**RESOLUTION #\_\_\_\_\_ (2020) – ADOPT PUBLIC INTEREST ORDER IAWWTF BOILER REPLACEMENT ENGINEERING STUDY**

Supv Leifer offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby adopts the following Public Interest Order

|  |  |
| --- | --- |
| In the Matter  of  the Proposed Improvement Project Pursuant to Article 12-C of Town Law for the Wastewater Treatment Plant in the City of Ithaca serving the Town of Dryden known as the IAWWTF Boiler Evaluation Engineering Study | PUBLIC INTEREST ORDER |

WHEREAS, a plan, report and map have been duly prepared in such manner and in such detail as heretofore has been determined by the Town Board of the Town of Dryden, Tompkins County, New York, relating to the construction, pursuant to Town Law § 202-b of improvements to be known and identified as the Influent Building and Dewatering Project, and hereinafter also referred to as “the Improvement Project,” to provide improvements to the present wastewater treatment plant in the City of Ithaca owned and managed jointly by the City and Town of Ithaca and Town of Dryden, which wastewater treatment plant provides wastewater treatment services for the Town sewer districts served by such wastewater treatment plant, such improvements to be constructed and owned by the City and Town of Ithaca and Town of Dryden, and

WHEREAS, said plan, report and map were prepared by GHD Consulting Services, Inc., Professional Engineers, duly licensed by the State of New York and have been filed in the office of the Town Clerk where they are available for public inspection, and

WHEREAS, MRB Group, Engineering, Architecture, Surveying, P.C., submitted a proposal for engineering services dated February 11, 2020 to the Chief Operator of the Ithaca Area Wastewater Treatment Facility (IAWWTF) located at 525 Third Street in the City of Ithaca seeking to prepare a Boiler Evaluation Study in which MRB would evaluate the existing condition of the equipment in the boiler room at the IAWWTF and identifying what equipment will be most useful in the future, and

WHEREAS, the area hereby determined to be benefited by said Boiler Replacement Engineering Study is all of that property in the Town that falls within the part of the Town served by the Ithaca Area Waste Water Treatment Facility (IAWWTF), namely the Town of Dryden Consolidated Sewer District, previously comprising Sewer Benefit Districts known as Varna (SS2), Monkey Run (SS4), Turkey Hill (SS5), Peregrine Hollow (SS6) and Royal Road (SS7) which effective January 1, 2020 became the Town of Dryden Consolidated Sewer District, and any extensions thereof,

WHEREAS, the proposed Improvement Project consists of the improvements set forth below, as more particularly shown and described in said plan, report and map presently on file in the Office of the Town Clerk to wit: MRB Group, Engineering, Architecture and Surveying, P.C., evaluating the existing condition of the equipment in the boiler room at the Ithaca Area Wastewater Treatment Facility (IAWWTF) located at 525 Third Street in the City of Ithaca, and identifying what equipment will be most useful in the future.

WHEREAS, the Town Board of the Town of Dryden adopted an Order on April 16, 2020, calling a public hearing upon said plan, report and map and the question of the providing said Improvement Project, and the question of executing any related agreement, and to hear all persons interested in the subject thereof, all in accordance with the provisions of Town Law §202-b and applicable provisions of the General Municipal Law and Local Finance Law, and

WHEREAS, said public hearing was duly held on May 21, 2020 at the place and at the time set forth in said Order and all persons interested in the subject thereof were heard concerning the same, and

WHEREAS, The Town Clerk of the Town of Dryden, Tompkins, County, New York, caused a copy of the said order to be published once in the official newspaper of the Town, and also posted a copy thereof on the Town signboard maintained by the Clerk, not less than ten (10) nor more than 20 days before the day designated for the hearing as aforesaid.

WHEREAS, the Boiler Evaluation Study has heretofore been determined to be a "Type II Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined, will not require any environmental review for the following reasons: Under Section 617.5 (c) (24) of the SEQRA regulations information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action are Type II actions, and

WHEREAS, it is now desired to authorize the improvements to be known as the Boiler Evaluation Study Project,

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Dryden, Tompkins County, New York, as follows:

Section 1. It is hereby determined that it is in the public interest to conduct the Boiler Evaluation Study Project which is hereby authorized. The proposed area hereby determined to be benefited by said Boiler Evaluation Study Project is all of the Town of Dryden sewer districts served by the jointly owned and managed IAWTTF in the City of Ithaca.

Section 2. The proposed project at the IAWWTF located at 525 Third Street in the City of Ithaca consists of:

1. Boiler Evaluation -
   1. Assess existing boilers.
   2. Identify replacement boiler options (number, styles, sizes, duel fuel options).
2. Energy Evaluation –
   1. Evaluate Biogas and Natural Gas usage at plant.
   2. Evaluate redundancy needs.
   3. Evaluate biogas use in microturbines with heat recovery vs use for heating.
   4. Consider potential heating needs for future sludge processing projects.
   5. Check for current grant funding opportunities to see if either the study/design phase or construction phase might be eligible.

Section 3. The maximum proposed to be expended for the aforesaid study is $18,500

Section 4. The method of financing to be employed by said Town of Dryden is as follows: The Special Joint Commission (SJC) by resolution dated March 18, 2020 recommended that Owners establish the IAWWTF Capital Project 423J Boiler Room Evaluation Capital Reserve Fund in an amount not to exceed $18,500 and that this project be authorized and funded from this Capital Fund. The Town of Dryden’s contribution to the Capital Fund will be paid by expenditure of current revenues and surplus funds from water and sewer rents and charges from the Town of Dryden sewer districts served by the said IAWWTF.

Section 5. The proposed Boiler Evaluation Study Project has heretofore been determined to be a "Type II Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined, will not require any environmental review for the following reasons: Under Section 617.5 (c) (24) of the SEQRA regulations information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action are Type II actions.

Section 6. That this Order is subject to a permissive referendum in the manner provided in Town Law Article 7 and Town Law Section 209-q, and be it

Section 7. That the permission of the State Comptroller is not required because the Town of Dryden does not propose to finance the cost of the Improvement by the issuance of bonds, notes, certificates, or other evidences of indebtedness of the Town, and be it

Section 8. That pursuant to subdivision 6(d) of Section 209-q of the Town Law, the Town Clerk is hereby directed and ordered to cause a certified copy of this Order to be duly recorded in the Office of the Clerk of the County of Tompkins within ten days of the date this Order becomes effective pursuant to Town Law Section 91, which when so recorded, shall be presumptive evidence of the regularity of the proceedings and action taken by the Town Board in relation to the aforesaid Improvement.

The question of the adoption of the foregoing Order was duly put to a vote on roll call, which resulted as follows:

Section 8. This order shall take effect immediately.

2nd \_\_\_\_\_\_\_\_\_\_\_\_\_\_