**Resolved,** that the Board of Trustees of the Village of hereby approves a pay rate increase to $30.46 for Sgt. Debra Lawrence retroactive from June 1, 2019

**Adopt Local Law No 7 to add section 60616 to Provide Defense and Indemnity for Public Officers**:

On a motion by Trustee Wakeman and seconded by Trustee Fisher the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No 9.18.7-2019

Adopt Local Law No. 7

Section 60616

To Provide Defense and Indemnity for Public Officers

**Resolved,** that the Board of Trustees of the Village of Dryden hereby adopts Law No 7, section 10616 to Provide Defense and Indemnity for Public Officers

*VILLAGE OF DRYDEN, NEW YORK*

*LOCAL LAW NO. 07, SECTION 60616 OF THE YEAR 2019*

*A LOCAL LAW TO PROVIDE DEFENSE AND INDEMNITY*

*Be it enacted by the Board of Trustees of the Village of Dryden, New York as follows:*

*SECTION I. PURPOSE*

*The purpose of this Local Law is to provide for the defense and indemnification of Village of Dryden offices and employees as well as those who serve the village of Dryden through membership on Village Boards although they may not receive salary or benefits, all pursuant to § 18 of the Public Officers Law.*

*SECTION II. DEFENSE*

*The Village of Dryden hereby confers the benefits of § 18 of the Public Officers Law upon those described in Section I, supra.*

*SECTION III. INDEMNIFICATION*

*The Village of Dryden hereby agrees to be held liable for the costs incurred under § 18 of the Public Officers Law, subject to the limitations set forth in said § 18.*

*SECTION IV. SEVERABILITY*

*If a court determines that any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm, or corporation or circumstance is invalid or unconstitutional, the court order or judgement shall not affect, impair or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm, corporation or circumstance directly involved in the controversy in which such judgement or order shall be rendered.*

*SECTION V. EFFECTIVE DATE*

*This Local Law shall take effect immediately upon filing with the Secretary of State.*

*SECTION VI. DESIGNATION*

*This Local Law shall be designated as Section 10616 of the laws of the Village of Dryden, New York.*

**Approve August 21, 2019 Minutes:**

On a motion by Trustee Fisher and seconded by Trustee Dickinson the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.8-2019

Approve August 21, 2019 Minutes

**Resolved,** that the Board of Trustees of the Village of Dryden hereby approves the minutes from August 21, 2019

**Approve the Abstract:**

On a motion by Trustee Wakeman and seconded by Trustee Fisher the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Abstain, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.9-2019

Approve the Abstract

**Resolved,** that the Board of Trustees of the Village of Dryden hereby approves the Abstract dated September 18, 2019 and authorizes the Mayor to sign it

**Proclamation for Beautification:**

On a motion by Trustee Fisher and seconded by Trustee Dickinson the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18-10-2019

Proclamation for Beautification

 **Resolved,** that the Board of Trustees of the Village of Dryden hereby approves the following Proclamation for Beautification.

**Proclamation**

*Thanking*

*The Dryden Beautification Brigade*

*For their service and dedication to the*

*Village of Dryden*

***Whereas,*** *Mary Kirkwyland has devoted years to the Village of Dryden as the first organizer and leader of The Dryden Beautification Brigade, and,*

***Whereas,*** *the Dryden Beautification Brigade has unselfishly and graciously given of their time and talents to enhance and grow the beauty of the Village of Dryden by their efforts of planting and maintaining the gardens and planters and trees,*

***Whereas,*** *the Dryden Village, its residents and neighboring communities have benefitted by their commitment to encourage growth of the Village by their efforts and,*

***Whereas,*** *the Village would like to express its appreciation, and,*

***Therefore,*** *I, Michael Murphy, Mayor of the Village of Dryden, on behalf of the Board of Trustees, Village of Dryden Department of Public Works and the citizens of the Village extend to Mary Kirkwyland, Mary Ellen Rumsey, Trina Schickel and Michelle Brackin and the members of the Dryden Beautification Brigade our sincerest thank you for their dedication and service to the community.*

**Approve the contract between the Dryden Police and Dryden Central School:**

On a motion by Trustee Wakeman and seconded by Trustee Dickinson the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18-11-2019

Approve DCSD Police Contract

**Resolved,** that the Board of Trustees of the Village of Dryden hereby approves the contract between the Village of Dryden and Dryden Central School District to provide Police Protection for Special Events at the rate of $111.72 per hour for the 2019-2020 school year and authorizes the Mayor to sign it

**Approve the New Member of Neptune Hose Co., No. 1:**

On a motion by Trustee Wakeman and seconded by Trustee Fisher the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.12-2019

Approve New Members of Neptune Hose Co. No.1

 **Resolved,** that the Board of Trustees of the Village of Dryden hereby approves the following new member of Neptune Hose Company No. 1

Pavel Androshchuk

4 Washington St.

Cortland, NY 13045

**Approve FirstLight renewal agreement corrected contract amount:**

On a motion by Trustee Dickinson and seconded by Trustee Wakeman the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.13-2019

Approve FirstLight renewal agreement correction

 **Resolved,** that the Board of Trustees of the Village of Dryden hereby approves the correction to the amount for the agreement with FirstLight for Voice, Cloud Communication & Collaboration, Private Line and Internet Monthly Service for 60 Months effective October 1, 2019, the corrected Monthly amount is $882.03 plus surcharges and fees

**Discuss and possibly approve purchase of a John Deere 554L Loader:**

On a motion by Trustee Wakeman and seconded by Trustee Dickinson the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.14-2019

Approve Purchase of John Deere Loader

 **Resolved,** that the Board of Trustees of the Village of Dryden hereby approves the purchase of a John Deere 544L Loader with a side dump bucket and set of grapple forks. The purchase price is not to exceed $183,000 less $20,000 for the trade in of the Village’s 1997 John Deere 544G. Funding for this to come from First National Bank of Dryden (Statutory Bond) 2.5%

**Discuss and possibly Approve Agreement for Purchase and Sale of Street Lighting:**

On a motion by Trustee Wakeman and seconded by Trustee Fisher the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.15-2019

Approve Agreement for Purchase and Sale of Street Lighting

**Resolved,** that the Board of Trustees of the Village of Dryden hereby approves the Agreement with New York State Electric and Gas for the Purchase and Sale of Street Lighting Facilities in the amount of $110,944.00 and authorizes the Mayor to sign upon approval from the Village Attorney

**Discuss and possibly Approve Street lighting Pole Attachment Agreement:**

On a motion by Trustee Wakeman and seconded by Trustee Dickinson the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.16-2019

Approve Street Lighting Pole Attachment Agreement

**Resolved,** that the Board of Trustees of the Village of Dryden hereby approves the Street Lighting Pole Attachment Agreement with New York State Electric and Gas and authorizes the Mayor to sign upon approval from the Village Attorney

**Authorize Village Attorney to draft a final offer to G.D, Vincentis per executive Session:**

On a motion by Trustee Wakeman and seconded by Trustee Converse the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Nay, Fisher-Aye, Wakeman-Aye

Resolution No. 9.18.17-2019

Authorize Village Attorney to draft final Offer to D.G. Vincentis

 WHEREAS the Village of Dryden is in a contract dispute with G. DeVincentis & Son Construction Co., Inc., a contractor which has performed construction work for the Village, and settlement negotiations having been undertaken, it is hereby

 **Resolved,** that the Village of Dryden's attorney is authorized and directed to offer to G. DeVincentis & Son Construction Co., Inc. the sum of $295,000.00 to settle this matter, without compromise of any representations or warranties running from G. DeVincentis & Son Construction Co., Inc. to the Village

**Department Reports:**

**Public Works Report by Superintendent Paul Sabin:**

The DPW is working on the new pavilion. It’s possible the tin may go up next week and the concrete floor this fall if weather holds out. Paving is being done on James St. Lewis St and Neptune Drive. Paul will coordinate with the Police Dept. to have cameras moved and or set up in the park in better locations.

**Dryden Police Dept. Report** **by Sgt. Josh Tagliavento:**

The new Tahoe is here and in Service. All patrol vehicles now have matching graphics. There will be fall Firearms training on October 15th and 16th; letters will go out to neighbors to notify them. The PD has stepped up patrol of the crosswalks and has issued 17 tickets. Sgt. Tagliavento will get bids on installing the cameras at the park and installing one at the fountain. Sgt. Reports that recruit Raven Mia Crenshaw is doing excellent at the academy.

**ITEMS FOR BOARD DISCUSSION**

Discuss Outside Users of Village Water- Trustee Fisher and Clerk/Treasurer Marrotte are drafting an agreement between the Village and Town of Dryden residents who receive Village water service to sign and will send it to the attorney for approval.

Update on Village Financial Support of Beautification Efforts-no discussion they will be on the agenda next month – The Board is in agreement that a person needs to be hired to do most or all of what Mary Kirkwyland has done with the Beautification Brigade. It is not clear yet as to full time, part time or seasonal. Trustee Fisher will try to meet with the volunteers to compile a roster and get a better idea of what we need.

Update on Electrical Upgrade for Electric Charging Station- the Mayor has applied and received a building/zoning permit for two charging stations.

Update on Sexual Harassment Training- Bill Troy will send the clerk’s office online training information

Update on Village Hall Upgrade- Trustee Fisher is working with Clerk/Treasurer Marrotte and will report when they have something.

**Adjourn**:

On a motion by Trustee Wakeman and seconded by Trustee Dickinson the following was passed Vote Murphy- Aye, Converse-Aye, Dickinson-Aye, Fisher-Aye, Wakeman-Aye

Resolution No. 09.18.18-2019

Adjourn

 **Resolved,** that the Board of Trustees of the Village of Dryden hereby adjourns at 9:39pm.