

**TOWN OF DRYDEN
TOWN BOARD MEETING
October 19, 2017**

Present: Supervisor Jason Leifer, Cl Daniel Lamb, Cl Linda Lavine,
Cl Deborah Cipolla-Dennis, Cl Kathrin Servoss

Elected Officials: Bambi L. Avery, Town Clerk

Other Town Staff: Ray Burger, Director of Planning
Jennifer Case, Bookkeeper
Mariette Geldenhuys, Town Attorney

Supv Leifer opened the meeting at 7:00 p.m. Board members and audience recited the pledge of allegiance.

TOWN CLERK

RESOLUTION #130 (2017) – APPROVE MINUTES

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

RESOLVED, that this Town Board hereby approves the meeting minutes of September 14, September 21 and September 27, 2017.
2nd Cl Cipolla-Dennis

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

CITIZENS PRIVILEGE

Joe Osmeloski, 2180 Dryden Road, said he asked Ray Burger for the maps for the 2265 Dryden Road solar project, the Delaware River project. He held up the map and said if this map is part of application, this map is a disaster. He has looked at about 50 maps in this whole series with Distributed Sun and now this map with Delaware River. Not one map has the 50’ setbacks. The law reads “complies with 50’ front yard, rear yard and side yard setbacks.” There is nothing that says pending ZBA approval. We’ve seen what that debacle brought even if he is missing some kind of fine print. The fact is that our law says we need 50’ setbacks and not one map has shown that. He doesn’t even see the subdivision. He hopes this isn’t some kind of final map with the application. He doesn’t care if the ZBA decision is down the road. That’s well before what has to appear in the special use permit. They have to go by the law and put in the 50’ setbacks. He quoted from the last meeting “The board prefers to see it moved away from Ferguson Road and applicant should seek a variance for the internal lot lines”. J Osmeloski said Supv Leifer should have said the applicant should go by the law. Forget the variance. The law is a 50’ setback. He hasn’t seen a map that contains a 50’ setback. The Supervisor said at the last meeting that we weren’t going on that roller coaster again, but if this keeps up, the ride on the roller coaster will be one hell of a ride.

Sarah Osmeloski said she attended August 29 meeting of the Conservation Board and asked them to consider taking the initiative in establishing an ordinance to protect our stream buffers. This ordinance would involve the prohibition of development along the stream and/or the removal of any vegetation along the banks of the stream. They seemed receptive to this idea and she thinks the town should pursue this. Stream buffers are extremely important in the water quality that enters our lakes. They are important to the wildlife habitat. They control erosion and are important in the filtration of the runoff that will eventually end up in the lakes. We all know that if that runoff contains excess nutrients or pollutants it ends up in the lakes and we get blue green algae blooms. The stream buffers were originally going to be protected through the CEAs. That came to an ill fate and the CEAS were abandoned. It left the stream buffers sort of in limbo and nothing has been done about it. The DEC has recommended that towns adopt ordinances protecting these buffers and she would like to ask the Town Board to encourage and support the Conservation Board in this endeavor.

Supv Leifer asked whether a final application had been received from Delaware River Solar. R Burger said TG Miller has sent them a punch list of things to submit to complete the application. He spoke with Delaware River representatives today and they plan to submit additional information tomorrow. Depending on what they submit, it may be complete at that point. Supv Leifer asked whether there was any truth to what Mr. Osmeloski stated about the map. R Burger said the site plan as submitted shows the internal lot line housing arrays within the 50' buffer.

Supv Leifer asked if the application submitted has to comply with the lot line requirements, or can they risk that they won't get the variance. R Burger replied they can apply with their desired proposal and they are aware that the only way it would be approved would be either with a variance or through some other change in the law. It would be a condition of the special use permit.

HIGHWAY DEPARTMENT

The Highway Superintendent has submitted updated payroll lines for his budget and those are reflected in the document the board has tonight.

RECREATION

Jack Davison is supervising the first night of a new program tonight and has sent his monthly report to the board (attached).

PLANNING DEPARTMENT

Ray Burger said his monthly update (attached) features a couple of Varna projects. The 802 Dryden Road project will be heard by the Planning Board next Thursday night. The town is working on an agreement to take over the PRV valve in the Cornell orchard to provide sufficient water for the project. All of Varna will be served by that connection. TG Miller has good numbers on sewer usage and ideas on how to approach the wastewater treatment facility if we need more capacity. There is an issue with stormwater getting into the sewer system and tightening up the system may release some capacity. The force main hasn't actually been installed yet. Last year we budgeted for the force main in the special districts, but the work hasn't been completed. It will be budgeted for and the work completed next year. The applicant anticipates construction next year.

1061 Dryden Road – no update.

Tiny Timbers – needs to get a model home up the project site in Varna. They have two other smaller subdivisions on Ellis Hollow Road that are being built on rather quickly.

Hall Road – There is a warehouse/office space building that was built by Nick Bellisario and the adjacent lot is where Tiny Timbers is setting up their fabrication facility.

Mineah Road – it seems that project has been abandoned for the moment because of water issues. There was discussion about the possibility of connecting that road with Mt Pleasant Road and rezoning the other side of Mineah Road. R Burger said that portion of the road is not close to usable.

There was a question about reuse of the old Rite Aid property. No one has heard of any plans.

38 Wood Road – R Burger said this is a residence that has been potentially used for a business. There is some equipment there and a neighbor is being impacted with noise. The homeowner has closed on a parcel on Pinckney Road in the light industrial district and that will enable him to move his operations there. That is probably the best solution for the problem.

Morris Road & Bone Plain unsafe properties – R Burger said there is potential to have those ready for board action next month.

COUNTY BRIEFING

Martha Robertson reported that the County’s Bicentennial Commission has produced new brochures for each of the towns and the city. There have been a number of other initiatives, including the plaque that was dedicated here this past Saturday.

The Public Safety Committee had a report this afternoon about emergency medical services in Tompkins County. Volunteer services are under a lot of stress and not sustainable for the long term. The county has allocated \$25,000 for a study about emergency medical services in the county. A couple of the towns may add financially if there is a need. They will hire a consultant to come in and look at services countywide. This will probably go through TCCOG. It’s an important issue. We can’t do it all with volunteers and pay scales are low for EMTs and paramedics so it’s not a viable career path. They are trying to come up with how to provide this very basic service long term. Cl Lamb said students from his class are working on that as a preliminary look to provide some background for whatever consultant is hired.

The Jail Study Committee is talking about its next steps. A lot of the recommendations from the consultant have been funded. They’ve added another assistant district attorney, a probation officer, and a couple of mental health positions. They will look at what can be done at the existing facility to provide more program space. They are trying to find ways to optimize the space without building new cells. There is another opportunity with shared services and a conversation starting about co-locating the City of Ithaca Police Department and the civil side of the Sheriff’s Office. Whatever happens with consolidation, the idea of shared services and a shared facility could make a lot of sense. The housing variance is going away at the end of December and they will try to get the jail population down as soon as possible.

The hiring process for the positions approved in the budget will start as soon as the budget is passed.

Mike Lane reported that the County has adopted a tentative budget for 2018 and set a public hearing for November 9. This budget has a tax increase well below the cap. The levy increase is 2.32% and the cap was 3.53%. The levy is \$49,143,124 and the rate decreases by about .76%. They don’t talk usually about rates and instead talk about the levy (actual dollars

spent). For a median price home in the county (\$178,000), county taxes will increase by \$11.14. They will vote on their budget at their first meeting in November.

The court task force out of TCCOG recommends that we probably ought to have a third county judge in Tompkins County. The current two judges work hard to cover three courts (Family, Criminal and Surrogate Court). The task force talked about the possibility of moving some of the cases (such as DWI) to the county courts, but that will be hard to do without a third county judge. There are other counties with three judges. The Administrative Judge in the Sixth Judicial District is supportive of the idea. Our population justifies having a third county judge. It would take an act of the legislature to have that happen and funding from the Office of Court Administration. The county would need to provide chambers for the judge.

The old library sale is proceeding and they hope to close in December or January.

Departmental head searches continue. A new Social Services Commissioner has been hired. The search for a new Planning Commissioner is in the interview stage. They are deep in the process of finding a new County Administrator and have a committee reviewing those applications.

Supv Leifer has written a letter to the county about the two bridges that the town received grant funding from NYS for (Freese & George Road Bridges). Those would normally have been constructed through the county program and are on the county's list to construct, though not at the top of the list. It's a good thing that the town got the money because the county saves approximately 2.6 million dollars they would have had to spend for those bridges. The town would like the county to help the town with the local share considering the large savings that the county has realized. The request is receiving a positive reception and M Lane is optimistic that will happen. The town may have to front the money and the details need to be looked at. The town's share is 5% of the total project cost for both bridges, over \$300,000.

There was a nice reception yesterday for the 40th anniversary of the County Youth Services Department. Cl Servoss was one of the hostesses. Attendees heard the history of the 40 years of the program.

ADVISORY BOARD UPDATES

Planning Board – Cl Cipolla-Dennis reported the board considered the 802 Dryden Road project at their last meeting and gave the applicant feedback and asked them to come back with a few changes. The November and December meeting dates were changed due to holidays. Those meetings will be held November 15 and December 19, both at 7:00 p.m. John Keifer was appointed as deputy chair.

Conservation Board – Cl Lamb reported they had another lively meeting and there was a contentious proposal made that went to a tie vote. It had to do with enacting another moratorium on solar in light of the lawsuit.

Recreation & Youth Commission – Cl Servoss said there was a discussion about the recreation reserve fund and how to move forward to determine what the town wants to do with that money and possibly how to increase the fund. David Bravo-Cullen has resigned from the commission.

Ag Advisory Committee – Supv Leifer reported that at the November 16 town board meeting there will be a public presentation of the Ag Plan. Supv Leifer is working on the reimbursement from the grant. He added that if the Ag Committee wants to have more farmland protection grants, the committee needs to come up with ideas on how to fund it.

Rail Trail Task Force – Cl Lamb reported it was a very active month. He met with DEC representatives at the Game Farm with Supv Leifer, Ray Burger, Bob Beck, and a number of representatives from the conservation council and sportsmen councils. Some of them voiced concern about threats to the pheasants raised there and that this is the last remaining game farm in New York. If not an actual threat, they see the trail as a symbolic threat to something they care a lot about. Cl Lamb said they are not out to close the game farm, but want them there and see them as good neighbors, and are not anti-hunting. We want them to see that we are enhancing their activities, improving people’s understanding of what goes on there, and letting people see the important work they do. Everyone put their positions on the table in a thoughtful way. Jim Farquhar of the DEC got to see the pros and cons of each position and he left feeling fairly confident that he could come back with a use agreement, not an easement. Some didn’t want even that done. Most felt we should try it out, then after a few years re-evaluate and we don’t have to renew it. They could help the town out with this economic development project. It would increase the cost by not using that section of trail and having to go around the game farm. Bob Beck has followed up with notes to Jim Farquhar and to Ken Lynch and reiterated the urgency and some of the things that came out of the meeting. They expect a response in a week. It was a productive meeting. Ray Burger agrees and said he thinks we have DEC’s begrudging buy-in and they just to have to make a good case statement for their hunting constituents. He added that the Park-Dabes property could be opened for hunting.

Mike Lane said that is terrific news and noted the town has a use agreement the DEC for Dryden Lake Park. He believes a use agreement would be fine, suggested signage and said he thinks it will work out.

The committee has been soliciting input for a name and slogan. They’ve settled almost unanimously on the Dryden Rail Trail with the tag connecting communities. The Bob Beck Trail was suggested but he declined the honor.

BUDGET UPDATE

The document the board has is new as of 6:30 p.m. and right now we are under the levy cap by \$44,000. Appropriations are up \$188,291 mostly due to an increase in special districts. The projected tax rate will go down from 2017 to \$1.9499. There are still some issues to discuss with respect to employment histories in executive session. There will be no need to pass a local law to override the levy cap.

NEW BUSINESS

The county has asked we recommend an appointment for someone to the County’s Environmental Management Council. Steve Bissen currently is in this position, would like to continue, and board agreed to recommend him.

RESOLUTION #131 (2017) – APPOINT S BISSEN TO TOMPKINS COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

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

RESOLVED, that this Town Board hereby recommends the appointment of Steven Bissen to the Tompkins County Environmental Management Council.

2nd Cl Lavine

Roll Call Vote	Cl Lavine	Yes
	Cl Cipolla-Dennis	Yes

Cl Servoss	Yes
Cl Lamb	Yes
Supv Leifer	Yes

On motion made, seconded and unanimously carried the board moved to executive session to discuss employment histories and current litigation at 8:07 p.m. They returned to open session at 9:23 p.m.

Supv Leifer reported that salaries were adjusted based on discussion of employment histories and the preliminary budget numbers were adjusted accordingly. The public hearing set for November 9, 2017, at 7:00 p.m.

On motion made, seconded and unanimously carried, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Bambi L. Avery
Town Clerk