

**TOWN OF DRYDEN  
TOWN BOARD MEETING  
January 10, 2019**

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

Absent: Cl Alice Green

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

Other Town Staff: Jennifer Case, Bookkeeper  
Ray Burger, Planning Director  
Ryan McHugh, Secretary

Supv Leifer opened the meeting at 7:00 p.m.

**Abstract Approval**

Supv Leifer said there is a voucher that didn't make it in. Two payments are owed to Tompkins County for the Dodge Road bridge. \$50,000 was allocated in the 2018 budget for a bond payment for what was anticipated for Red Mill/Malloryville bridge work. He will use that line for Dodge Road. \$132,000 in sales tax needs to be allocated across the funds. He will use \$6,701.50 from the sales tax to that line for the first payment to the county. The bookkeeper stated there would need to be a budget mod and voucher prepared prior to the check being cut. The second payment will come from the 2019 budget. Supv Leifer moved the abstract as prepared with the addition of the payment to the county for \$56,701.50.

**RESOLUTION #23 (2019) – APPROVE ABSTRACT #13**

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

RESOLVED, that this Town Board hereby approves Abstract #13, as audited, general vouchers #920 through #999 (\$369,219.76) and TA voucher #31 (\$231.24), totaling \$369,451.00, plus a payment to Tompkins County in the amount of \$56,701.50.  
2<sup>nd</sup> Cl Servoss

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

**RESOLUTION #24 (2019) – APPROVE ABSTRACT #1**

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

RESOLVED, that this Town Board hereby approves Abstract #1, as audited, general vouchers #1 through #20 (\$112,034.06) and TA Vouchers #32 and #33 (\$3,226.23), totaling \$115,260.29.  
2<sup>nd</sup> Cl Servoss

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

**Budget Modifications**

Supv Leifer explained the budget modifications requested by the Recreation Department, Planning Department and Town Clerk.

**RESOLUTION #25 (2019) – 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		
A2005	Rec - Misc Grants	A7989.407	Rec Misc Grants	1,000.00
A2770	Misc Clerk Revenue	A410.4	Clerk Contractual	1,101.27
A2770	Misc Clerk Revenue	A1330.4	Recvr of Taxes Contractual	101.23
From		To		
A1330.2	Recvr of Taxes Equip	A1330.4	Recvr of Taxes Contractual	26.23
B8010.434	ZBA training	B8010.433	Legal Ads	200.00

2<sup>nd</sup> Cl Lamb

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

Supv Leifer announced that sales tax received in November was \$202,453.97. \$69,761.61 will be deposited to the A fund. The remaining \$132,692.36 will be allocated across the other funds with \$6,701.50 will go toward the Dodge Road payment.

**PUBLIC HEARING  
ITHACA AREA WASTEWATER TREATMENT FACILITY  
GRIT REMOVAL PROJECT  
PUBLIC INTEREST ORDER**

Supv Leifer opened the public hearing at 7:10 p.m. There were no comments and the public hearing was left open.

**HOUSING TRUST EXEMPTIONS**

Cl Servoss shared information with the board regarding the real property tax exemption available under Real Property Tax Law §467-j. There is someone who would like to develop a parcel in Ellis Hollow with affordable ownership units. The homes would be individually owned while the real property would be owned by a not-for-profit entity and subject to regulatory restrictions from federal, state or local housing programs that provide grants or loans to enhance housing affordability. The developer is hoping to partner with Ithaca Neighborhood

Housing Services. The County already has this real property tax exemption in place and the town of Dryden can offer it after adopting the appropriate local law. She asked board members to review information. If a local law is drafted, it could be introduced in time for a public hearing and vote on February 21, 2019.

Supv Leifer closed the public hearing on grit removal at 7:25 p.m.

**RESOLUTION #26 (2019) – ADOPT PUBLIC INTEREST ORDER IAWWTF GRIT REMOVAL IMPROVEMENTS**

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

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

<p>In the Matter of the Proposed Improvement Project Pursuant to Town Law §202-b for the Wastewater Treatment Plant in the City of Ithaca serving the Town of Dryden known as the IAWWTF Grit Removal Project</p>
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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 have been 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, the area of said Town determined to be benefited by said Improvement Project consists of the entire area of said Town sewer districts served by the wastewater treatment plant in the City of Ithaca, and

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: replacement of influent screens, installation of an odor control system, procurement and installation of dewatering equipment and replacement of lighting and painting of the interior walls of the influent building, and

WHEREAS, the Town Board of the Town of Dryden adopted an Order on December 20, 2018, 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 January 10, 2019 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 construction of the proposed project has heretofore been determined to be an "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: approval, construction and implementation of the Improvement 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 (SEQR) for the following reasons: the Improvement includes the purchase of equipment; replacement in kind of facilities on the same site; maintenance or repair involving no substantial changes in an existing structure or facility; and construction of accessory/appurtenant non-residential structures or facilities involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls; and thus approval, construction and implementation of the Improvement are not subject to review under SEQR ; and

WHEREAS, it is now desired to authorize the improvements to be known as the Influent Building and Dewatering 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 make the improvements hereinafter described and such improvements are hereby authorized. The proposed area hereby determined to be benefited by said IATTF Grit Removal 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 improvements consist of the replacement of influent screens, installation of an odor control system, procurement and installation of dewatering equipment and replacement of lighting and painting of the interior walls of the influent building.

Section 3. The maximum proposed to be expended for the aforesaid improvements is \$7,190,000 of which the Town of Dryden's share is not to exceed \$142,362.

The project will consist of installation of a grit removal system, emergency generator replacement, and various improvements at the Ithaca Area Wastewater Treatment Facility located at 525 Third Street in the City of Ithaca, including:

General Improvements:	
Sitework, chemical unloading, vac-truck pad	\$320,000.00
Concrete Repairs	\$150,000.00
Influent Building Improvements	\$160,000.00
Grit System	\$2,160,000.00
Stair Tower Replacement	\$160,000.00
Misc (Weirs, scum collectors, gas piping, doors, etc)	\$1,470,000.00
Subtotal – General Improvements	\$4,420,000.00
Electrical Improvements:	
Electrical	\$350,000.00

Emergency Generator Replacement	\$800,000.00
Instrumentation & Controls	\$110,000.00
Subtotal – Electrical Improvements	\$1,260,000.00
HVAC Improvements:	
HVAC	\$310,000.00
Subtotal – HVAC Improvements	\$310,000.00
Subtotal – Construction	\$5,990,000.00
Contingency 10%	\$600,000.00
Total Construction	\$6,590,000.00
Engineering, Testing, Legal, Administration	\$600,000.00
Total Project Cost	\$7,190,000.00

Section 4. The method of financing to be employed by said Town of Dryden is as follows: Ithaca Area Wastewater Treatment Facility co-owner City of Ithaca will issue bonds to pay for the City of Ithaca’s share of the improvements cost at the said Facility as well as for the Town of Dryden’s share of the improvements cost. The Town of Dryden will not co-issue or be liable on the bonds. The Town of Dryden will reimburse the City of Ithaca through a contract between the City of Ithaca and the Town of Dryden. The Town of Dryden’s contractual payments to the City of Ithaca will be paid by expenditure of current revenues and surplus funds from sewer rents and charges from the Town of Dryden sewer districts served by the said IAWWTF.

Section 5. 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 6. 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 7. 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: Ayes: Supervisor Jason Leifer, Cl Daniel Lamb, Cl Linda Lavine, Cl Katherin Servoss

Section 8. This order shall take effect immediately.

**Housing Condition Survey** – Last year the town received a CDBG grant to conduct a housing condition survey and an RFP was subsequently sent out. R Burger reported that the committee reviewed four proposals that were submitted and recommended that Thoma Development be selected. He asked that the board authorize the supervisor to sign a contract with them.

**RESOLUTION #27 (2019) – AWARD CONTRACT TO THOMA DEVELOPMENT CONSULTANTS**

Cl Servoss offered the following resolution and asked for its adoption:

RESOLVED, that this Town Board hereby authorizes the Town Supervisor to execute a contract with Thoma Development Consultants to conduct a Housing Conditions Survey as outlined in their proposal dated November 15, 2018.

2<sup>nd</sup> Cl Lavine

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

**Etna Fire Department**

The board discussed the contract with Etna Fire Department. Etna’s budget request was reduced substantially (essentially removing funds designated for their capital reserve). There is concern about their very low response rate and impact on public safety. There is a need to establish goals and standards including improving their EMS response rate and responding in a proper legal manner.

Other comments:

- Probationary language should be in the contract.
- There could be a separate contract offered as an incentive with the amount withheld from Etna years ago (and now in fund balance) to be paid if certain performance goals are met.
- Does it make sense geographically to have Etna with Freeville so close?
- Possibility of not funding Etna or disbanding the department.
- If no improvement is shown this year, there will be another discussion next year.
- The contract could be amended to provide for quarterly payments.
- The department should improve to 70% for EMT calls.

After discussion, the board passed the following resolution.

**RESOLUTION #28 (2019) – AUTHORIZE SECOND CONTRACT FOR ETNA VOLUNTEER FIRE DEPARTMENT**

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

RESOLVED, that this Town Board hereby authorizes the Town Supervisor to draft and execute a second contract with Etna Volunteer Fire Department providing that if the Department meets specific performance requirements the funds withheld from their contract about ten years ago and held in the Fire Prevention Fund Balance Account will be paid over to them at the end of a one-year period.

2<sup>nd</sup> Cl Servoss

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

**RESOLUTION #29 (2019) – REPRESENTATIVE TO ASSOCIATION OF TOWNS MEETING**

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

RESOLVED, that this Town Board hereby appoints Bambi Avery as its representative to the 2019 Association of Towns Meeting, and Linda Lavine and Jason Leifer as alternate.

2<sup>nd</sup> Cl Servoss

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

**Lower Creek/Route 13 Intersection**

The board discussed the recent motor vehicle accident at that intersection. The area is already part of a study area for the Route 13 study the county is doing. They have asked the town to be part of that group and Supv Leifer attended the infrastructure committee last Friday and talked with them about it. He would like to request a traffic light study from DOT for that intersection. He will send a letter similar to the one that that was used for the Route 366/Mt Pleasant/Freese Road intersection.

**January 17, 2019 Agenda Items**

There will be a public hearing on amending the Telecommunications Tower Siting Local Law. The local law has been emailed to board members and posted online.

Supv Leifer said the Planning Board has requested that Section 703 of the Zoning Law be amended to refer to the most current LEED Neighborhood Development Protocol. R Burger will draft that amendment for next Thursday and the board will set a hearing for February.

**Other Business**

Jeremy Sherman resigned from the Ag Advisory Committee this week and Erin Bieber has applied. The vacancy has not been advertised yet, so that will be put on the website. Board members were provided with Bieber’s application.

Positive comments have been received on the insert included in the property tax bills explaining the sales tax offset agreement with the county.

Tiny Timbers will be receiving their “will serve” letter for connecting to the public sewer.

An email was received from Elizabeth Thomas about a shared service collaboration to change streetlights to LEDs. There are 94 streetlights in Dryden. To join the Town needs to show an interest. There was a group meeting in Ithaca in December and a confidentiality agreement was distributed that needs to be signed. The board would like to move forward with this process.

**RESOLUTION #30 (2019) – AUTHORIZE PARTICIPATION IN STREETLIGHT PURCHASE**

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

RESOLVED, that this Town Board hereby approves the town’s participation in NYSEG’s program for conversion of streetlights to LED lights and authorizes the Town Supervisor to execute the associated Confidentiality and Assurance Agreement and any other documents associated with this program.

2<sup>nd</sup> Cl Lavine

Roll Call Vote	Cl Lavine	Yes
	Cl Servoss	Yes

Cl Lamb	Yes
Supv Leifer	Yes

Supv Leifer said Jim Skaley has been appointed to the first alternate position for the Planning Board and there are applications from Anthony Salerno and Daniel Bussmann for the other alternate position.

**RESOLUTION #31 (2019) – APPOINT PLANNING BOARD ALTERNATE**

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

RESOLVED, that this Town Board hereby appoints Anthony Salerno to serve as an alternate member of the Planning Board for 2019.

2<sup>nd</sup> Cl Lamb

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

Diane Pamel has applied to continue on the Recreation and Youth Commission.

**RESOLUTION #32 (2019) – APPOINT DRYC MEMBER**

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

RESOLVED, that this Town Board hereby appoints Diane Pamel to the Dryden Recreation & Youth Commission for a term to expire December 31, 2021.

2<sup>nd</sup> Cl Servoss

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

2150 Dryden Road solar project – R Burger said the applicant is submitting items for the conditions of the special use permit (decommissioning plan, vegetative maintenance plan and such). Once everything is in place the board will need to approve the financial bond for the decommissioning. He expects to have ready for the February meeting and then building permits can be issued.

R Burger reported the Bethel Grove Church would like to act as an emergency shelter for the Rescue Mission when they need overflow space during inclement weather. They anticipate temporary cots for 12 people and two staff. They would arrive in the evening and depart in the morning. This is in a neighborhood residential district and would be an expanded use of a religious institution and strictly on an emergency basis. The code enforcement officer will be inspecting the premises tomorrow. He asked whether the board would like to come before them for an expanded use of the religious institution or whether they viewed it as a related activity of an existing church in the neighborhood. The board agreed that this is an appropriate use of the property and once it passes inspection, it did not require further attention on the part of the town.

R Young asked about the status of contract negotiations and said he would like to get it done sooner rather than later to avoid dealing with a lot of retro pay.

Cl Lamb reported that the wage compensation study will move forward this semester.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 8:28 p.m.

Respectfully submitted,

Bambi L. Avery  
Town Clerk