

**TOWN OF DRYDEN**  
**TOWN BOARD MEETING**  
**November 8, 2018**

Present: Supervisor Jason Leifer, Cl Daniel Lamb, Cl Linda Lavine,  
 Cl Kathrin Servoss, Cl Alice Green

Elected Officials: Bambi L. Avery, Town Clerk  
 Rick Young, Highway/DPW Superintendent  
 Chris Clauson, Justice

Other Town Staff: Jennifer Case, Bookkeeper  
 Ray Burger, Planning Director  
 Ron Senecal, Deputy Highway Superintendent  
 Chris Clauson, Assistant DPW Superintendent

Supv Leifer opened the meeting at 7:03 p.m. Board members and audience recited the pledge of allegiance.

**PUBLIC HEARING**  
**PROPOSED LOCAL LAW TO OVERRIDE THE TAX LEVY CAP**

Supv Leifer opened the public hearing at 7:06 p.m. He explained that the town has entered into a sales tax offset with the county this year. The town tax levy will go up because of that regardless of whether appropriations change from last year. The county has advised that the amount of anticipated sales tax for 2019 would have been \$2,449,000. That will now be collected through the town property tax. The effect of the sales tax offset agreement is that the county will lower its tax rate for Dryden and the town's tax rate will increase. The net effect of this, based on last year's assessment role, was no increase to the property owner. The budget as proposed does not use any fund balance.

There were no public comments.

**PUBLIC HEARINGS**  
**PRELIMINARY BUDGET**  
**SPECIAL DISTRICTS BUDGET**  
**FIRE CONTRACTS**  
**AMBULANCE CONTRACT**

Supv Leifer opened the public hearings at 7:08 p.m. and reviewed for the public the amounts of the of the fire and ambulance contracts, estimated revenues in the preliminary budget and the total amount to be raised by property taxes.

Public Comment

Rick Young asked for a change in his preliminary budget. He would like to move \$100,000 from DB5110.4 to DA 5130.2. DB5110.4 was decreased to \$160,000 from his budget request and he has a \$134,000 Gradall payment and a \$90,000 plow equipment payment to make in 2019.

Linda Fenner of Etna Fire Department asked the board to reconsider the amount the board has allocated for Etna. A lot of the new housing in town has been built in the Etna

district. The board has been given a lot of misinformation about their responses to calls. They have provided everything in the contract as required and can provide the information most recently requested. The contract calls for information for the preceding year and they did provide that. They are asking for a reasonable amount for the department to run on. Last year they had to argue over the training tower and they were asked to charge fees for its use. Departments from out of town that assist on major structure fires don't charge the town. Last year they gave back \$25,000 from their contract after negotiating for five months.

Supv Leifer said the board asked for proof that work had been done on the tower last year and did not receive it. The board wanted Etna to charge a nominal amount for out of town departments to use the training tower and L Fenner replied they may have earned \$200 had they done that.

L Fenner asked that the amount allocated to Etna be increased to at least \$140,000. Supv Leifer said the board removed only the amount that Etna had planned to put into reserve. That shouldn't affect the operations and Etna should be able to respond to calls. L Fenner said they now have three EMTs available to answer calls during the day.

**Patrick Brunner** said Etna's record indicates they are not responding to calls as they should. People in the community are not getting the response and service they are paying for. Etna is not responding. Varna asked for an increase in their budget because they are responding to Etna's calls. He wants Etna to have a station but wants them to be responsible and answer calls. Even paying them \$113,000 is too much. He doesn't think we are spending our money wisely.

**Darren Miller**, Varna Fire Department, said the increase in their budget request has nothing to do with Etna. That's part of the mutual aid agreement.

**Patrick Miller, Varna Fire Chief**, said their increased request has nothing to do with Etna. They have increased calls in their own district and all around mutual aid has increased. EMS calls and fire calls in their district have increased. They also must keep up with new mandates and trucks have to be replaced every 25 years. They have three trucks to be replaced in the next couple of years and they need to increase their reserves to account for the increased cost of trucks. It has nothing to do with Etna missing calls. They are looking out for their department, members and their community. The potential for a new large development will have an impact and cost to the community.

**Mike Hall, Dryden Fire Chief**, said he appreciates that their proposed amount budget is what they requested. He recognized the board saying that Supv Leifer and Cl Lamb had met with them numerous times this year to discuss the department's needs.

Supv Leifer explained to Michelle Robertson (Vice President of Etna Volunteer Fire Department) that the operations part of their budget wasn't touched; the amount to be put in reserves was removed. If they aren't running trucks, there isn't wear and tear on the equipment. Fewer hours on the trucks means they won't need to be replaced as often. The town doesn't know what they have in the equipment reserve. The town doesn't have an equipment replacement schedule for them. Taxpayers would be more comfortable knowing what they are paying for. M Robertson said she had asked for guidance and never received it.

There were no further comments and Supv Leifer closed all public hearings at 7:28 p.m. The board will vote on the local law to override the tax levy cap and budget next week.

Cl Lamb said there will be an insert with the property tax bill explaining the sales tax offset.

**Abstract Approval**

**RESOLUTION #156 (2018) – APPROVE ABSTRACT #11**

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

RESOLVED, that this Town Board hereby approves Abstract #11, as audited, regular vouchers #773 through #843 (\$408,388.65) noting that voucher #816 to Cornell Cooperative Extension was reduced by \$3,844.96, and TA vouchers #22-24 (\$6,155.31), totaling \$414,453.96.

2<sup>nd</sup> Cl Green

Roll Call Vote	Cl Lavine	Yes
	Cl Green	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Budget Modifications**

Supv Leifer explained that the Highway/DPW Department had requested budget modifications to appropriate funds from sales of equipment to be used to purchase new trucks. The Planning Department has requested a budget modification to accommodate a higher than anticipated cost for legal advertising this year.

**RESOLUTION #157 (2018) – APPROVE BUDGET MODIFICATIONS**

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

RESOLVED, that this Town Board hereby approves the following budget modifications:

To		To		
DA2665	Sale of Equipment	DA5130.2	Equipment	12,500.00
DA2665	Sale of Equipment	DA5130.2	Equipment	48,080.00
From		To		
B8010.434	ZBA Training	B8010.433	Legal Ads	500.00

2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Lavine	Yes
	Cl Green	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Create Typist Position**

Supv Leifer asked the board to create a typist position in the Supervisor’s office so that he can have his new secretary start. That person is in the middle of the process for confidential secretary, but we need him to start now. There is no competitive list and Supv Leifer said he has gone through a couple of candidates. This is a part time position (not to exceed 25 hours/week) and there are no special qualifications.

**RESOLUTION #158 (2018) – CREATE TYPIST POSITION**

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

RESOLVED, that this Town Board hereby creates the position of typist for the Supervisor’s office under Tompkins County Civil Service law and rules.  
2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Lavine	Yes
	Cl Green	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Compensation Study Update** – Cl Green reported the compensation study team is ready to present their position analysis questionnaire. Town staff will be required to fill this out in order for the team to understand and update the job descriptions in the town. The questionnaire will be presented at an all staff meeting on November 19 at 1:00 p.m. The team has been studying compensation parameters and history. The study product will give a lot of good information about what our workforce is doing and will point us in the direction of having a classification system that will be attached to a new set of recommendations for salaries.

Cl Lamb said it is being done to make sure that our employees are being paid fairly and not out of line with what comparable positions are elsewhere. It is important in terms of pay equity to do this. A consultant would have cost up to \$30, 000 and we are getting it for free. In fact, Cornell has invested about \$5,000 in this project.

**Planning Department**

R Burger said the public hearing for the vet clinic at 1610 Dryden Road will resume next Thursday. The County has submitted their §239 letter. They had no recommendations but made comments about the energy evaluation.

Last month the ZBA heard four cases, one of them being the appeal of issuance of building permits for 3 single family homes on Mineah Road. The ZBA could not find any violation of the zoning law so was not able to make a ruling in their favor but did hear the many residents that showed up. During that hearing they heard issues of drainage off the hill side. They are looking for possible solutions going forward and the ZBA Chair has written to the Town Board suggesting that DEC is probably the best avenue for the residents there. The Planning Board may consider overlay districts that would deal with steep slope areas and future cases would have some other options to get ahead of these surface flow issues. Water availability may also be a potential reason for an overlay district.

Trinitas have come back with what seems to be a responsive site plan. That is on the website. TG Miller is going through their evaluation. There will be more pieces requested to fill in some data gaps. It is not a complete application at this point.

802 Dryden Road – They have broken ground there and will be pouring their second foundation. There is an agreement in place for water access and infrastructure ownership.

Apple Orchard PRV – There is still no movement on this. It is being reviewed by the town of Ithaca attorney. This agreement will give the Town of Dryden control of the water that flows into the Varna district.

1061 Dryden Road – There is progress on getting the easement for the rail trail. It will be necessary to amend the Planned Unit Development approval because we are pursuing an easement instead of the deed called for in the approval. The developer is agreeable to re-working this. Cl Green said this is the last easement needed prior to being able to sign the contract with NYS Parks to begin claiming the \$182,000 grant. There was discussion about whether the board needed to pass a resolution indicating its intent to amend the PUD approval resolution. The hearing will need to be reopened for the PUD. That can happen in December and there will be a public hearing in December to accept this easement as well as a few others.

Route 13 Corridor Study – This was initiated by ITCTC and is an update of a study done ten years ago for corridor management along Route 13. The county doesn't have land use authority to manage development and would like the Town of Dryden, Village of Dryden and Village of Lansing involved in the study. It will require staff time from Ray Burger. They will be discussing what changes may need to be made in zoning to off load traffic.

IAWWTP - There was a meeting of six municipalities on Monday. There is a huge stormwater infiltration issue at both plants (Ithaca & Cayuga Heights) that affects their capacity to process waste. There was discussion about agreements and excess capacity that may be available above what the contracts allow. Dryden's allotment at the Ithaca plant is 259,000 gallons per day. Right now, it is about 171,000 and some of that includes stormwater infiltration. If those issues are taken care of it would increase capacity for actual waste. Currently measurements are done through the water usage unless a business or residence requests a meter to show outflow into the system. TG Miller will do a study of the infrastructure to find out where the leaks are. That will also assist with town planning.

There was discussion about an interceptor at Thurston Avenue that will need to be upgraded when Cornell builds its new dorms on campus. The waste from Varna goes through that same interceptor. They are in the beginning stages of getting the involved towns to come together and get Cornell to contribute toward the upgrade. Supv Leifer will keep board updated.

An RPF has been released for a housing conditions study and will close on November 15. R Burger would like to have a committee to review the responses. He was thinking one town board member and one planning board member could join him on that committee. They would likely meet the first week of December.

Additions to next week's agenda: Introduction of special use permit applications for 117 North Street (auto sales) and 450 Cortland Road (contractor yard). After the introductions next week hearings can be set for December.

Solar Update – Delaware River Solar is looking to start their civil work the week of November 19 and have their building permits. No permits have been issued yet for the Ellis Tract, but they are scrambling to get started with their civil work.

**Fire Warden** – Supv Leifer explained that Rick Young has resigned as Fire Warden and he would like to appoint Patrick Brunner. Mike Hall said he understood the intention with the Fire Warden was to oversee the Emergency Services Committee. He asked if there is a job description for the position and what the goals, objections, or intentions for the position are. It is fairly clearly defined in NYS Town Law Section 29 and in certain sections of NYS Encon Law. If the goal is to work with the Emergency Services Committee, the town should create a different position with a different title, job description, and goals and objectives of what that position will be. The committee meets next Wednesday at 7:00 p.m. and he would like the committee to review what they are trying to do with that position, any objectives, and move forward with a job description.

Discussion/comments:

- The appointment will be revisited in January.
- Fire Warden is described in Town Law.
- The committee/departments could define the position.
- P Brunner could run the meetings for now.
- Have the position defined by January.
- Hopefully the committee will work to come up with a single contract for future use.
- Purpose of the committee is to improve communications between the town and the departments.

**RESOLUTION #159 (2018) – APPOINT FIRE WARDEN – P BRUNNER**

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

RESOLVED, that this Town Board hereby appoints Patrick Brunner to serve as Fire Warden (under the existing definition) through December 31, 2018.  
2<sup>nd</sup> K Servoss

Roll Call Vote	Cl Lavine	Yes
	Cl Green	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

Town Clerk B Avery reminded the group that as a town committee, their meetings are subject to open meetings law and should be properly noticed. She asked that the schedule be provided to her so that she can notify the media monthly. She also asked to be provided with minutes of the committee meetings. The next meeting is Wednesday, November 14, at 7:00 p.m. at the Varna Fire Department.

**Dominion Upgrade** – Supv Leifer said the Borger station may be sold to another company. They are in a permitting process with DEC. We are pushing for updated operating equipment to deal with emissions. Dominion has not decided what they are putting in yet. There is a public comment period and Supv Leifer said he has been trying to find out what is going on with that permit. He will keep the board updated.

**BridgeNY** – NYS DOT & SHPO want one option forwarded to them for review. If that choice is not accepted, we can submit another alternative for review. The board had previously narrowed the alternatives down to two, both two-lanes, one with a new truss (alternative #11) and one adding the old truss (alternative #9).

Discussion/comments:

- The new truss option is less expensive.
- The town would be responsible for the maintenance cost on the old truss (\$70,000 over ten years).
- Total cost of alternative #9 is \$2,491,000.
- The grant is \$2,630,000.
- The town has already committed \$400,000 for design work.
- The town will be responsible for anything over the amount of grant plus 5% local match.
- The span of both choices has presented environmental concerns and the flow of water being impeded by the reduced span of the bridge.

- The current bridge has a pier in the middle of the creek and the new bridge will be one full span; nothing will be in the middle of the creek for water to flow around.
- The span of the new bridge deck will be 20' shorter.
- New DOT guidelines are being used on expected increases in flow due to climate change.
- It will be designed to the state standards of 100-year floods and the new DOT guidelines.
- There is concern about the infill along the riparian boundary that is required when you reduce the span.
- Are our engineers looking at issues of maintenance of the riparian boundary downstream and upstream from the bridge?
- Indications are there are no significant environmental impacts.
- Cornell Botanical Areas has concerns as well as Varna residents.
- Are contiguous landowners notified when there is a significant project such as this?
- Highway/DPW staff remarked that landowners seldom maintain streams or keep them free of debris.
- The town spends a lot of money because trees are not removed and cause damage.
- There are wetlands within the area of the Freese Road bridge.
- Fall Creek is a DEC mapped stream, so DEC will be involved in any permits.
- It is a delineated wetland, so the Army Corps of Engineers will need to provide a permit.
- Choosing the option that retains the historical truss will cost about \$200,000 more.
- The County has not voted to pick up the local share of expense though the Town has been told that will happen.
- Alternative #11 can be designed to look historic.
- The old truss bridge could be retained and used on the rail trail or some other place.
- If SHPO objects to this choice, the town still has the option of presenting Alternative #9.
- The cost overrun could be as much as \$330,000.

Supv Leifer would be more inclined to choose #9 if the county had committed to covering the local share.

Cl Lavine would like a one lane bridge because it is more cost effective. If the issue is about money we should revisit the idea of a one lane bridge.

**RESOLUTION #160 (2018) – CHOOSE PREFERRED ALTERNATIVE FOR FREESE ROAD BRIDGE - BRIDGE NY**

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

RESOLVED, that this Town Board chooses Alternative #11 for the Freese Road Bridge design to move forward in the BridgeNY process.

2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Lavine	No
	Cl Green	Yes
	Cl Servoss	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

Cl Green noted that she voted yes because if SHPO recommends a different one, we still have an option. Cl Servoss will let the design engineer know the choice the board made.

B Avery advised the board that Craig Anderson has submitted his application for another term on the Planning Board. There are several vacancies on the Recreation & Youth Commission and terms ending on the other board. She will notify board chairs.

Several checks have been received at the Town Clerks office for rail trail benches. There is some confusion about the process for handling these donations. Cl Green explained this is rail trail revenue (donation for naming rights for benches), should go into the account that was set up for grants and donations and the supervisor's secretary will send thank you notes. The chair of the Rail Trail Task Force should be notified when funds are received. She will meet with the bookkeeper to work out any other details.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 8:46 p.m.

Respectfully submitted,

Bambi L. Avery  
Town Clerk