

MINUTES
For the
Village of Dryden
Broad of Trustees Meeting
Held on Wednesday February 20th, 2019

Approved

| | |
|------------------------|--|
| MAYOR: | Michael Murphy |
| TRUSTEES PRESENT: | Deputy Mayor Tom Sinclair, Trustees- Debbie Fisher, Dan Wakeman |
| EXCUSED: | Trustee Jason Dickinson |
| SUPERVISORS PRESENT: | Paul Sabin DPW superintendent, Josh Tagliavento OIC |
| DEPUTY CLERK/TREASURER | Rotha Marsh, also recording Secretary |
| ATTORNEY PRESENT: | William Troy, III |
| GUESTS PRESENT: | Rich DeGuida, Steve May-MRB Group Bill Ackrod, Tim Arnold, Casey Mastro |

Mayor Michael Murphy opened the Special Board meeting at 6:04 p.m. The Pledge of Allegiance was recited.

MRB Group: Rich DeGuida apologized for the confusion regarding the G. DeVincentis Contract, the punch list items and the claims. DeGuida then presented a spreadsheet that explained to the Mayor and the Board the Total cost of the current contract, what payments have been made, what is left that payment vouchers could be submitted for, the total revised contract amount and over/under totals. DeGuida presented amendment #10 requesting \$\$40,000.00 for additional engineering efforts from January 1, 2019 thru April 30, 2019 and a change order for DN Tanks decreasing the contract price from \$2,125,695.00 to \$2,121,711.65 allowing for the sale of scrap metal from the Lee Rd. reservoir. For the record Trustee Sinclair stated that he was unhappy with the contract management, the delays, the lack of good communication and the continuing payment of amendments to MRB Group without seeing any real accomplishments. DeGuida's response was to personally try to improve and step up his responsiveness.

Executive Session to discuss proposed Litigation:

On a motion by Trustee Fisher and seconded by Trustee Wakeman, the following was passed. Murphy-Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.1- 2019
Executive Session

Resolved, that the Board of Trustees of the Village of Dryden hereby adjourns the meeting to Executive Session to discuss possible litigation at 6:30 p.m., to re-convene.

Reconvened at 6:58 pm

Opened Public Hearing on Senior Exemptions at 7:06 pm

Mayor asked if there was anyone with any questions or concerns, there were none.

Public Hearing was closed at 7:07 pm and Privilege of the Floor was opened.

At this time Casey Mastro from NY Power Authority was not here so Mayor Murphy asked if anyone else wanted to address the Board- no one did so Privilege of the Floor was closed at 7:09pm

ITEMS FOR BOARD ACTION:

Discuss and possibly approve MRB Group Amendment #10:

On a motion by Trustee Wakeman and seconded by Trustee Fisher, the following was passed. Murphy- Aye, Sinclair-Abstained, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.2- 2019
MRB Group Amendment #10

Resolved, that the Board of Trustees of the Village of Dryden hereby approves and authorizes the Mayor to sign amendment #10 to MRB Group's agreement in an amount not to exceed \$40,000.00 with the following breakdown: Construction observation not to exceed \$15,000.00, Construction Administration not to exceed \$25,000.00

Approve change order for DN Tanks:

On a motion by Trustee Fisher and seconded by Trustee Sinclair, the following was passed. Murphy- Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.3- 2019
DN Tanks Change Order

Resolved, that the Board of Trustees of the Village of Dryden hereby change order no. TC-002 for DN Tanks decreasing their Contract by \$3,983.35

Superintendent of Public Works Paul Sabin was excused at 7:22pm to go take care of icy roads.

Mayor Murphy introduced Casey Mastro from NY Power Authority to speak on LED lights for the Village streets.

Casey Mastro started his presentation by explaining that the NY Power Authority was formed in the mid 90's as a not for profit company who services municipalities. He has been traveling and meeting with towns and villages much like our own throughout central New York educating them on an energy efficiency program provided by the NY Power Authority. Each Board member received two proposals; Standard Photocells and City Touch Controls. Mr. Mastro spent the next hour and 20 minutes going line by line down each explaining the benefits to the Village. The cost for The City Touch control is substantially higher but down the road would be beneficial to the Village as they will be able to control the lights on each pole from a computer. At present the Village of Dryden owns 4 fixtures and NYSEG owns the other 190. To purchase these fixtures the cost would be \$110,944.00. Purchasing the fixtures would eliminate never ending lease payments to NYSEG and is approximately half the cost of the LED conversion. NY Power Authority projects an annual saving of \$23071.88 which would offset the debt service over a 9 to 12 year period depending on which proposal. He explained this as a three step process. First the Village discusses and if decides authorizes the design phase. Then the Village would be presented with 40 pages of terms and conditions. The longest part of the process is transferring ownership of the fixtures to the Village. Mr. Mastro is in the process of talking to all the municipalities in Tompkins County. They would like signed agreements totaling a million dollars or more to proceed.

Accept Troy Boice's Resignation:

On a motion by Trustee Fisher and seconded by Trustee Wakeman, the following was passed. Murphy-Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.4- 2019

Accept Troy Boice Resignation

Resolved, that the Board of Trustees of the Village of Dryden hereby accepts the resignation of Troy Boice as part time police officer as of January 24, 2019

Hiring Raven Mia Crenshaw as full time Police Officer:

Sgt. Tagliavento described Raven Crenshaw as an outstanding candidate for a part time police officer for the Village of Dryden. Trustee Fisher and Trustee Sinclair, both on the personnel committee agreed with his recommendation.

On a motion by Trustee Sinclair and seconded by Trustee Fisher, the following was passed. Murphy- Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.5- 2019

Hiring of Raven Mia Crenshaw

Resolved, that the Board of Trustees of the Village of Dryden hereby approves the Hiring of Raven Crenshaw as a Full Time Police Officer with the hire date of April 1 2019 at which time she will be enrolled in the Broome County Police Academy.

Discuss and possibly approve recognizing Taylor Potter's previous time as Police Officer:

Office Potter was a full time Police Officer already in the state retirement system in his previous employment for over 18 months. This should have been recognized when he was hired as a full time officer here with the Village.

On a motion by Trustee Sinclair and seconded by Trustee Fisher, the following was passed. Murphy- Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.6- 2019

Recognize Taylor Potter's Previous Service

Resolved, that the Board of Trustees of the Village of Dryden hereby approves recognizing Taylor Potter's previous time served as a Police Officer prior to his hiring as a full-time Police Officer at Dryden Police Department and will be considered a second year Officer at the PBA Contract rate effective February 21, 2019 at 12:01am. His anniversary date will remain the same

Due to the weather conditions Mayor Murphy instructed OIC Sgt. Tagliavento to give his monthly report at this time so he could leave.

Sgt. Tagliavento handed out his written incident report and a Quotation from Amchar Wholesale Inc. Tagliavento would like to trade 4 Glock 27 handguns that are normally carried by retired or off duty officers with 2 Glock 22 hand guns. Glock 22's are what are officers generally carry. The total cost to the Village if the trades are in rust free condition will be less than \$5.00. The Board is in agreement providing that for Village records the serial numbers of all guns be recorded on all transaction paperwork.

Discuss and possibly amend Resolution from December Board Meeting:

On a motion by Trustee Fisher and seconded by Trustee Wakeman, the following was passed. Murphy-Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.7- 2019
Rescind December Resolution

Resolved, that the Board of Trustees of the Village of Dryden hereby withdraws and rescinds Resolution 12.20.8-2018 without prejudice to reconsideration of such proposed action pending settlement discussions between the Village of Dryden and G. DeVincentis.

Approve Minutes from January 17th:

On a motion by Trustee Wakeman and seconded by Trustee Fisher, the following was passed. Murphy-Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.8- 2019
January 17th, 2019 Minutes

Resolved, that the Board of Trustees of the Village of Dryden hereby approves the minutes from January 17, 2019

Discussion and adoption of Local Law 001-2019 on Senior Exemptions:

On a motion by Trustee Sinclair and seconded by Trustee Wakeman, the following was passed. Murphy-Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.9- 2019
Adopt Local Law 001-2019 Senior Exemption

Resolved, that the Board of Trustees of the Village of Dryden hereby Adopts Local Law No. 001-2019

LOCAL LAW 001 OF THE YEAR 2019

TO ADD THE SENIOR CITIZENS REAL PROPERTY PARTIAL TAX EXEMPTION LAW

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

SECTION I. PURPOSE AND INTENT.

The purpose of this Local Law is to amend the Laws of the Village of Dryden so as to add to Article 900 (entitled "Taxation") a new Section 902 (entitled "Senior Citizens' Tax Exemption," and known as the

“Village of Dryden Senior Citizens’ Real Property Partial Tax Exemption Law”), to implement by local law (as opposed to resolution as previously adopted and amended) in the Village of Dryden the terms and provisions of § 467 of the Real Property Tax Law of the State of New York, as amended, and to thereby provide by local law graduated maximum income exemption eligibility levels for the granting of partial exemption from real property taxation to certain persons sixty-five (65) years of age or over.

SECTION II.

AMENDMENT TO VILLAGE LAW

- A. The Laws of the Village of Dryden are hereby amended to add to Article 900 (entitled “Taxation”) a new Section 902 (entitled “Senior Citizens’ Tax Exemption,” and known as the “Village of Dryden Senior Citizens’ Real Property Partial Tax Exemption Law”), reading in its entirety as follows:

Section 902. Senior Citizens’ Tax Exemption. (This Section shall be known as the “Village of Dryden Senior Citizens’ Real Property Partial Tax Exemption Law”)

Subsection 90201.

It is the purpose of Section 902 to implement by local law (as opposed to resolution as previously adopted and amended) in the Village of Dryden the terms and provisions of § 467 of the Real Property Tax Law of the State of New York, as amended, and to thereby provide by local law graduated maximum income exemption eligibility levels for the granting of partial exemption from real property taxation to certain persons sixty-five (65) years of age or over.

Subsection 90202.

Pursuant to the provisions of § 467 of the RPTL, real property located in the Village owned by one or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by husband and wife or by sibling, one of whom is sixty-five (65) years of age or over, or real property owned by one or more persons, some of whom qualify under § 467 of the RPTL and others of whom qualify under § 459-c of the RPTL, shall be partially exempt from taxation by the Village for the applicable taxes specified in said § 467 of the RPTL based upon the income of the owner or combined incomes of the owners. A person otherwise qualifying for such exemption shall not be denied the exemption if such person becomes sixty-five (65) years of age after the appropriate tax status date and before December 31 of the same year. For the purpose of this resolution, the term “sibling” shall mean a brother or sister, whether related through half blood, whole blood or adoption. Such partial exemption shall be to the extent set forth in the following schedule:

| Annual Income of Owner or Combined Annual Owners | Percentage Assessed Valuation Income of Exempt From Taxation |
|--|--|
| Up to \$28,000.00 | 50% |
| More than \$28,000.00 but less than \$29,000 | 45% |
| \$29,000.00 or more, but less than \$30,000.00 | 40% |
| \$30,000.00 or more, but less than \$31,000.00 | 35% |
| \$31,000.00 or more, but less than \$31,900.00 | 30% |
| \$31,900.00 or more, but less than \$32,800.00 | 25% |
| \$32,800.00 or more, but less than \$33,700.00 | 20% |
| \$33,700.00 or more, but less than \$34,600.00 | 15% |
| \$34,600.00 or more, but less than \$35,500.00 | 10% |

\$35,500.00 or more, but less than \$36,400.00

5%

Subsection 90203.

The partial exemption provided for by this Section 902 shall, however, be limited to such property and persons as meet the conditions, exclusions and limitations as set forth in § 467 of the RPTL, and shall be administered in accordance with said § 467 of the RPTL, as now adopted and as it may be amended from time to time, and the provisions of said § 467 of the RPTL shall be applicable to the effectuation of the exemption provided for in this Section 902.

Subsection 90204.

Application for such partial exemption must be made by the owner or all owners of the property on forms prescribed by the State Board of Equalization and Assessment to be furnished by the appropriate assessing authority and shall furnish the information and be executed in the manner required or prescribed in such forms and shall be filed in such assessor's office on or before the appropriate taxable status date.

Subsection 90205.

Notwithstanding anything to the contrary provided in this Section 902, any person who has been granted an exemption pursuant to this Section 902 and in accordance with § 467 of the RPTL on five (5) consecutive completed assessment rolls shall not be subject to the requirements set forth in Subdivision 6(a) of said §467, provided that:

- (i) Said person shall be mailed an application form by the assessing authority and a notice informing such person of his or her rights; and
- (ii) When tax payment is made by such person a sworn affidavit must be included with such payment which shall state that such person continues to be eligible for such exemption, which affidavit shall be on a form prescribed by the State Board of Equalization and Assessment.

In such event, such exemption shall be automatically granted on each subsequent assessment roll.

Subsection 90206.

Any conviction of having made any willful false statement on the application for such exemption shall be punishable by a fine of not more than one hundred dollars (\$100.) and shall disqualify the applicant or applicants from further exemption for a period of five (5) years.

Subsection 90207.

This Section 902 and the partial tax exemption provided for herein shall become effective immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2019.

SECTION III.

SUPERCEDING EFFECT.

All local laws, resolutions, rules, regulations and other enactments of the Village of Dryden in conflict with the provisions of this local law are hereby superceded to the extent necessary to give this local law full force and effect.

SECTION IV. **VALIDITY.**

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

SECTION V. **EFFECTIVE DATE.**

This Local Law shall be effective upon its filing in the office of the Secretary of State.

Present Local Law No. 002-2019 to override the tax cap and possibly set public hearing:

On a motion by Trustee Wakeman and seconded by Trustee Fisher, the following was passed. Murphy-Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.10- 2019
Set Public Hearing for Local Law 002-2019 Tax Levy Override

Resolved, that the Board of Trustees of the Village of Dryden hereby sets a Public Hearing for March 21, 2019 at 7:00pm on proposed Local Law 002-2019 allowing for the override of the Tax Levy for the fiscal year 2019/2020

Budget Amendment Line item Transfers submitted by Clerk/Treasurer Marrotte:

On a motion by Trustee Fisher and seconded by Trustee Sinclair, the following was passed. Murphy- Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.11- 2019
Budget/Line Item Transfers

Resolved, that the Board of Trustees of the Village of Dryden hereby approves the Budget/Line Item transfers submitted by Clerk Treasurer Marrotte

Budget Amendments

| | <u>From</u> | <u>To</u> |
|-------------------------------|-------------|-----------|
| Increase Police Equip. Maint. | \$6,000.00 | \$9159.33 |
| Increase Insurance Recoveries | \$5780.00 | \$8939.33 |

Line Item Transfers

| | | |
|-----------------------------------|--------------|--------------|
| Increase Police Personal Svcs-P/T | \$65,000.00 | \$80,360.00 |
| Decrease Police Personal Svcs F/T | \$282,484.00 | \$267,088.00 |
| Increase Police Equip Maintenance | \$9,159.33 | \$10,000.00 |
| Decrease Police Personal Svcs.F/T | \$267,088.00 | \$266,247.33 |
| Increase Police Gasoline | \$6,000.00 | \$11,000.00 |
| Decrease Personal Svcs-F/T | \$266,247.33 | \$261247.33 |

| | | |
|-------------------------------------|--------------|--------------|
| Increase Police Uniforms | \$4,000.00 | \$4,200.00 |
| Decrease Police Personal Svcs.-T/T | \$261,247.33 | \$261,047.33 |
| Increase Police Training | \$4,000.00 | \$5,900.00 |
| Decrease Police Personal Svcs. -F/T | \$261,047.33 | \$259,147.33 |
| Increase F/D Cancer Insurance | \$0.00 | \$2,495.36 |
| Decrease F/D Worker's Compensation | \$32,000.00 | \$31082.00 |
| Decrease Engineer Contractual | \$1,500.00 | \$390.00 |
| Decrease Wellness Benefit | \$ 600.00 | \$300.00 |
| Decrease Record's Management Cont | \$350.00 | \$182.64 |

Abstract:

On a motion by Trustee Sinclair and seconded by Trustee Fisher, the following was passed. Murphy- Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.12- 2019

Abstract

Resolved, that the Board of Trustees of the Village of Dryden hereby approves and authorizes the Mayor to sign the Abstract dated February 21, 2019

Discuss, possibly approve new member(s) of Neptune Hose Co. #1, Inc:

On a motion by Trustee Wakeman and seconded by Trustee Sinclair, the following was passed. Murphy-Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.13- 2019

New Neptune Hose Co. members

Resolved, that the Board of Trustees of the Village of Dryden hereby approves the following new Neptune Hose Company members:

Billie Joe Fuller, Courtney Guernsey, Brandy Beimel

Approve Planning Board Chairman to go to Planning Federation Conference:

On a motion by Trustee Sinclair and seconded by Trustee Wakeman, the following was passed. Murphy-Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.14- 2019

Planning Federation Conference

Resolved, that the Board of Trustees of the Village of Dryden hereby approves paying for Planning Board Chair Ben Curtis to attend the 2019 Planning Federation Conference in

Bolton Landin April 28th- April 30th, 2019 at a cost of \$220.00 for the registration and \$286.38 for hotel accommodations

Discuss Infrastructure grants ideas:

Several ideas were mentioned including but not limited to; Egypt Creek, opening up Lee Rd, Village Hall windows, Village hall security, and the Village Hall server. The following were decided on.

1)

On a motion by Trustee Fisher and seconded by Trustee Sinclair, the following was passed. Murphy- Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.15- 2019
Montgomery Park Grant Application

Resolved, that the Board of Trustees of the Village of Dryden hereby approves applying for grant funding as follows:

Whereas, the Village of Dryden owns Montgomery Park located on Elm Street

Whereas, the Village of Dryden desires to improve the park by building a pavilion

Therefore, be it **resolved** that the Village of Dryden supports and authorizes the submission of a grant application for up to \$5000.00 to the Tompkins County Towns and Villages Parks and Trails Grant Program.

And further be it **resolved** that if the grant application is successful, the Village of Dryden Board of Trustees authorizes the mayor to execute the contract with Tompkins County to implement the project

2)

On a motion by Trustee Wakeman and seconded by Trustee Fisher, the following was passed. Murphy- Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.16 2019
Tompkins Co. Municipal housing grant program

VILLAGE OF DRYDEN, NEW YORK
BOARD OF TRUSTEES RESOLUTION FOR
MUNICIPAL HOUSING AFFORDABILITY GRANTS
ADOPTED ON FEBRUARY 20, 2019

Resolved, that the Board of Trustees of the Village of Dryden hereby approves applying for grant funding as follows:

Whereas, the Village of Dryden is desirous of obtaining funding to help with municipal housing affordability grants, which would provide funds for people of modest economic means to address problems in their homes located in the Village of Dryden, therefore be it

Resolved that the Village of Dryden supports and authorizes the submission of a grant application for up to \$5,000.00 to the Tompkins County Department of Planning & Sustainability for the purpose of obtaining the services of a grant writer to apply for future funding to support affordable Housing in the Village of Dryden and it is further

Resolved, that if the grant application is successful the Village of Dryden Board of Trustees authorizes the Mayor or his designee to execute any contract with Tompkins County to allow the receipt of the grant money from the Tompkins County Municipal Housing Affordability Grant Program.

ITEMS FOR BOARD DISCUSSION:

Snow and Ice Removal- general consensus is to continue snow removal but not salt.

Neptune Hose Co. 2019-2020 contract- tabled due to weather

Cancer Insurance cost sharing with Town of Dryden- Tabled at this time

Electrical Upgrade for Electric Charging Station- Tabled due to weather

Sexual Harassment Training- Clerk Debra Marrotte is looking into training programs

Public Works- Paul was dismissed so Mayor Murphy briefly explained that a pump for the South St Well house had to be purchased.

Dan Wakeman – For the record thanked Tom Sinclair for his service as this will be his last board meeting.

Adjourn:

On a motion by Trustee Wakeman and seconded by Trustee Sinclair, the following was passed. Murphy-Aye, Sinclair-Aye, Fisher- Aye, Wakeman-Aye

RESOLUTION No. 2.20.17 2019

Adjourn

Resolved, that the Board of Trustees of the Village of Dryden hereby adjourns at 9:35 pm, not to reconvene