

**TOWN OF DRESDEN
COUNTY OF WASHINGTON, STATE OF NEW YORK
LOCAL LAW No. ____ of 2025**

**A LOCAL LAW AMENDING LOCAL LAW 1 OF 1993 TITLED
“A LOCAL LAW ESTABLISHING RULES AND REGULATIONS
CONCERNING THE USE OF THE
HULETT’S LANDING SEWER DISTRICT NO. 1”**

Be it enacted by the Town Board of the Town of Dresden, as follows:

§1. Legislative Intent and Authority. The Town Board finds it in the public interest to (i) allow the Town to designate a sewer system Superintendent either by appointment of an individual or by contract with a qualified entity, including but not limited to a limited liability company, and (ii) restructure the Sewer Board to avoid Town Board quorum issues and to clarify appointment authority and scope of powers. This local law is adopted pursuant to the authority granted to the Town Board of the Town of Dresden in the Town Law and Municipal Home Rule Law of the State of New York.

§2. Amendments. Local Law 1 of 1993 titled “A Local Law Establishing Rules and Regulations Concerning the Use of the Hulett’s Landing Sewer District No. 1” (hereinafter “LL 1 of 1993”) is amended as follows

- a. Amendment 1:** The definition of “Superintendent” set forth in Section 201 of LL 1 of 1993 is deleted in its entirety and replaced as follows:

Superintendent -- shall mean the person designated by the Town Board, either by appointment or by contract, to operate, maintain, and oversee the Town’s sewer systems, including any present or future sewer district of the Town. Such designation may be an individual, partnership, corporation, or limited liability company under contract with the Town. The Superintendent, whether appointed or contracted, [OPTIONAL] shall be required to possess or employ individuals possessing the qualifications necessary to oversee POTW operations in compliance with state and federal requirements. Any reference in this law to the acts or duties of the Superintendent shall include the Superintendent’s duly authorized employees, deputies, agents, subcontractors, or representatives acting within the scope of such designation or contract. For purposes of interpretation, the term “Superintendent” shall be construed broadly to encompass both an appointed officer of the Town and a contracted service provider.

- b. Amendment 2:** Section 104 of LL 1 of 1993 is deleted in its entirety and replaced as follows:

§104 Superintendent; Sewer Board Established

- (1) The Town Board shall designate a Superintendent for the Town's sewer systems, either by (a) appointing an individual directly or (b) entering into a contract with a qualified person, firm, or entity, including but not limited to a limited liability company, to perform the duties of Superintendent. The Superintendent shall be responsible for, among other things, the inspection, operation, and maintenance of the sewer system, as well as enforcement of this law as provided herein. The Superintendent, whether appointed or contracted, shall be required to possess or employ individuals with qualifications necessary to oversee POTW operations in compliance with applicable state and federal requirements. A Superintendent designated by contract shall not be deemed a Town officer or employee; the relationship shall be governed exclusively by the contract approved by the Town Board. Such contract shall set forth, at a minimum, the scope of services, compensation, insurance, indemnification, reporting obligations, and term and termination provisions. The authority of a contracted Superintendent to act on behalf of the Town shall be limited to the express terms of the contract and this law.
- (2) A Sewer Board of not more than five (5) members is hereby established, to serve in an advisory capacity regarding the regulation and use of the sewer system. All members shall be appointed by the Town Supervisor, with no more than two (2) members concurrently serving as members of the Town Board, one of which may include the Supervisor. Members shall serve at the pleasure of the Supervisor unless the Town Board sets specific terms by resolution. The Sewer Board shall not constitute a quorum of the Town Board and shall have no independent authority to bind the Town. Its role shall be limited to providing recommendations to the Town Board regarding operations, capital planning, budgets, rates or equivalent dwelling unit (EDU) schedules, and policy. Any decision-making authority over rates, expenditures, enforcement, or contracts shall remain vested exclusively in the Town Board.

§3. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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 or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

§4. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.