

TB RESOLUTION NO. : Authorization to Sign an Easement with NYSEG and to Sign an Intermunicipal Agreement with the Towns of Ithaca, Danby and Caroline for the potential South Hill Recreation Way Extension

Whereas, the Town of Dryden wishes to cooperate with the Towns of Caroline, Danby and Ithaca to develop an extension of the South Hill Recreation Way from its present terminus at Burns Road out to the Tioga County line; and

Whereas, the route of this trail extension follows the former railbed which is now owned by New York State Electric and Gas (NYSEG); and

Whereas, a draft easement with NYSEG has been prepared for this project and has been presented to this Board; and

Whereas, an intermunicipal agreement with the Towns of Caroline, Danby and Ithaca has been drafted setting forth the responsibilities and liabilities regarding this trail extension project and has been presented to this Board; and

Whereas, NYSEG has offered to sell trail easements to the Towns based on a fair market appraisal price of \$36,667, with the Town of Dryden's proportionate share being \$5,635; and

Whereas, pursuant to the New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations at 6 NYCRR Part 617, it has been determined by the Town Board that acquisition of less than 25 acres of parkland is a Type II action, and the adoption of regulations, policies, procedures and local legislative decisions in connection with any action on the Type II list is also a Type II action, pursuant to 6NYCRR Section 617.5(c)(39) and (33), and thus the acquisition of the easement and approval of the intermunicipal agreement are not subject to review under SEQRA; and

Whereas, a public hearing was held pursuant to General Municipal Law Section 247;

Now, therefore, be it

Resolved, that the Town Board of the Town of Dryden hereby approves and authorizes the execution of the proposed easement with NYSEG for the potential extension of the South Hill Recreation Way, and it is further

Resolved, that the Town Board of the Town of Dryden authorizes the payment to NYSEG of \$5,635 for the Town of Dryden's portion of such easement upon full execution of the easement, and it is further

Resolved, that payment of said funds are to be made available wholly from moneys appropriated from surplus funds, which are sufficient funds to cover the purchase price and costs of this transaction, and it is further

Resolved, that the Town Board of the Town of Dryden hereby approves and authorizes the execution of the proposed intermunicipal agreement with the Towns of Ithaca, Danby and Caroline regarding future maintenance of and other responsibilities and liabilities regarding the trail, and it is further

Resolved, that the Town Supervisor be, and hereby is, authorized and requested to take such steps (including the expenditure of Town surplus funds for easement purchase, recording fees, filing fees, and other real estate fees and expenses), and to execute all such documents (including the easement and intermunicipal agreement) as are deemed necessary to effectuate such easement and the purposes of this resolution.

Moved:
Vote:

Seconded:

DRAFT