

MINUTES  
For  
Village of Dryden  
Board of Trustees Meeting  
Held on  
Thursday, August 24<sup>th</sup>, 2017 at 4:00 p.m.

DEPUTY MAYOR PRESENT: Mike Hattery, presiding per Mayor Taylor's request  
MAYOR PRESENT: Reba Taylor  
TRUSTEES PRESENT: Tom Sinclair, Mike Murphy, Randy Sterling  
SUPERVISOR PRESENT: Chief Randy Mack, Superintendent Paul Sabin, Clerk/Treasurer  
Debra Marrotte  
SECRETARY PRESENT: Abby Homer  
ATTORNEY PRESENT: David Dubow  
GUESTS: Ken Scherrieble, Camden Group  
Chris Quinlan, 2 Brookside Drive  
Paul Simonet, 26 Applewood Lane  
Rich Deguida, MRB Group

The Pledge to the Flag was recited. Emergency exits were pointed out.

The Board meeting and privilege of the floor was opened at 4:02 p.m.

Guests comments:

Chris Quinlan stated he was asked to come to be appointed to the flood committee. He gave a brief summary of a visit with DEC to view the storm damage caused by Egypt creek at Lee Road and also Lewis Street. Large deposits of sediment were noted. The group is waiting on the USGS report before having their first official meeting.

Ken Scherrieble of the Camden group, summarized his monthly report for the WWTP. Details on the failure of a major blower motor were discussed and the \$1500 expense for it to be inspected was mentioned. If it needs to be replaced, the cost could be up to \$23,000 and it was noted that these blower motors rarely fail

Upon no further comments under privilege of the floor, it was closed at 4:12 p.m.

Deputy Mayor Hattery asked for the agenda items related to Police and DPW be moved up, so the supervisors may be excused prior to the anticipated Executive session.

ITEMS FOR BOARD ACTION:

Surplus old police car

On a motion by Trustee Sterling and seconded by Trustee Murphy, the following was passed. Vote: Sterling-Aye, Taylor-Aye, Murphy-Aye, Sinclair-Aye.

RESOLUTION No. 2017  
Surplus 2011 Crown Vic

**Resolved**, that the Board of Trustees of the Village of Dryden, hereby approves the surplus of the 2011 Crown Vic police car Vin #2FABP7BV6BX161372 to be sold via online auction.

DPW

Superintend Sabin added the request to remove the (Village) trees along Rt.13 past the Southworth House, and then replace them after the sidewalk/SRTS project. Trustee Murphy made a motion to add a resolution; motion was seconded by Trustee Sterling. Vote: Murphy-Aye, Sterling-Aye, Taylor-Aye, Sinclair-Aye.

RESOLUTION No. 2017  
Tree Removal

**Resolved**, that the Board of Trustees of the Village of Dryden, hereby approves the removal of the 6 trees on the South side of Rt.13 between the Southworth property and Neptune Drive, to be replaced at a later date.

Executive Session

Prior to adjourning, Mayor Taylor made note to the Board members and Department heads, to not discuss any employment matters with any Public works employees as they are now under a collective bargaining unit and an Attorney has been hired from the Village to answer any questions and handle the paperwork.

On a motion by Trustee Sinclair and seconded by Trustee Sterling, the following was passed. Vote: Murphy-Aye, Sterling-Aye, Taylor-Aye, Sinclair-Aye.

RESOLUTION No. 2017  
Adjourn to 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 4:21 p.m., to re-convene.

The Board asked the Clerk, Village Engineer and Attorney to remain, all others exited the room. The Chief and Superintendent were excused.

The Board re-convened at 5:47 p.m.

Trustee Hattery brought up the recent letter from Paul Simonet regarding his request to change the subdivision law that pertains to the quantity of houses allowed before a second means of access is required. He confirmed for the record that the Board was not inclined to make any changes to the law per his request. He stated that it was not an unusual provision and the law had good public standing for planning purposes and is found in many other local laws. He continued to say that the Planning Board has means to waive certain provisions within the subdivision ordinance, so an alternative remedy was available, but that the Trustees were not advocating for that and this should be communicated as soon as possible. Attorney Dubow was asked for comment and he stated that the Village Subdivision ordinance has a section that requires the second means after a certain number of lots and that trumped anything else, and that the law was very clear. He did not have comment on the status of the subdivision when asked.

Attorney Dubow was excused at 6:00 p.m.

ITEMS FOR BOARD ACTION:

Water Project

Rich Deguida of MRB Group passed and discussed the water project status report. Highlights were the highway work permit submittal and the Health Department time extension for the completion of the 2 water storage tanks, and the need to increase the budget (#4) for the “additional services” to cover the extra costs related to the easements. The issue of the contractor damaging utility lines was discussed. Mr. DeGuida said they have notoriously not been careful enough and the cost for the damage is the contractor’s responsibility. The Contractor has been notified by letter (per Mr. Deguida) that they are in violation of the terms of their contract. Another (warning) notification to the contractor was requested to note that the next step, if there are more violations, would be to notify the bonding company. Construction management was also asked to be watched carefully.

Trustee Murphy brought up that he thought there is a tree between 16 & 18 Lake Road that may need to be removed. He asked if the contractor would do that or if that would be an additional cost to the Village. Mr. Deguida said if that was not part of the plan, the cost would be the Village’s. Rich stated he would check this and get back to the Village.

New Members of Neptune Hose

There were none

Minutes

On a motion by Trustee Murphy and seconded by Trustee Sinclair, the following was passed. Vote: Hattery-Aye, Sinclair-Aye, Murphy-Aye.

RESOLUTION No. 2017  
4-13-17 Minutes

**Resolved**, that the Board of Trustees of the Village of Dryden, hereby approves the minutes from the April 13<sup>th</sup> Board of Trustees meeting with any corrections noted.

On a motion by Trustee Sinclair and seconded by Trustee Murphy, the following was passed. Vote: Taylor-Aye, Sinclair-Aye, Murphy-Aye, Sterling-Aye.

RESOLUTION No. 2017  
5-18-17 Minutes

**Resolved**, that the Board of Trustees of the Village of Dryden, hereby approves the minutes from the May 18<sup>th</sup>, 2017 Board of Trustees meeting with any corrections noted.

On a motion by Trustee Sterling and seconded by Trustee Murphy, the following was passed. Vote: Taylor-Aye, Sinclair-Aye, Murphy-Aye, Sterling-Aye.

RESOLUTION No. 2017  
6-22-17 Minutes

**Resolved**, that the Board of Trustees of the Village of Dryden, hereby approves the minutes from the June 22<sup>nd</sup>, 2017 Board of Trustees meeting with any corrections noted.

On a motion by Trustee Murphy and seconded by Trustee Sterling, the following was passed. Vote: Hattery-Aye, Sterling-Aye, Murphy-Aye.

RESOLUTION No. 2017  
7-27-17 Minutes

**Resolved**, that the Board of Trustees of the Village of Dryden, hereby approves the minutes from the July 27<sup>th</sup>, 2017 Board of Trustees meeting with any corrections noted.

Abstract

Trustee Sinclair made a motion to table the Abstract.

Flood Committee

On a motion by Trustee Murphy and seconded by Trustee Sinclair, the following was passed. Vote: Taylor-Aye, Sinclair-Aye, Murphy-Aye, Sterling-Aye.

RESOLUTION No. 2017  
Flood Committee

**Resolved**, that the Board of Trustees of the Village of Dryden hereby appoints David Bravo-Cullen and Christopher Quinlan as new members of the Flood Control Committee with the addition of Village Trustees Tom Sinclair and Randy Sterling. Be It Further Resolved that the original members Bruce Drowne (Chairman), Christopher Gibbons, Thomas Keegan, Bard Prentiss and Bob Watros are also re appointed, each for a two year term.

Language Assistance Policy

This is a proposed new policy that is a requirement of receiving Federal Funds. Clerk Treasurer Marrotte stated this would be ready for the next meeting.

CRSD Late fee

This item was tabled over a couple meetings. Clerk/Treasurer Marrotte stated the payment from the Town (for the April sewer billing) was not actually late, due to the timing of the bills getting to their office being a few days after the billing date. She said the payment was received within 30 days of them getting the bills. On a motion by Trustee Murphy and seconded by Trustee Sinclair, the following was passed. Vote: Taylor-Aye, Sinclair-Aye, Murphy-Aye, Sterling-Aye.

RESOLUTION No. 2017  
CRSD April sewer billing late fee

**Resolved**, that the Board of Trustees of the Village of Dryden hereby forgives the late fee for April/May, 2017 Cortland Road Sewer District bill, due to the timing of the delivery of the bills.

Time change for regular monthly meetings

Per Mayor Taylor's recommendation, the Board discussed changing the Board meetings to 4:00 p.m. A fixed set limit to entertain Privilege of the Floor was talked about as well. All present were in general agreement, however the Attorney was not present to confirm his availability. On a motion by Trustee Sinclair and seconded by Mayor Taylor, the following was passed. Vote: Taylor-Aye, Sinclair-Aye, Murphy-Aye, Sterling-Aye.

RESOLUTION No. 2017  
Time change BOT meetings

**Resolved**, that the Board of Trustees of the Village of Dryden hereby changes the 2017/2018 monthly Board meetings from the 3<sup>rd</sup> Thursday at 7:00 to 4:00 p.m., subject to confirmation/review of availability from Village Attorney.

Lake Road IMA with Town/Water Project

Trustee Hattery noted that a revised version of the Lake Road IMA (mayor or designated representative was previously authorized to sign) was sent back by the Town for the Village signature.

A resolution was provided by the Attorney earlier in the day titled "Village of Dryden Proposed Resolution Water Service Improvement Project". This was related to the eminent domain authority for the remaining properties who did not sign the easements for the water line. On a motion by Trustee Murphy and seconded by Mayor Taylor, the following was passed. Vote: Taylor-Aye, Sinclair-Aye, Murphy-Aye, Sterling-Aye.

RESOLUTION No. 2017  
VILLAGE OF DRYDEN  
PROPOSED RESOLUTION  
WATER SERVICE IMPROVEMENT PROJECT

**WHEREAS**, the Village of Dryden is currently undertaking its Water Service Improvement Project involving working with the NYSDEC and additional local, state and federal parties and agencies related thereto with respect to the individual property owners, and which includes the completion of all of the needed easements/mapping and related actions with respect to the individual property owners; and

**WHEREAS**, MRB Group, the designated engineering firm for the Village of Dryden, has undertaken the easement process and procedures for the Water Service Improvement Project; and

**WHEREAS**, one or more property owners have currently not agreed to the remaining approval(s) and signatures of the property owners involved with the requested and needed easements in favor of the Village of Dryden; and

**WHEREAS**, the Village Board of the Village of Dryden has determined that it may need to exercise its eminent domain authority so as to enable the completion of the Water Service Improvement Project in conjunction with the necessary local, state and federal parties and agencies so as to continue to finalize completion of the Water Service Improvement Project;

NOW, therefore be it

**RESOLVED**, that the Village Board of the Village of Dryden hereby;

- A. (i) approves the remaining easements for the Lake Road project area of the Water Service Improvement Project; and; (ii) authorizes the Mayor or Deputy Mayor to execute and deliver all needed easements as set forth above; and
- B. Authorizes and approves the attorneys for the Village to initiate and proceed as necessary to exercise its eminent domain authority so as to enable the completion of the Water Service Improvement Project in conjunction with the necessary local, state and federal parties and agencies so as to continue to finalize completion of the Water Service Improvement Project

**ITEMS FOR BOARD DISCUSSION:**

The Board noted the monthly reports provided by the Police Department and Code Enforcement.

Mayor Taylor mentioned the information received by Email regarding Montgomery Park being officially designated as no smoking. No one seemed opposed to the idea, however the legal end would need to be researched and a policy or a local law would likely be needed for enforcement. This was referred to the Public Safety Committee.

A Resolution was added regarding the Greystone Drive proposed possible sale of green space. On a motion by Trustee Murphy and seconded by Mayor Taylor, the following was passed. Vote: Taylor-Aye, Sinclair-Aye, Murphy-Aye, Sterling-Aye.

RESOLUTION No. 2017  
Greystone Drive green space formal request

**Resolved**, that the Board of Trustees of the Village of Dryden hereby requests a formal purchase offer for option 2 of the survey submitted for a portion of the greenspace at the end of Greystone Drive. A Public information meeting would still be held prior and decisions being made.

Trustee Murphy brought up an email he sent regarding things to consider for the Sidewalk/SRTS project. Though he intended for an executive session/private discussion, Clerk Marrotte stated the items in the email have previously talked about openly and that there is a budget already for tree removal. Also that the easement agreements provide the language relative to what he was intending to discuss. In summary, he explained the email that detailed some problems he anticipates with a few trees (outside the Right of way) on the properties affected by the sidewalk project. He concluded that he wanted to be pro-active and get price quotes for the anticipated work or see if the work could be done in house by the DPW. Trustee Hattery stated that work on private property would be permissible if ancillary to overall public improvements. Another thing mentioned was 10 holly bushes needing to be removed on the corner of Mill and George Street. Although he said he had not checked the Engineering document to confirm they were part of the scope previously, upon closer look they were noted as needing removal and replacement.

Clerk/Treasurer Marrotte reminded that there is a potential of having to take almost \$100,000 out of the budget for the project and that was figured without the additional work mentioned.

Trustee Murphy mentioned NYSEG doing some tree work in the Lake Road area (outside of the easement area), but that the stumps will need to be ground. Clerk/Treasurer Marrotte mentioned the Town owning a stump grinder and their possible assistance. This work was mentioned as being necessary and related to public improvements.

Abstract

On a motion by Trustee Sinclair and seconded by Trustee Sterling, the following was passed.  
Vote: Sterling-Aye, Sinclair-Aye, Murphy-Aye, Taylor & Hattery-Abstain.

RESOLUTION No. 2017

Abstract

**Resolved**, that the Board of Trustees of the Village of Dryden hereby approves the 8/24/2017 Abstract and authorizes the Mayor to sign.

Adjourn

On a motion by Trustee Sterling and seconded by Trustee Sinclair, the following was passed.  
Vote: Taylor-Aye, Sinclair-Aye, Murphy-Aye, Sterling-Aye.

RESOLUTION No. 2017

Adjourn

**Resolved**, that the Board of Trustees of the Village of Dryden, hereby adjourns the meeting, at 6:50 p.m., not to re-convene.