

**TOWN OF DRYDEN  
TOWN BOARD MEETING  
NOVEMBER 14, 2019**

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

Absent: Cl Linda Lavine

Elected Officials: Bambi L. Avery, Town Clerk

Other Town Staff: Jennifer Case, Bookkeeper  
Christopher Clauson, Asst DPW Superintendent

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

**Abstract Approval**

**RESOLUTION #146 (2019) – 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, general vouchers #797 through #876 (\$719,164.32) and TA vouchers #61 through #63 (\$13,012.81), totaling \$732,177.13, including voucher #878 in the amount of \$500 which will be paid after presentation of proper supporting documentation.

2<sup>nd</sup> Cl Green

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

**Budget Modifications**

The Highway Department has a budget modification for a large ticket item, but there is no purchase order and questions about the descriptions used in the budget mod form.

Other budget mod requests include:

Recreation Department - \$2,500 for purchase of adaptable basketball hoops for programs.

Supervisor – to cover the cost of the broadband study (\$25,052.97 total), the town's share of the housing conditions study not covered by the grant (\$3,606.73), and the cost of 3 AED machines purchased for the town hall and DPW (\$4,331.66).

**RESOLUTION #147 (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:

From		To		
A7020.201	Admin Equipment	A7330.4	Contractual	2,500.00
A1680.2	IT Equipment	A8668.401	CDBG Housing Study Grant	3,606.73
A1680.2	IT Equipment	A5010.2	Supt of Highways Equipment	4,331.66
A1220.2	Supervisor Equipment	A1440.4	Engineering Contractual	2,500.00
A1220.402	Supervisor Newsletter	A1440.4	Engineering Contractual	1,000.00
A1220.453	Supervisor Mileage	A1440.4	Engineering Contractual	1,000.00
A1220.454	Supervisor Travel	A1440.4	Engineering Contractual	1,000.00
A1220.455	Supv Training/College	A1440.4	Engineering Contractual	521.10
A1320.4	Independent Audit	A1440.4	Engineering Contractual	7,431.32
A1990.4	Contingency	A1440.4	Engineering Contractual	11,600.55

2<sup>nd</sup> Cl Lamb

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

## Water/Sewer Rates

Supv Leifer said he will have proposed rates next week. For the districts that are consolidating, there will be only a usage fee and no property tax assessment. There will be a minimum charge for up to 5,000 gallons of water usage and a per thousand gallon charge above that.

## 2020 Budget

Supv Leifer said the town will move to raising funds by usage in the water and sewer districts that will be consolidated. All revenue will be raised by usage fees, so for those special districts that are consolidating, the budget has been amended to reflect no property tax or special charges revenue and the usage fee revenue amount has been increased by the amount that would have been collected by tax. He reviewed the changes with the board, including fund balance usage on the revenue side for SS2 and SS5. We are still budgeting for force main work and after the consolidation the lines will all come together.

After meeting with members of Dryden Ambulance, Supv Leifer said their request was reduced by \$50,000. The contract amount will be \$838,894. The ambulance rate will go from \$.44 per thousand of assessed value to \$.83 per thousand.

Total of appropriations including all special district is \$9,358,689.00 and the amount to be raised by tax is \$7,471,996. Estimated revenue that is non-property tax is \$1,682,152. Unexpended fund balance for SS2, SS4 and SS5 is \$204,541. This is money that we keep putting in for the force main replacement (estimated to be up to \$250,000). There is no unexpended fund balance being used in the A, B, DA and DB funds in this budget.

The board discussed Etna Fire Department's request and noted that their response time has improved. Supv Leifer said they are trying to get to where they were before last year's budget. After comparing this request to prior year requests and prior year contracts, the board decided to reduce the contract by \$10,000 to \$155,000.

**RESOLUTION #148 (2019) – ADOPT 2020 ASSESSMENT AND SPECIAL DISTRICT ROLLS**

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

RESOLVED, that this Town Board hereby adopts the Special District and Assessment Rolls for the Town of Dryden for 2020.  
2<sup>nd</sup> Cl Lamb

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

**RESOLUTION #149 (2019) – ADOPT 2020 BUDGET AND SPECIAL DISTRICTS BUDGETS**

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

RESOLVED, that this Town Board hereby adopts the preliminary general budget as presented as the Town of Dryden's general budget for 2020, and it is further

RESOLVED, that this Town Board hereby adopts the preliminary special districts budgets with the following amendments:

SS2	\$28,896 FROM PROP TAX SS2-1001	TO USAGE SS2-2120
SS2	FB USED TO \$70,000,	\$6,739 CUT FROM SS2-8120.2 CAP IMPR.
SS4	\$18,060 FROM PROP TAX SS4-1001	TO SS4-2120
SS4	\$8,891 FROM SPEC ASSMT SS4-1030	TO USAGE SS4-2120
SS5	\$6,033 FROM PROP TAX SS5-1001	TO USAGE SS5-2120
SS5	FB USED TO \$100,000	\$40,533 CUT FROM SS5-8120.2 CAP IMPR.
SS6	\$3,150 FROM PROP TAX SS6-1001	TO USAGE SS6-2120
SS7	\$793 FROM PROP TAX SS7-1001	TO USAGE SS7-2120
SS7	\$4,200 FROM SPEC ASSMT SS7-1030	TO USAGE SS7-2120
SS7	FB USED TO ZERO	\$206 TO USAGE SS7-2120

SW1	\$10,091 FROM PROP TAX SW1-1001	TO USAGE SW1-2140
SW2	\$4,809 FROM PROP TAX SW2-1001	TO USAGE SW2-2140
SW3	\$12,873 FROM PROP TAX SW3-1001	TO USAGE SW3-2140
SW4	\$6,783 FROM PROP TAX SW4-1001	TO USAGE SW4-2140
SW5	\$5,985 FROM PROP TAX SW5-1001	TO USAGE SW5-2140
SW6	\$391 FROM PROP TAX SW6-1001	TO USAGE SW6-2140
SW6	\$5,579 SPEC ASSMT SW6-1030	TO USAGE SW6-2140
SW6	FB USED TO ZERO	\$281 TO USAGE SW6-2140

DRYDEN AMBULANCE CONTRACT CUT \$50,000	SM4540.401 TO \$838,894
ETNA FIRE CONTRACT CUT \$10,000	SF1-3410.407 TO \$155,000

as the Town of Dryden special districts budgets for 2020.  
2<sup>nd</sup> Cl Lamb

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

# **RESOLUTION #150 (2019) – AUTHORIZE FIRE AND AMBULANCE CONTRACTS**

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

RESOLVED, that this Town Board hereby approves the following fire and ambulance contracts for 2020 for the amounts listed and authorizes the Supervisor to execute the same:

Neptune Hose Company No. 1 of Dryden, Inc.	\$400,000
Varna Volunteer Fire Company, Inc.	281,238
W.B. Strong Fire Company of Freeville, Inc.	176,400
Etna Volunteer Fire Department, Inc.	155,000
Brooktondale Fire Department	29,107
Dryden Ambulance, Inc.	838,894

2nd Cl Lamb

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

# **RESOLUTION #151 (2019) – RELEVY DELINQUENT WATER/SEWER AMOUNTS**

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

RESOLVED, that this Town Board hereby relevies the following unpaid water/sewer amounts to the 2020 real property tax bills:

Acct #	Tax Parcel #	Total
K3418	56.-5-5	342.49
K3419	56.-5-5	384.19
K3467	43.-1-14.1	191.43
K3487	56.-3-4	1,114.16
K4338	52.-1-4.11	321.39
K4353	55.-1-15.2	1,582.02
K5279	54.-2-1	1,184.00
K6452	52.-1-25.4	333.51
L1671	43.-1-13	178.11
L3430	56.-5-15	649.24
L3446	53.-1-7	411.45
L3449	43.-1-19.12	243.68
L3466	43.-1-19.10	580.95
L3478	43.-1-9.8	672.77
L3495	56.-3-11.2	231.59
L3500	56.-3-16.1	115.16
L3501	56.-3-17.2	236.09

L4028	69.-2-13	667.75
L4271	69.-2-3.3	172.61
L5252	54.-2-3	141.27
L5253	54.-1-9.2	33.00
L5256	55.-2-3	230.32
L5275	54.-1-10	115.16
L5284	54.-2-11	100.16
L5390	56.-4-5.31	319.11
L5413	54.-1-3.2	862.95
L5446	54.-2-2	63.70
L5730	56.-5-25.12	603.97
L6376	54.-1-19	230.32
L6443	56.-4-7.31	230.32
L6453	52.-1-25.5	132.00
L6566	56.-4-7.16	172.74
LYB11	46.-1-49.44	269.35
LYB13	46.-1-49.86	506.33
LYB70	46.-1-59	192.99
LYB76	46.-1-49.26	150.51
584	38.-1-28.12	767.88

2<sup>nd</sup> Cl Lamb

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

Ambulance representatives are working on a statement to be reviewed by the board and included with the 2020 property tax bills.

Cl Green thanked DPW staff for posting the Fox Bridge and asked when the railings will be installed. C Clauson said they have the stanchions and the boards have been stained. They'll need better weather to do the welding and may have to close Route 366 while that work is done. They hope to get it done this year. The crosswalks at Springhouse Road were reinstalled today in a better location.

## COUNTY BRIEFING

Mike Lane reported that the county has passed its budget with a 2.75% increase on the levy (under the cap) and a tax rate decrease of 1.59%.

The state legislature at the end of their session was going to remove AIM (Aid Incentives to Municipalities) for towns and villages, but not for cities. The City of Ithaca gets over two million dollars in AIM funding and has 1/3 of the population of the county. The remaining towns and villages get a little over \$350,000 combined, so the per capita difference has always been huge. The legislature said it would take it away from towns and villages unless it was 2% of their budgets. Towns and villages protested that decision. In the end, the legislature said they expected the counties to get more income from sales tax because the state is now taxing internet sales and that the counties had to pay that to the towns and villages.

The state will be deducting from the county's sales this \$300,000 or so. The state will withhold the money and pay it to the towns and villages. The County shares its sales tax with the towns and villages, so if they get less sales tax, the amount shared will also go down. If state had continued to fund AIM as in the past, the town's share of sales tax would have gone up based on the new internet revenues.

The state is not going to report how much additional tax will be received from the internet revenues. It will be distributed as all internet sales. There will be less on the bottom line in the 3% given back to county. This is an unfunded state mandate and the first time the state has taken money away from the county's share. Cities don't lose any AIM funding or anything from the sales tax checks. They don't know yet how it will affect the bottom line.

The airport project is coming along, and they are hoping for a grand opening right after Thanksgiving. They are moving forward on the DOT site relocation, but the Comptroller's Office has not signed the contract yet. They are trying to get a site to do testing for CDL driver licenses for bus drivers and truck drivers. It is sorely needed in this area. There may be a site that would work near the airport.

**Trinitas** – R Burger reported that Trinitas is in the process of downsizing their project and he expects revisions within a week. At this point the town has sufficient submissions to go ahead and declare lead agency status. That would allow him to send out notices to the involved/interested agencies and give 30 days to respond whether they concur with the town board taking lead agency for purpose of the environmental review of the project. He said Trinitas is reducing the number of dwelling units in parts of the project, but he is unsure what it will look like at this point. The application has not been declared complete; that determination will be made after the revised package is received. The action tonight is simply to get the clock to run for lead agency (knowing the scope will be reduced). The advantage to declaring lead agency tonight is that it would start the 30-day window for a response now, and if we received an application with the new revision we would be able to start the process of having a hearing at the December 19 town board meeting. Declaring lead agency does not mean the application has been declared complete. The town has 62 days to act on the application after it has been declared complete.

Cl Lamb asked what drove the applicant to downsize and R Burger said it was to get the project to be conforming to each district's density requirements within the district.

J Kiefer explained that the reason the Planning Board took as long as it did reviewing this project is that they fill out SEQR Part 2 at the meeting, and R Burger completes that for the Town Board (as a draft suggestion) and the Town Board reviews what he has filled out. That is a different process. The Planning Board gave the project a hypothetical positive declaration and caused a substantial discussion of what Part 3 consisted of. They discussed potential mitigations, but not particulars.

**RESOLUTION #152 (2019) - Lead Agency – Declaration of Intent, Trinitas Townhomes at 959 Dryden Road, Tax Parcel Nos. 56.-3-9 &12 and 56.-5-9, 11, 12, 19.3, &19.4**

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

**WHEREAS:**

1. The Town of Dryden Town Board, at its meeting on November 14, 2019, considered the application for site plan approval by Trinitas Ventures, LLC ("Trinitas") for a 219 dwelling unit townhome project at 959 Dryden Road, Town of Dryden Tax Parcel Nos. 56.-3-9 &12 and 56.-5-9, 11, 12, 19.3, &19.4. The proposal involves construction of 17 residential buildings on a combined 16.7 acres bordering Dryden and Mount Pleasant Roads. The project includes

construction of a mix of 1, 2, 3 and 4 bedroom dwelling units within 17 townhouse style buildings, a clubhouse and recreational amenities, a 2200 sf retail space, a parking garage which combined with surface parking provides a total 428 parking spaces, and stormwater facilities, and

2. The record owners of the parcels on which the proposed development is located are Stephen Lucente and Varna II, LLC. Trinitas was authorized to act as owner's representative to pursue this application by an affidavit dated May 18, 2018, and

3. The proposed project, which requires site plan approvals and special permits by the Town Board is a Type I action pursuant to the State Environmental Quality Review Act, 6 NYCRR Part 617.4. Environmental Quality Review, because the project involves construction of more than 200 new residential units to be connected to existing public water and sewerage systems in a town having a population of 150,000 persons or less (§617.4 (b)(5)(iii), and

4. A Full Environmental Assessment Form, Part 1, has been submitted by the applicant, along with application materials submitted in September and October 2019.

**NOW, THEREFORE, BE IT RESOLVED:**

A Full Environmental Assessment Form, Part 1, has been submitted by the applicant, along with application materials submitted in September and October 2019, and

BE IT FURTHER RESOLVED that Town Board makes a preliminary determination that the proposed project, which requires site plan approvals and special permits by the Town Board is a Type I action pursuant to the State Environmental Quality Review Act, 6 NYCRR Part 617.4. Environmental Quality Review, because the project involves construction of more than 200 new residential units to be connected to existing public water and sewerage systems in a town having a population of 150,000 persons or less (§617.4 (b)(5)(iii), and

BE IT FURTHER RESOLVED that the Town of Dryden Town Board hereby proposes to establish itself as lead agency to coordinate the environmental review of the proposed actions, as described above, and

BE IT FURTHER RESOLVED that the Town of Dryden Town Board hereby requests the concurrence of all involved agencies (to include the U.S. Army Corps of Engineers, N.Y.S. Department of Environmental Conservation, N.Y.S. Department of Transportation, and Tompkins County Department of Health) on this proposed lead agency designation, said concurrence to be received by the Town of Dryden Planning Department no later than December 18, 2019.

2<sup>nd</sup> Cl Lamb

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

**Housing Fund Resolution** – Supv Leifer said he has a copy of the County's resolution and will use it as a model to draft a resolution for this board next week. This will not be provided for in the budget, as the town is pledging an amount up to \$50,000 if a project comes to Dryden.

The town received a PILOT notification for Emmy's Organics at 15 Royal Road and did receive the PILOT agreement for 2150 Dryden Road in the mail. The Planning Board did site

plan approval at last month's meeting for 15 Royal Road. That project is also using funds provided by the Town to TCAD.

There are three special use permit public hearings next week:

A dog kennel next door to the vet practice in the old Phoenix Book Barn building.

I-Deal Self Storage would like to add another building.

51 Hall Road – is a change of use to auto and heavy equipment repair from manufacturing.

There will also be public hearings on the proposed consolidation of water and sewer districts.

Hunt Engineers will open with a presentation of the broadband report and a question and answer. The board will not be taking any action. Between that meeting and the December business meeting Supv Leifer would like to establish a working group to then come up with action steps, decide on the structure and funding. The board will likely release an RFP for assistance in design.

### **Future Business**

Game Farm Road Trail Section – Supv Leifer said DEC wants the town to replace the two trestles on that section. Bob Beck explained that the town sent plans in August for renovation of the existing trestles (engineered stamped plans). DEC has just responded that it is the opinion of their engineers that the trestles should be torn out and replaced with prefabricated pedestrian bridges at a cost of three to four hundred thousand dollars. The stewardship agreement with DEC states the trestles will be renovated. It is DEC property, but the town has approval to build and maintain the trail. They can do the job and make the trestles safe for pedestrians for about \$30,000. The town has grant funding for that and has successfully renovated trestles in the past. It could take years to raise funding for those pedestrian bridges and open that part of the trail. Demolishing the trestles would be an added expense. Bruno Schickel is talking with TG Miller who did the study on what needed to be done and Gary Bush who reviewed the plan. Bob Beck thinks it would be beneficial to have our engineers talk with DEC engineers.

Cl Lamb said DEC has only given the town a 3-year use agreement and that kind of investment on our part would be foolish. They need to maintain their property since they didn't give an easement. Supv Leifer said we are prepared to rehab what is there, but not invest in new structures. Matthew Marco is the DEC Region 7 Director and Cl Lamb said he would contact him.

Cl Green suggested presenting the context of the stewardship agreement and asking what they might offer in light of that, and if that doesn't lead to an offer we can live with, then calling a meeting of the DEC engineers and our engineers with an effort to convince them that we have the wherewithal to rehab those bridges as opposed to replace them. We shouldn't take an adversarial stand, but hopefully can think of a step three if we run into a wall.

The Planning Board resolution regarding restrictive covenants and a 6-month moratorium on conservation subdivisions will be on the agenda next week. Cl Lamb suggested that it be amended to be effective for six months unless the town board takes action sooner.

Supv Leifer said he has been talking with Martha Robertson and Ray Burger about what NYSEG has done with all the poles on the Ellis Tract. There are connections on Turkey Hill Road that were never a part of the plan. On Stevenson Road they only show five poles and now there are 20 or so. There are eight or more on Turkey Hill. Some of the pole replacements



they've been doing have been replacing a 35' pole with a 45' pole. The town needs to understand what those are and figure out how to have that not happen near the cemetery and figure out how permanent these other ones are.

R Burger stated the interconnections were not specified on the plans. It turns out that the requirements are a pole for a meter, a pole for a regulator and a pole for a recloser, so if anything happens with the circuit, they can shut it off. That happens on the customer side and is repeated on the NYSEG side. That's why there are six poles per interconnect.

R Burger said there are two issues going on with NYSEG, both revolving around the escalating height of their structures.

Supv Leifer said we need to figure out the regulatory side and then go to NYSEG to see what can be done. He said he doesn't want the cemetery site to turn out like this. Cornell didn't know it would look like this either. If this is a result of NYSEG requirements, we need to find out if it can be accomplished in a different way.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 8:16 p.m.

Respectfully submitted,

Bambi L. Avery  
Town Clerk