

**TOWN OF DRYDEN  
TOWN BOARD MEETING  
Held via Zoom  
March 19, 2020**

Present: Supervisor Jason Leifer, Cl Daniel Lamb, Cl James Skaley,  
Cl Kathrin Servoss, Cl Loren Sparling,

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

Other Town Staff: Jennifer Case, Bookkeeper  
Khandi Sokoni, Town Attorney  
Marty Conger, Recreation Director  
Ray Burger, Planning Director  
Christopher Clauson, Town Justice

Supv Leifer opened the meeting at 6:00 p.m.

**RESOLUTION #47 (2020) – APPROVE MINUTES**

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

RESOLVED, that this Town Board hereby approves the meeting minutes of February 13 and February 20, 2020.  
2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

Supv Leifer reported the following *estimated* year-end fund balances:

<b>Fund</b>	<b>2019 Beginning Fund Balance (Unreserved)</b>	<b>2019 Ending Fund Balance (Unreserved)</b>	<b>Change</b>
A	1,306,055	1,594,310	288,255
B	219,603	150,710	(68,893)
DA	496,289	613,415	117,126
DB	593,632	593,085	(547)

**PUBLIC HEARING  
SITE PLAN REVIEW & SPECIAL USE PERMIT  
MARTIAL ARTS SCHOOL  
983 PERUVILLE ROAD**

Supv Leifer opened the hearing at 6:07 p.m. R Burger said Dan Barrow is the applicant and this is reuse of an existing building in a rural agricultural district. The business operates about a 25 hours per week currently and does involve some evening hours.

Applicant said they have operated for 14 years in various locations around Ithaca, most recently on Main Street in Groton. They have outgrown the space there and this location will work well for them. They have about a dozen participants each in the kids and adult programs.

The action is exempt from SEQR and the County in their 239 review found no negative inter-community or county-wide impacts. No public comments have been received. All related documents have been available on the town's website.

The building is a 42' x 28' pole barn with a small addition on the side. There will be no structural changes, just interior modifications. DOT will require the applicant to resurface the gravel driveway. One will be used for entry and one for exit.

R Burger reviewed the conditions in the proposed resolution of approval.

The public hearing was left open at 6:16 p.m.

**PUBLIC HEARING  
CONSIDER AGREEMENTS WITH NYS DOT FOR FUNDING  
TO BUILD A PEDESTRIAN BRIDGE OVER ROUTE 13  
WHERE IT INTERSECTS THE DRYDEN RAIL TRAIL**

Supv Leifer opened the hearing at 6:16 p.m. R Burger explained this is in connection with the proposed pedestrian bridge where the rail trail will cross over Route 13 to the west of the NYSEG intersection. It is a 2.2-million-dollar project with two significant funding sources. There is 1.5 million in funds from the Federal TAP program and \$345,000 in multi-modal funding from New York State. There are two resolutions, one for each source. The federal requires a match of \$369,000 and the multi-modal has no impact on that; it is an additional funding source. In 2016 a SEQR process was done that encompassed the easement procurement process along the right-of-way and also improvements to the right-of-way and that is referenced in the draft resolution. There will be a subsequent SEQR process when the bridge is designed. Erdman Anthony will proceed with design once the agreements are signed. Part of that work is to conduct that SEQR process. The match for the TAP grant can be a combination of cash and in-kind. The TAP funding is reimbursable and that is why the resolution talks about committing the funding. Atty Sokoni has reviewed the agreements.

There were no comments from the public and no written comments have been received. The hearing was left open at 6:21 p.m.

There were no further comments on the matter of site plan approval and special use permit for 983 Peruville Road and Supv Leifer closed the public hearing at 6:22 p.m.

**RESOLUTION #48 (2020) - Approving Site Plan and Granting Special Use Permit for a  
Martial Arts School at 983 Peruville Road, Tax Parcel 22.-1-6.3**

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

WHEREAS,

- A. Dan Barrow/Nan Properties has applied for a Special Use Permit (SUP) to operate a martial arts school at 983 Peruville Road, Tax Parcel 22.-1-6.3; and
- B. An application, SUP worksheet and sketch plan have been submitted, and
- C. The Town Planning Department considers the application complete and in conformance with the requirements of Town Zoning Law §501, §600, §1103 and §1201, and
- D. A public hearing was held on March 19, 2020 with public comments registered in the meeting minutes and considered by this board, and
- E. The Tompkins County Planning Department has reviewed the application pursuant §239 -l, -m, and -n of the New York State General Municipal Law, and
- F. In a letter dated March 4, 2020, the Tompkins County Planning Department determined that the proposal has no negative inter-community, or county-wide impacts, and
- G. The Stormwater Management Officer reviewed the proposal and concluded that only a 'Simple' Stormwater Pollution Prevention Plan (SWPPP), consisting of erosion and sediment control practices, and prepared by the Stormwater Management Officer, is required, and
- H. Pursuant to the New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations at 6 NYCRR Part 617, the Town Board of the Town of Dryden has, on March 19, 2020, determined that this proposal is exempt from review since it is a Type II action under 6 CRR-NY 617.5 (c) (18), and
- I. The Town Board has reviewed this application relative to the considerations and standards found in Town Zoning Law §1104 for site plan review and §1202 for Special Use Permit. NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board approves the sketch plan documents, submitted with the application dated January 16, 2020 as site plan for 983 Peruville Road, conditioned on the following prior to issuance of a Certificate of Occupancy:
  - a. A NYDOT work permit is issued or determined (by NYDOT) to not be required;
  - b. That, if DOT requirements cause the reconfiguration of the parking lot, the reconfiguration is approved by the Planning Director; and
  - c. That non-invasive plants are used for the landscaping/screening of the parking area.
  
2. The Town Board hereby finds that the considerations for approval of the requested Special Use Permit listed in Section 1202 of the Town of Dryden Zoning Law have been met, specifically that:
  - a. The proposed use is compatible with the other permitted uses in the Rural Agricultural district and compatible with the purpose of this district as Service Businesses and Athletic Recreational Facilities are both permitted uses in this zone and this parcel is located along the Route 34B corridor near other commercial businesses;
  - b. The proposed use is compatible with adjoining properties and with the natural and manmade environment, as this proposal is for reuse of an existing building, the nearest residences are about 400 ft distant and a self-storage business is across the road;
  - c. Parking, vehicular circulation, and infrastructure for the proposed use is adequate. The required eight parking spaces are provided and emergency vehicles have access from the roadway;

- d. The overall impact on the site and its surroundings considering the environmental, social and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare, or any other nuisances has been considered and found to be negligible, based on the low volume of traffic associated with this business and that it will not generate noise, dust, odors or release harmful substances;
- e. Restrictions and/or conditions on design of structures or operation of the use necessary to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town have been incorporated into the site plan;
- f. The project complies with the requirements for site plan review and conforms to the Town’s Commercial Design Guidelines to the maximum extent practicable in that: the site is screened from residential uses by the existing landscape and will be further screened by additional landscaping.

3. The Town Board, finding that the applicant is in compliance with all other provisions of the Town Zoning Law and other applicable ordinances, approves a Special Use Permit for the martial arts school at 983 Peruville Road with the Town of Dryden Standard Conditions of Approval as amended August 14, 2008.

2<sup>nd</sup> Cl Skaley

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

With respect to the funding agreements for the pedestrian bridge, R Burger said the design phase will be in year one with groundbreaking expected in 2021. Supv Leifer expects there will be a need to bond, but we’ll know for certain when we get closer. The board reviewed the proposed resolutions.

Cl Lamb said this is a step the town has been expecting to take all along. It was anticipated when the grant was applied for and will be a great investment for the community.

Martha Robertson said this was a good plan and will be wonderful for the town.

The public hearing was closed at 6:32 p.m.

**RESOLUTION #49 (2020) - Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid locally-administered project, and appropriating funds, therefore.**

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

WHEREAS, a Project for the Dryden Rail Trail Phase 2 P.I.N. 395071 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Town of Dryden desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design, Row & Construction; and

WHEREAS, the Town Board on December 15, 2016 issued a negative declaration under Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, "SEQR") with respect to work on the Dryden Rail Trail.

NOW, THEREFORE BE IT RESOLVED, that the Town Board, hereby authorizes the Town of Dryden to pay in the first instance 100% of the federal and non-federal share of the cost of Design, Row and Construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$2,190,675 is hereby committed and will be bonded for and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town of Dryden shall convene as soon as possible to appropriate said excess amount immediately upon receipt of notification by the Town from New York State Department of Transportation (NYSDOT) , and it is further

RESOLVED, that the Supervisor of the Town of Dryden is hereby authorized to execute all necessary Agreements, certification or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Dryden with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.  
2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**RESOLUTION #50 (2020) - Authorizing the implementation, and funding in the first instance of the State Multi-Modal Program-aid and State administered federal program aid eligible costs, of a capital project, and appropriating funds, therefore.**

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

WHEREAS, a Project for the Dryden Rail Trail Phase 2 P.I.N. 395071 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, and New York State Multi-Modal Program administered by the NYS Department of Transportation (NYSDOT); and

WHEREAS, the Town of Dryden desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the project; and

WHEREAS, the Town Board on December 15, 2016 issued a negative declaration under Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, "SEQR") with respect to work on the Dryden Rail Trail;

NOW, THEREFORE BE IT RESOLVED, that the Town Board, hereby authorizes the Town of Dryden to pay in the first instance 100% of the federal and non-federal share of the cost of Design, Row and Construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$2,190,675 is hereby committed and will be bonded for and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town of Dryden shall convene as soon as possible to appropriate said excess amount immediately upon receipt of notification by the Town from New York State Department of Transportation (NYSDOT) , and it is further

RESOLVED, that the Supervisor of the Town of Dryden is hereby authorized to execute all necessary Agreements, certification or reimbursement requests for Federal Aid and/or Multi-Modal Project Funding on behalf of the Town of Dryden with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.  
2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Varna Water/Sewer**

The board discussed a proposed resolution prepared by Cl Skaley to authorize TG Miller to prepare an engineering report and assist in application for funds to the Environmental Facilities Corporation and NYS Department of Health for repair/replacement of water and sewer mains in the hamlet of Varna. A lot of the information has already been gathered in other efforts.

**RESOLUTION #51 (2020) - Selection of TG Miller to prepare an engineering report and assist with application to Environmental Facilities Corporation to fund replacement of sewer and water mains in the hamlet of Varna.**

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

Whereas, the water and sewer mains in the hamlet of Varna are old dating back to the 1950s and 1960s and are in a state of disrepair and have experienced numerous breaks in past years, and

Whereas, the NYS DOT is scheduled for major roadwork on Route 366 in the hamlet of Varna including repaving and sidewalk construction starting in the spring of 2022, and

Whereas, the initial deadlines to secure funds from the NY Environmental Facilities Corporation for sewer funding is May 1 2020 for funding in 2021, and similarly, the anticipated deadline for funding by the NY Department of Health is mid-summer 2020, and

Whereas, TG Miller has much of the information to generate a full engineering report by April 2020, be it therefore,

Resolved, that the Town Board of Dryden hereby authorizes the Town Supervisor to enter into an agreement with TG Miller to complete a scope of work and an engineering report at a total cost not to exceed \$11,000.00 (funded by the applicable special districts) including cost estimates separately for the water and sewer work in the hamlet of Varna and to provide whatever other services are required to assist in the application of funds to the Environmental Facilities Corporation and the NYS Department of Health.

2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**Hanshaw Village MHP Refund**

There was Stipulation & Consent Order in the matter of KDM Development Corporation & Hanshaw Village MHP vs the Town of Dryden & Tompkins County. It provides for a reduction in assessed value of \$150,000 for 2014 through 2020. The amount to be refunded has been calculated and the board was asked to authorize payment of this amount outside the abstract.

**RESOLUTION #52 (2020) – AUTHORIZE PAYMENT OUTSIDE THE ABSTRACT – HANSHAW VILLAGE MHP**

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

RESOLVED, that this Town Board, pursuant to an Stipulation and Order filed in the Tompkins County Supreme Court, hereby approves a payment outside the abstract to Hanshaw Village MHP in the sum of \$4,077.02 which represents a refund of taxes paid on the value of \$150,000 in assessed value for the years 2014 through 2020.

2<sup>nd</sup> Cl Skaley

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

## **COVID19 Response Updates**

Staffing at town hall has been reduced and most are working from home. The town hall is closed to the public. The town clerk's office will continue to pick up and distribute mail, answer the phones, respond to email and carry on daily duties to the extent possible though the office may not be staffed continually through the day. Highway employees are following guidance issued by the NYS DOT Regional office. DPW staff are disinfecting highway and town hall buildings. Highway/DPW staff are on 24-hour call. Local courts have been shut down for 45 day and court staff are not allowed to do any work activities. Recreation programs have been cancelled for the next month and they are holding off on scheduling spring sports.

Supv Leifer has been in touch with the Superintendent of Dryden Schools. They have a plan to get food to kids on free and reduced lunch or the backpack program. School is closed for a month and they are doing remote lesson plans. If necessary, highway department staff can help with delivery.

Ithaca Schools are also doing food delivery. Meal distribution is happening in Caroline and at DeWitt middle school. If necessary, Varna Community Center may need to be utilized. Ithaca is actually turning volunteers away. People who can't get to distribution points can call for delivery.

There is now a testing facility in the County.

The situation remains in flux and there are new executive orders daily.

The local Chamber and TCAD are waiting to see what may be needed to help local businesses. The town has a business loan fund (need to follow HUD rules).

The CERT Team is putting together an ad for The Shopper for next Tuesday. There is a Facebook group trying to figure out a community response what their role might be and how to fill in where schools are missing.

Supv Leifer announced there will be a meeting on Saturday of town supervisors to see what everyone is doing, determine who will need assistance locally and identify food pantries, community dinners, etc. He asked R Burger to see about putting together a residence map. Martha Robertson suggested the Human Services Coalition should be contacted.

## **Rail Trail Grant Application**

The board has received a request from the Rail Trail Task Force to authorize a grant application.

### **RESOLUTION #53 (2020) – AUTHORIZE THE DRYDEN RAIL TRAIL TASK FORCE TO APPLY FOR A TOMPKINS COUNTY MUNICIPAL PARKS AND TRAILS GRANT**

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

WHEREAS, the 2005 Town of Dryden Comprehensive Plan and the 2011 Recreation Master Plan both identified a need for increased outdoor leisure and recreational space; and

WHEREAS, in the Spring of 2016 the Town Board appointed a Rail Trail Task Force made up of volunteer community members and authorized it to take deliberate steps to develop a Dryden Rail Trail in the historic Lehigh Valley Railroad corridor; and



WHEREAS, the Task Force has made significant progress advancing the trail project including obtaining easements along its 10.5-mile length, and

WHEREAS, the Task Force has obtained a \$182,000 matching fund grant from the NYS Office of Parks, Recreation and Historic Preservation Environmental Protection Fund (EPF), and

WHEREAS, the Task Force has obtained a \$50,000 Tompkins County Tourism Capital Grant, and

WHEREAS, the Town of Dryden has obtained a \$1.5M New York State Transportation Alternatives Program (NYS TAP) grant for construction of a Route 13 crossing and for trail surfacing, and

WHEREAS, the Tompkins County Legislature, in adopting the 2020 budget allocated funding for a Municipal Parks and Trails grant opportunity,

NOW THEREFORE BE IT RESOLVED that the Town of Dryden authorizes the Dryden Rail Trail Task Force to apply for a Tompkins County Municipal Parks and Trails grant, not to exceed \$5,000, towards the cost of a trail-crossing plan and highway signage and safety features, to include solar-powered pedestrian-operated signs, at the Game Farm Road crossing of the Dryden Rail Trail.

2<sup>nd</sup> Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

**COUNTY UPDATE**

Martha Robertson reported the County opened an emergency operations center a week ago and all the main players are in continuous contact. Frank Kruppa is leading the effort in the virus crisis. The County Health Department has a wealth of information on their website and it will continue to be updated.

Village elections have been postponed to March 28 and there is hope of moving the presidential primary to coincide with the state primary.

County staff is working at 60% and they are working to reduce that. Certain things can operate as they have been, others are definitely changed. Email or call before making assumptions about a department being open and/or staffed.

Most county projects are out to bid at this point. Highway employees are mostly sent home and by April 1 they may have a sense of what might move forward.

Administrative offices at the Sheriff's office are closed. Visitation of inmates is suspended. Phone calls from inmates are free for now.

Social Services is operating by phone. Tompkins Workforce NY is closed and has a new system for filing unemployment claims. County health nurses are following up and monitoring people in quarantine. The hospital is planning ahead for surged spaces.

Supv Leifer reported the broadband grant deadline was pushed to March 31 and may be pushed back further.

Cl Skaley will be taking the lead on the grant application for the water/sewer funding.

John Kiefer reported the Planning Board is planning to meet via Zoom next week.

Supv Leifer may call the board for a special meeting next week if necessary.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 7:41 p.m.

Respectfully submitted,

Bambi L. Avery  
Town Clerk