

**TOWN OF DRYDEN
TOWN BOARD MEETING
April 11, 2019**

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

Elected Officials: Bambi L. Avery, Town Clerk

Other Town Staff: Ray Burger, Director of Planning
Jennifer Case, Bookkeeper
Ryan McHugh, Secretary to the Supervisor

Supv Leifer opened the meeting at 6:05 p.m.

Highway Superintendent Rick Young has requested authorization to purchase a truck and submitted a voucher. Cl Green said the finance committee discussed the request. It is a last-minute opportunity to purchase a 10-wheeler hard bottomed dump truck that has been offered for sale by Tompkins County. The vehicle has some specialty add-ons that make it difficult to do a comparative bid because it is a unique specialty item and is second-hand. It sounds like a good opportunity to take advantage of, but the committee did not want to sign the voucher until there was some board discussion. The committee’s recommendation is to approve the purchase. The board agrees.

RESOLUTION #75 (2019) – AUTHORIZE PURCHASE OF DUMP TRUCK

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

Whereas, The Tompkins County Highway Department has made a 2010 International 10-wheeled hard-bottom dump truck available for intermunicipal purchase by the Town of Dryden, and

Whereas, it is not possible to get other written quotes because this is a specialty item which will be purchased as a used item from another municipality, and

Whereas, this is a valuable piece of equipment for our town highway department,

Now, therefore, be it resolved, that the Dryden Town Board approves the purchase of a 2010 International 10-wheeled hard-bottom dump truck.
2nd Cl Lavine

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

RESOLUTION #76 (2019) – APPROVE ABSTRACT #4

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

RESOLVED, this Town Board hereby approves Abstract #4, as audited, general vouchers #198 through #287 (\$338,040.21) and TA vouchers #40 and #41 (\$3,106.58), totaling \$341,146.79.
 2nd Cl Servoss

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

Compensation Study – Department heads will review the position analysis questionnaires (PAQ) submitted by their staff. Cl Green said that PAQs had not been received by Cl Lavine and Cl Servoss. She asked that they get those completed and send to her. She will take all the PAQs completed by board members and come up with a single job description.

Court Clerk Job Posting – Judge Clauson has requested that a court clerk position be posted with Civil Service with salary range of \$34,000 to \$38,000. Once the hire is made he will come back to the board for salary approval.

RESOLUTION #77 (2019) – APPROVE SALARY RANGE FOR COURT CLERK

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

RESOLVED, that this Town Board hereby approves an annual salary range of \$34,000 to \$38,000 for posting of the position of Court Clerk.
 2nd Cl Lavine

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

IWWTP Battery Storage – Supv Leifer explained this is a demonstration project for the Ithaca Area Waste Water Treatment Plant with NYSEG for their Energy Smart Community Program. They are guaranteeing a net savings of 7% on the electricity bill and it is a two-year trial period.

RESOLUTION #78 (2019) – AUTHORIZING BEHIND THE METER BATTERY STORAGE SYSEM (BTM) AGREEMENT NYSEG AND ITHACA AREA WASTE WATER TREATMENT FACILITY

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

WHEREAS, New York State Electric and Gas (NYSEG) is sponsoring a Behind the Meter (BTM) Battery Storage System Demonstration Program through May 1, 2021, and

WHEREAS, NYSEG is seeking to conduct this demonstration program at various Commercial and Industrial sites meeting specific power usage and site location requirements in NYSEG's "Energy Smart Community," and

WHEREAS, eligible Customers who participate in the program will help NYSEG test new ways to make the electric grid more flexible and to include more renewable energy sources into the existing system, and

WHEREAS, the Ithaca Area Waste Water Treatment Facility (IAWWTF) was determined to be an eligible Customer after a preliminary review which included an inspection of the premises and a review of historical electricity usage data by NYSEG, and

WHEREAS, NYSEG desires to enter into an agreement with the IAWWTF for a BTM program, and

WHEREAS, the conditions of the agreement provide a no-cost-to-Customer BTM on the premises, and

WHEREAS, the agreement provides the IAWWTF with guaranteed electricity bill savings, increased control over energy usage, and increased sustainability, and

WHEREAS, the agreement projects a net electrical savings to the IAWWTF of \$459.56 per month with a guaranteed net savings of at least 7%, and

WHEREAS, after a two-year trial period, the IAWWTF will have the opportunity to purchase the battery from NYSEG, renewing the subscription agreement, or discontinuing the participation in the program, now therefore be it

RESOLVED, the Special Joint Committee (SJC) authorizes a no-cost BTM Demonstration Agreement between the IAWWTF and NYSEG substantially in the form attached, and be it further

RESOLVED, that the members of the Town Board of the Town of Dryden shall be authorized and required to sign the agreement between the IAWWTF and NYSEG on behalf of the Town of Dryden, and be it further

RESOLVED, that the terms of the agreement will be from the effective date of signature through May 1, 2021.

2nd Cl Green

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

Inflow & Infiltration Study & Investigation – The town has been aware of the need to address the inflow into the sewage system. A study using a video camera can be done to find out where the leaks are and where repairs need to be made. If the town intends to continue to develop in or around Varna or make new connections to the system, it will need to be addressed. TG Miller has submitted a proposal (attached) to do that work for \$49,500. The sewer districts served by the area will be responsible for the cost; it will not come from general town funds. Supv Leifer asked for a resolution accepting the proposal and authorizing him to sign the contract when it comes in.

RESOLUTION #79 (2019) – ACCEPT PROPOSAL FOR INFLOW & INFILTRATION STUDY

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

RESOLVED, that this Town Board hereby accepts the proposal by TG Miller Engineers & Surveyors to conduct an Inflow and Infiltration Study and Investigation for Sewer Districts conveying flow to the Varna sanitary pump station dated March 22, 2019, and authorizes the Town Supervisor to execute an associated contract.
 2nd Cl Lamb

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

Supv Leifer reported that the process of consolidation of the town’s water and sewer districts is moving forward. At some point there will be a public hearing and the board will be able to vote on it. Consolidation of many of those districts will make the administrative work much easier.

Dryden Solar Projects – Supv Leifer reported that oral argument on the 2150 Dryden Road matter happened on March 27. It can take up to 60 days for a decision to be rendered.

Ownership of the Ellis Hollow solar site has been transferred. Cl Lamb and Supv Leifer made certain that Dryden residents received the 10% discount that was originally negotiated with Distributed Sun. In addition to that, the new owner, Solar Farms New York, will make a \$100 donation to nonprofits located within the town.

PRESS RELEASE- Town of Dryden Negotiates Additional Incentives for Town Residents to Go Solar

Dryden, NY — Town of Dryden leaders are encouraging residents to take advantage of savings being offered to residents through community solar initiatives. Some offers are available on a limited-time basis and provide additional sign-up bonuses.

“Dryden is taking the lead in going solar, which is good for the planet and the local economy,” stated Dryden Town Supervisor Jason Leifer. “With solar projects moving forward, the town is reminding residents that we all stand to benefit from the increased tax base, as well as access to cheaper power.”

The community solar assets in the town, soon to be in excess of 30 megawatts, are managed by Solar Farms New York. The projects represent the largest private sector investment in the town in decades. As the construction work has continued, Supervisor Leifer and Deputy Supervisor Dan Lamb have worked directly with Solar Farms New York to ensure that town residents make the most of this opportunity for cleaner, renewable electricity.

According to Dan Lamb, “We wanted to do something special for our residents who welcomed solar into the community. We’re pleased to announce that we’ve negotiated a special arrangement with Solar Farms New York giving town residents, who become members, a better discount on their solar credits, as opposed to the company’s standard offer,” Lamb added.

This new offer provides a 10% discount to Town of Dryden residents. Dryden residents who previously signed up with Solar Farms New York are included and will receive the improved savings. Additionally, for each new sign-up, Solar Farms of New York has agreed to make a \$100 donation to nonprofits located within the town. Details can be found at: Dryden.solarfarmsny.com

The Town of Dryden emphasizes that the results of this negotiation should not be construed as an exclusive endorsement of Solar Farms New York. Town residents are fortunate to have other offers to

consider and the town welcomes and encourages other solar developers to offer similar benefits to residents.

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Contact information:

Supervisor Jason Leifer: (240) 988-7988

Deputy Supervisor Dan Lamb: (607) 838-3638

Jeffrey Mayer, CEO, Solar Farms New York: (833) 877-7652

Planning Department

Comprehensive Plan Amendment – Supv Leifer said that he would like the Town Board to charge the Planning Board with amendment of the comp plan. The process would also include input from the town’s other advisory boards. Consideration should be given to the types of variances and numbers of variances granted by the ZBA.

Comments/discussion:

- The Town Board has asked its advisory boards to provide input with respect to what should be included in an amendment to the Comp Plan.
- Work was done by the energy subcommittee of the Planning Board to make recommendations for amendments.
- There was a lot of misinformation circulated about what was being proposed and as a result we are re-looking at what this process will be.
- There seems to be two parallel processes: immediate amendments to the plan and the larger scale full update to the comp plan.
- The water study by Rural Water, when completed, should be considered in the update.
- The comp plan informs zoning, it doesn’t go into building code.
- Funds were budgeted to hire a consultant in 2019 for the longer-term, larger job.
- Given the feedback we have, it makes sense to begin the process of developing the scope of work and get the RFP out so that we have a systematic process for updating the comp plan.
- The Town Board can delegate an update an of the comp plan to the Planning Board and ask them to take the lead on it.
- The Planning Board will then propose changes to the plan to the Town Board.

John Kiefer explained that when the Planning Board was asked to make a recommendation on whether to update the comp plan, the Planning Board passed a resolution and volunteered to take the lead on the general update. That would include putting together a steering committee to run the process. They would write the RFP, come up with a communication plan and pretty much manage the whole process. They would form a steering committee and move the initiative forward. It is important to make a distinction between this process and the smaller effort of the building energy committee. Right now we are talking about a general update that covers all aspects of the comprehensive plan and adds things that have been suggested such as affordable housing and climate change.

Supv Leifer will bring a resolution to next week’s town board meeting. J Kiefer suggested that the resolution should say that the RFP will come to the town board for approval before it is released.

Planning Board vacancy – The board will appoint someone next week to fill the vacancy on the Planning Board.

TCAT Update – Mike Lane said because it is difficult for him to get to the regular meeting since the time has been changed, he thought he would stop in to see if there were questions. Cl Lamb asked for an update on TCAT and where they might be moving. M Lane reported that the Wendell Group is looking at sites and have also hired the Pyramid Group to talk to them about other sites. They are scoring them and making a recommendation. Sites being considered are the Vanguard site, near the airport, downtown (Ithaca) behind Walmart, and perhaps expanding the current site on city of Ithaca property next door. Others include Chainworks and a couple of sites at Lower Creek Road. The Vanguard site adds to operational expense because it is further out but makes some sense. Cl Lamb noted it is on the rail trail. M Lane encouraged him to talk with folks on that board. Cl Lamb will communicate with them and get more information from TCAT.

The Route 13 study will look at park and ride opportunities.

Certified Emergency Response Team (CERT) – The board discussed the proposed resolution provided by Dana Magnuson. The funds they are asking for is to get training equipment. There was some discussion about knowing that the group had talked with the fire departments. Cl Green will communicate with Dana Magnuson and the board will vote next week.

Fiber Study Survey – The board reviewed the model questionnaire provided and discussed some changes using more specific language and how to reach people. Supv Leifer will provide comments to Hunt Engineers and bring the final version to the board before next Thursday.

Dryden Lake Festival – Cl Servoss reported that the town has received a celebrations grant from Strategic Tourism for \$1500 for youth activities, entertainment, sound system and marketing. She asked the board for approval for the Supervisor to the sign contract. The festival will be held July 27 from noon to 5 pm. She is working on the entertainment and is looking for volunteers and people to provide animals for a small petting zoo.

RESOLUTION #80 (2019) – AUTHORIZE SUPERVISOR TO SIGN CONTRACT – TOURISM GRANT FOR DRYDEN LAKE FESTIVAL

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

RESOLVED, that this Town Board approves the contract for a grant in the amount of \$1500.00 from Tompkins County Strategic Tourism for the Dryden Lake Festival and authorizes the Town Supervisor to execute the same.

2nd Cl Lavine

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

FOIL Appeal Procedure – The town’s procedures with respect to appeal on denial of FOIL requests has not been revisited in a number of years. That will be part of the organizational meeting going forward, but there is a current appeal that needs to be dealt with, so an appointment of an appeals officer needs to be made now.

RESOLUTION #81 (2019) - DESIGNATING PERSON TO DETERMINE FREEDOM OF INFORMATION LAW APPEALS

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

WHEREAS, pursuant to Article 6 of the New York Public Officers Law the Town Board of the Town of Dryden adopted Resolution Number 107 of 1999 establishing rules and regulations as amended for review and processing of Freedom of Information Law (FOIL) requests and

WHEREAS, Section 7(c) of the Dryden Rules and Regulations governing FOIL requests require the Town Board to annually designate a person or body to determine FOIL appeals

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Dryden designates Town Supervisor, Jason Leifer as the person who shall determine FOIL appeals, and be it further

RESOLVED, that if Supervisor Leifer is unavailable to determine a FOIL appeal within the time required by law for an appeal to be decided, then Deputy Town Supervisor Daniel Lamb shall determine such an appeal.

2nd Cl Green

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

FCC Deadline – 5G cell services is being rolled out and will require more towers or transmitters (smaller and closer together than current towers). The town is allowed to have design guidelines for aesthetic considerations. Because we don't have any guidelines developed yet but intend to, a resolution should be passed by April 15.

**RESOLUTION #82 (2019)
TOWN OF DRYDEN POLICY STATEMENT
REGARDING FUTURE TELECOMMUNICATION
TECHNOLOGY REGULATION AND PERMITTING**

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

WHEREAS, the Town of Dryden has established a permitting process for telecommunication installations, and

WHEREAS, the Town recognizes that wireless telecommunication technologies are important to the community, but the technology changes rapidly, and

WHEREAS, the Town is committed to the preservation of health and safety of its residents, business and visitors, and to protection of public safety by minimizing the adverse effects of wireless telecommunication facilities through the established permitting process, and

WHEREAS, the Town is committed to the protection, to the maximum extent possible, of aesthetic quality, property values, and visual character of the city, while not unreasonably limiting competition among communication providers, and

WHEREAS, the Town does not intend to limit the use of in house wireless communication devices installed solely for the use of the property owner or business, and

WHEREAS, the Town is committed to minimizing the visual and aesthetic impact of telecommunication facilities to the maximum extent practicable through a permitting process outlined in our Telecommunications Law emphasizing careful design, siting, screening and innovative camouflaging techniques, and with the understanding that modification or revision or even replacement of that statute may be necessary to continue to pursue the intentions of that statute as new technology is proposed to be installed within the Town, and,

WHEREAS, the Town wishes to preserve and maintain all of its legal rights and options to address and reasonably regulate additional telecommunication technologies, including, but not limited to so called “4G” and “5G” technology, now therefore, be it

RESOLVED that the Town shall reserve the right to define small commercial wireless facilities as accessory facilities owned and maintained by a wireless telecommunication infrastructure provider requiring site plan review under our Telecommunications Law, as it now exists, or as may be modified by local law in the future, and be it further

RESOLVED that requirements for the siting, construction operation and maintenance of such small commercial wireless facilities shall at all times meet or exceed the most recent American National Standards Institute (ANSI) Code, National Electrical Safety Code and the National Electric Code and shall be at all times kept and maintained in good condition, order and repair by qualified maintenance and construction personnel so to protect persons and property within the Town, and be it further

RESOLVED that siting of all telecommunication facilities shall, as a matter of policy, have the least adverse effect on the environment and character of all zoning districts within the Town, including visual impacts, existing vegetation, residential character and lighting, and be it further

RESOLVED that as soon as practicable, and upon due deliberation, the Town shall enact such additional modified standards for such small telecommunication facilities as may be necessary to assist the Town in the review of such permits, or as may be necessary upon the amendment of Town policy or Local Law.

2nd Cl Green

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

April 18 Agenda – There are no public hearings scheduled.

Teamsters Contract – Supv Leifer will send out the current version of the Teamsters agreement to board members and teamsters. If it is voted on by next week, the board could act on it.

New Business – Cl Green said the board has received a note from the Historian who says he has not been paid for 2018. She wants to make sure this gets paid and double check that all other 2018 contracts were paid. Cl Servoss would like to make sure the 2019 contracts are paid properly and on time.

Cl Lavine said that Trinitas has a track record of suing municipalities and it is reasonable to expect they may sue us if they don't like something we do. She asked if the town should be making an effort to study that background (grounds and how they presented it). Supv Leifer said it is alright to look at what they sued about, but if we follow our laws, they won't have a case. The board discussed this and ultimately asked R Burger to look into what the issues are in the lawsuits in Oxford and Ann Arbor.

On motion made, seconded, and unanimously carried, at 7:50 p.m. the board moved into executive session to discuss a contract situation with one of the fire departments. No action was taken, and the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Bambi L. Avery
Town Clerk