

**TOWN OF DRYDEN
TOWN BOARD MEETING
September 19, 2019**

Present: Supervisor Jason Leifer, Cl Daniel Lamb, Cl Alice Green
Absent: Cl Linda Lavine, Cl Kathrin Servoss
Elected Officials: Bambi L. Avery, Town Clerk
Other Town Staff: Ray Burger, Planning Director
Khandi Sokoni, Town Attorney

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

TOWN CLERK

RESOLUTION #129 (2019) – APPROVE MINUTES

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

RESOLVED, that this Town Board hereby approves the meeting minutes of August 8 and 15, 2019, as submitted.

2nd Cl Lamb

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

**PUBLIC HEARING
ACCEPTANCE OF EASEMENTS FOR RAIL TRAIL**

Supv Leifer opened the hearing at 6:06 p.m. Ray Burger explained that the town continues to obtain easements in the project process. This public hearing is for the acceptance of four easements. Donors are: 1) Charles Leonard 2) Shawn Leonard & Mariya Leonard 3) Cathleen McDermott Donovan 4) Albert J Volpini & Janice Volpini, all near the Etna area.

Comments:

Jim Skaley encouraged the town to accept the easements.

Cl Lamb thanked the Rail Trail Task Force for its' perseverance. Cl Lamb inquired as to how many more easements were needed to complete the trail. R Burger stated about 33 out of the 48 are in place.

There were no further comments and the hearing was left open at 6:08 p.m.

BUDGET MODIFICATION

Supv Leifer explained Recreation has requested a budget modification to move \$525.00 from the marketing line to create a new line in the budget for the recreation van expenses.

RESOLUTION #130 (2019) – APPROVE BUDGET MODIFICATION

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

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

From	To	
A7330.414 Marketing	A7020.402 Van	To create a new budget line

2nd Cl Lamb

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

Marriage License Fees

Supv Leifer presented a resolution request from the Town Clerk regarding waiver of marriage license fees.

RESOLUTION #131 (2019) – WAIVE TOWN PORTION OF MARRIAGE LICENSE FEES

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

Whereas, on August 20, 2019, Governor Andrew Cuomo signed a bill amending Domestic Relations Law and waiving the state portion of the fee required for a marriage license when either party is an active member of the military, and

Whereas, said amendment also provides that towns and cities may elect to waive their portion of the marriage license fee and the marriage certificate fee, now therefore, be it

RESOLVED, that the Town of Dryden hereby waives the town portion of any fees for a marriage license and subsequent certificate when either party to the marriage license is an active member of the military.

2nd A Green

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

HIGHWAY SUPERINTENDENT

The Highway Superintendent is attending a conference and has submitted the attached report.

PLANNING DEPARTMENT

R Burger reviewed his written report (attached). Trinitas has responded to requests for more information. The application is being evaluated to determine whether it is complete. Copies will be available for review at the Varna Community Center and at town hall.

The kick off meeting for the comprehensive plan update was held with the planning board and the selected consultant (Environmental Design & Research). It was a good discussion on the scope of the project and how the process should proceed. He expects to be talking about a community outreach plan and particulars of the survey. Cl Lamb inquired as to who was at the meeting from EDR. R. Burger advised Walt Kalina, Sam Gordon, and Erica Tauzer. Jane Rice was not able to make that meeting, but she will be the principal partner on the project. Cl Green inquired as to the timing for the next meeting. R Burger advised the 2nd Wednesday of November they will meet with steering committee again; which is the entire Planning Board at this point.

Supv Leifer closed hearing on acceptance of the rail trail easements at 6:18 p.m.

RESOLUTION #132 OF 2019 AUTHORIZING ACQUISITION OF EASEMENTS FOR THE PURPOSES OF PROVIDING RECREATIONAL OPPORTUNITIES TO THE PUBLIC

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, the Town wishes to create a recreational trail (“the Trail”) for non-vehicular use by the public within abandoned railroad property; and

WHEREAS, the property owners listed in the attachment hereto entitled “Trail Easement Agreements Town of Dryden” (“the Property List”) wish to grant to the Town easements (“the Trail Easements”) across those portions of the parcels they own consisting of abandoned railroad property (“the Easement Areas”) for the Trail; and

WHEREAS, the property owners agreed to grant the easements to the Town for nominal consideration, and the Town will not have to expend funds to acquire the easements; and

WHEREAS, such property owners executed proposed agreements with the Town (“the Trail Easement Agreements”); and

WHEREAS, the Town wishes to accept the Trail Easements; and

WHEREAS, §247(3) of the General Municipal Law provides that the acquisition of interests or rights in real property, including by easement, for the preservation of open spaces is a public purpose and that such acquisition requires a public hearing subject to due notice; and

WHEREAS, a public hearing on the proposed acquisition of the Trail Easements was held on September 19, 2019 at 6:05 p.m. at the Town Hall of the Town of Dryden, 93 East Main Street, Dryden, New York 13053, and notice of such public hearing was duly given by posting at the Town Hall and publication in The Ithaca Journal; 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 acceptance of the Trail Easements;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board finds that the acceptance of the Trail Easements and execution and recording of the Trail Easement Agreements in the form attached hereto is in the public interest; and be it further

RESOLVED that the Town Board finds that the Easement Areas are suitable for a recreational trail; and be it further

RESOLVED that the Town Board approves the Trail Easement Agreements and authorizes the Town Supervisor to execute them and any and all related documents required for recording of such Agreements.

2nd Cl Green

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

Attachment A
9-19-19
Trail Easement Agreements Town of Dryden

<u>Property owners</u>	<u>Tax parcel numbers</u>	<u>Deed references</u>
1. Charles Leonard	39-1-12.141 and 39-1-12.143	Liber 654 Page 1043
2. Shawn Leonard & Mariya Leonard	39-1-12.142	Instrument #2017-10818
3. Cathleen McDermott Donovan	39-1-12.12	Instrument #525171-001
4. Albert J. Volpini & Janice Volpini	39-1-12.22 and 39-1-12.23	Instrument #2014-09163

PUBLIC HEARING
MILL CREEK SUBDIVISION
ACCEPTANCE OF 2 PARCELS OF PROPERTY

R Burger provided an explanation of the two parcels being deeded to town out of the Mill Creek Subdivision. The two parcels include 23 acres on Fall Creek that is intended to be preserved as passive recreation and 3.5 acres on Wood Road for active recreation. The 3.5 acres could be ball fields, nature trail through woods, or a picnic area. SEQR was done by Planning Board.

Cl Lamb stated it is nice to have something centrally located where we could have ball fields; it has been talked about for years.

PUBLIC COMMENT

Sarah Barrows is concerned about the use of the word “intended”. She lives across from the parcel and built with idea of it being a quiet area. There is no specific language in the documents that it would be compatible. The covenants call for a home with accessory building.

R Burger advised that the Planning Board made a recommendation that is in the resolution and Supv Leifer read it aloud.

Atty Sokoni explained this is not a restrictive covenant as written into the deed. This resolution is clear that there will not be inconsistent uses, but a future board could change its mind. Cl Green said the DRYC will be charged with looking at that 3.5-acre parcel and determining how it will be used.

There were no further comments and Supv Leifer closed the public hearing at 6:30 p.m.

RESOLUTION #133 (2019) – AUTHORIZING ACCEPTANCE OF TWO PARCELS OF LAND IN THE MILL CREEK PRESERVE SUBDIVISION

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

WHEREAS,

On August 22, 2019, the Town of Dryden Planning Board approved a final plat by Resolution #19 of 2019, for the Mill Creek Preserve Subdivision (Tax parcel # 33.-1-3.2), that included two parcels, labeled Parcel A and Parcel B, to be conveyed to the Town of Dryden, and

Parcel A is a 3.5 acre parcel along Wood Road and Parcel B is a 22.808 acre parcel along Fall Creek, and

The Planning Board recommends that the Town Board resolution accepting those parcels state that the 3.5 acre parcel is intended to be a public park and there will be no activities inconsistent with that on the parcel and that the 22.8 acre along Fall Creek will be conserved essentially in its natural state and activities on the parcel will not be inconsistent with such conservation, and The Planning Board, at a meeting held on July 25, 2019, by Resolution #15 of 2019, made a negative determination of environmental significance in accordance with the State Environmental Quality Review Act (SEQRA), and

Following a duly published legal notice, the Town Board of the Town of Dryden held a public hearing pursuant to § 247 of the General Municipal Law of the State of New York on Thursday, September 19, 2019 at 6:15 p.m. in the Town Hall, 93 East Main Street, Dryden, New York, to consider the Town’s acquisition of these two parcels, and

The Town Board, at the above-stated time and place, provided the opportunity to hear all persons wishing to be heard with respect to the foregoing, and

In addition, the legal notice that was published stated that any interested parties may submit written comments addressed to the Dryden Town Clerk, 93 East Main Street, Dryden, New York 13053 and actually received by the date and time of the public hearing as set forth therein, and

BE IT NOW RESOLVED,

1. The Town Board approves acceptance by the Town of Parcel A to be used as a public park and there will be no activities inconsistent with that on the parcel, and
2. The Town Board approves acceptance by the Town of Parcel B to be conserved essentially in its natural state and activities on the parcel will not be inconsistent with such conservation, and
3. The Town Supervisor is authorized to sign any documents, as approved by the Attorney for the Town following review of title, necessary for the transfer of these two parcels to the Town.

2nd Cl Lamb

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

**PUBLIC HEARING
TRAIL LICENSE
SOUTH HILL RECREATION WAY EXTENSION**

Supv Leifer – We have been offered a trail license from NYSEG which allows the town to develop land owned by NYSEG that they are not using. There is no time frame requiring us to do anything. Ithaca will probably do their part of the trail before anyone else gets to it.

PUBLIC COMMENT

David Wrisley, III, 130 German Cross Road, which is at the far reach of the trail, said he owns 100 acres that has been in the family for six generations, 100 years. His biggest concern is that it will cause trouble for the four property owners who are adjacent to the South Hill extension of the trail. Only four tax payers in the town are affected by this. His wife walked for a half hour on the South Hill Recreation Way trail. All she saw were people walking dogs off leash, going off the trail, and people have created trails off the recreation trail. There were lime bikes, garbage bags, and dog poop not picked up. They have been a private property for 100 years. The trail will help Ithaca and the county, not the town of Dryden. They pay a lot of money to have a private piece of heaven that will now be trespassed on. His family grew up hunting and has cultivated their property to feed deer to hunt during the season. He would appreciate board members going out there and taking a walk. There is no parking in that area for users.

In going through old deeds and one dated January 1996, he believes they actually own the property. He found an easement dated 1946 from his great, great grandmother to NYSEG that talks about the railroad system and their property being involved with that. He is not sure that NYSEG actually owns the property. They would like to remain as private as possible and would like board to help them out.

David Weinstein, 51 Freese Road, said he appreciates the desire for privacy but we have a population that needs recreation. The trails that we have get a lot of use. He used to be the steward for a property that abuts the South Hill Recreation Way and over the last 20 years

he has not seen a lot of the problems we are talking about. He may have seen one bag of dog poop. We get these ideas that people are really going to make a place awful. In fact, they don't. In general, you lose a bit of privacy for property that people are walking on occasionally, and he does not think the problems mentioned are realistic problems.

Peter Brown, 190 German Cross Road, has a 1,500' strip of land across from the Wrisleys. He has lived there since 1974 and has personally experienced trespassers. He has an open field adjacent to the old railroad bed and the people he meets on the trail that don't belong there have all been belligerent. He has found people sleeping under pine trees in the winter in arctic sleeping bags that were just passing through Ithaca. Another concern is at the intersection of German Cross Road and the trail there is a liquid petroleum switching station. Their right of way is where the trail bed crosses the road. All the available parking area that could be utilized for that end of the trail has no trespassing. He was told by someone who maintains that, that they enforce the no trespassing because since 911 all of these facilities are on a hit list by terrorists. That leaves only parking on a road with no shoulder or on private property. There has been some usage of motorized vehicles. What will Dryden do to protect his privacy and keep people on that trail? The only four taxpayers along this section are strongly opposed.

Cl Lamb said we have some experience in working on the trail. We have worked to reduce trespassing, dog waste, and increase a sense of safety on the trail. Signage is important and we need to be good neighbors. There needs to be a group of people doing what we do here in keeping good behavior. If there is no parking, there is no parking. That will need to be addressed.

Supv Leifer said right now NYSEG is saying that if the town chooses to do something we can. The town has supported trails with the same concerns. This agreement actually allows the town to get on the property to look at it.

Bill Hilker said he is not a resident of the town but lives adjacent to the South Hill Trail. He has experienced a lot of trespassing on his property, which is not adjacent to the trail property, but they still come down his driveway and into his property. They come in during parties. It is unnerving to have strangers walk into your property. At one point a man became very belligerent on his personal property and knocked him down to go by him. He was very unnerved by the incident. What NYSEG is offering is a ten-year license giving the town the right to use the property.

Supv Leifer said it is the rights to use the property just as a recreation trail, not all of their rights. They reserve the right to repossess the property at any time if needed for their own purpose.

B Hilker said the only rights given to the railroad was the right to put a railroad there. Our attorney is out of Washington DC and is an authority on trails put illegally on people's property. He has elicited very high monetary damages from municipalities. The railroad (not in all cases but in our case) rights were for railroad purposes only and when it ceased to be used for railroad purposes it reverted back to the landowners. NYSEG doesn't necessarily own everything. The Town should be absolutely sure what it is getting into. It could be in a position to reimburse landowners for everything done against their land.

Cl Lamb said we have learned that concerns about safety and behavior on the trail have improved when the trail became an official trail and is used more. With regular users it is almost self-policing. We would expect the same with this operation. The other municipalities

involved have worked on this for years and we are pretty confident that they have their legal positions correct. It would be hypocritical for Dryden to hold back efforts of Ithaca, Caroline and Tompkins County. We take the comments seriously, but we have other experiences on the line here.

D Wrisley - Hypocritical? You work for the tax payers of Dryden; don't you want to do what is right for just the taxpayers of Dryden? Doesn't that take precedence over everything else for you? Three of the four taxpayers of that section are here tonight and against the trail.

Craig Schutt - I feel bad that these people have come to the board and it seems you are trying to trivialize their concerns. I use the Jim Schug Trail a lot, 4-5 times a week, don't tell me no garbage gets thrown out there. Down at the Dryden Lake Park it's not uncommon to come across a bunch of garbage where people have emptied their cars out. I'm sure the highway department ends up picking it up, but why should they have to do that? We're paying for their time. This morning I saw at least three bags of dog poop thrown off to the side and beer cans. I also heard three gun shots this morning. I park on Purvis Road and I noticed three holes in the rail in the parking lot. I don't like to see you sugar coat and trivialize.

Cl Lamb - I reject that, no one is sugar coating or trivializing.

B Hilker said the people who misuse the trail are probably a small percentage, but a small percentage does a lot of damage. There is no policing on the trail; there may be a warden, but he has no arrest or ticketing authority. People have had houses broken into from the trail. There are no reports because the reports are assessed to a Coddington Road address and not to the rail trail. That's true all over the country.

D Wrisley asked if there a point of contact with NYSEG they could use and was told it would probably be the same people he talked to before.

Supv Leifer said privacy concerns are the same as with Dryden Rail Trail. Money is invested in keeping people's privacy and concerns are being addressed and mitigated. They understand the trail is close to one home and that would have to be addressed. He imagines the rail trail group will help address it.

B Hilker said one other issue is that hunting happens all around the trails, and there are poachers. It's dangerous to be walking through there. The Town of Ithaca posts that it is not to be used during hunting season, but people continue to do so.

Cl Lamb said if people are already using it, we might see better behavior if it is formalized.

D Wrisley - I just provided you with a 30-minute jaunt of people not following rules (seven different accounts) and no one is enforcing. Think about possible repercussions for the four people paying taxes here that are the only ones affected by it. The Wrisleys have paid hundreds of thousands in taxes over the last 100 years and not once have they grumbled. He is asking the board to back them as taxpayers for once in their generation.

Cl Lamb said he appreciates his point, but we like to think that we provide services for the taxes and it hasn't been a one-way interaction.

D Wrisley - I can tell from what this gentleman said that your sarcasm is gone way past me. I can tell by your sarcastic look it's BS.

Supv Leifer/Cl Lamb advised him he was out of line.

Shirley Lyon said she saw a little girl by the lake today run right through horse poop. Someone needs to do something about horse poop on the trail. There were 23 piles between the beginning of the lake and Purvis Road. Horses are getting a pass while the sign says pick up after your dog.

Bob Beck said folks that live along the Jim Schug Trail were opposed early on and as they and their families have used it, they have come to love it. In general, they may be reluctant at first but later find it is an asset to their property. It is scary and new for some folks, he understands, but thinks it would be helpful to think about how it could be a positive impact – family and friends can walk and exercise. As increased numbers of people use the trails, the bad actors go away. The bad guys don't want to be seen with good folks. Everyone these days has a cell phone to call authorities and get a problem taken care of. Most of the problems are because the trouble makers think they are not being seen. Making it an official trail is a good way to solve the problem.

B Hilker said they fought the trail when the lead was the county and then Caroline was lead agency. Now it is going town by town where there isn't a single entity for them to come after. That is not fair to people along the proposed trail.

Cl Green said she does not trivialize the concerns. She owns property on another spur of the old Lehigh Valley railroad. It scared her that people might invade their privacy close to their home. That section now is not a public trail but is frequently used by neighbors and folks drive to that section. It has been one of the best things that has happened for their neighborhood. She feels more protected when she walks her dog. There is hunting and she makes sure that people know that they shouldn't be out during shotgun season. She will vote yes to receive this. She has been working on the Rail Trail Task Force for almost four years. They will be working with property owners should there be a decision that a trail goes through. They want to pay attention to concerns if this gets developed. We do represent these four taxpayers and represent hundreds of others that have been clear that they enjoy using the trails and want the town to make more opportunities for safe, off-road recreation for their kids to walk and ride bikes, for families of all ages to use those trails. We really believe in that. We hear the concerns because we are your neighbors and have had similar experiences and we want to pay attention to the larger concerns of the town and will continue working with you. I hope you'll understand the vote taken tonight.

Supv Leifer closed the public hearing at 7:15 p.m.

**RESOLUTION #134 (2019) - AUTHORIZING ACCEPTANCE
OF LICENSE FOR RECREATIONAL TRAIL FROM NEW YORK STATE
GAS AND ELECTRIC (NYSEG)**

Supv Leifer offered the following resolution:

WHEREAS,

Following a duly published legal notice, the Town Board of the Town of Dryden held a public hearing pursuant to § 247 of the General Municipal Law of the State of New York on Thursday, September 19, 2019 at 6:25 p.m. in the Town Hall, 93 East Main Street, Dryden, New York, to consider the Town's acquisition of interim rights to use land owned by NYSEG in connection with the recreational rail trail, and

NYSEG proposes to grant to the Town, and the Town wishes to accept from NYSEG without warranty a revocable, non-exclusive license to Tax Parcel Numbers 71.-1-25 and 71.-1-28 in the Town of Dryden to allow for the public’s use of said parcels for walking, hiking, jogging, bicycling and cross-country skiing, all recreational activities permissible along the trail, and

The Town Board, at the above-stated time and place, provided the opportunity to hear all persons wishing to be heard with respect to the foregoing, and

In addition, the legal notice that was published stated that any interested parties may submit written comments addressed to the Dryden Town Clerk, 93 East Main Street, Dryden, New York 13053 and actually received by the date and time of the public hearing as set forth therein, and In consultation with the Attorney for the Town, the Town has reviewed, revised and negotiated a certain license agreement proposed by NYSEG,

BE IT NOW RESOLVED,

1. The Town is authorized to accept from NYSEG without warranty a revocable, non-exclusive license to Tax Parcel Numbers 71.-1-25 and 71.-1-28 in the Town of Dryden to allow for the public’s use of said parcels for walking, hiking, jogging, bicycling and cross-country skiing, all recreational activities permissible along the trail, and
2. The Town Supervisor is authorized to sign said license agreement in the form approved by the Attorney for the Town.

2nd Cl Lamb

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

Supv Leifer there are currently no plans on the table at this point for developing the trail.

I-DEAL SELF-STORAGE

Project Introduction

R Burger explained about two years ago a new business (I-Deal Self-Storage) opened at the intersection of Freeville Road and Enterprise Drive. At that time a single building was put in and now the applicant is requesting an expansion for another building. Bill Hilker said they were approved for the present self-storage unit on Freeville Road. He hopes the board is satisfied with what they’ve done there. They have tried to make it look good for the town and the village. It has been a different experience for them. They have three other sites in the county. Those have all been extremely wanting for climate controlled self-storage. They thought Dryden would be the same, but it isn’t the same. Two-thirds of the Dryden site is climate controlled (at a lot more expense) and 1/3 is standard storage. The standard storage filled right up and was 100% full all summer. They have struggled to get to 60% occupied for the climate control units. They would like to have a second building as a standard storage facility because that is the demand in the town. It would be 20’ wide by 170’ long with 34 units. The larger 10’ x 10’ units are in demand. They are hoping to build this long, narrow unit in the next year or two and perhaps a third in the future if all goes well.

R Burger said we can have a public hearing in October if all materials are in place. DOT won't grant a curb cut on Route 38, so there will be a single driveway and there may be some issues with fire department access. There is a sidewalk on the plan for Freeville Road, but not along Enterprise Drive. The matter was tentatively scheduled for 6:05 at the October 17 business meeting.

Apple Orchard PRV Intermunicipal Agreement

Supv Leifer said we have been working on this for months to secure the water supply for the Varna water system. The town will take over the infrastructure and be responsible for maintaining it, including a portion in the town of Ithaca. The town of Ithaca is considering a similar resolution and once adopted by them, this it will be added to the consolidation assets for the water district consolidation.

Resolution #135 (2019) - Approving an Inter-Municipal Agreement Between Town of Dryden and Town of Ithaca Regarding Maintenance, Management, Use and Control of the Apple Orchard PRV and NYS Route 366 Water Main

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

WHEREAS, the Town of Dryden (hereafter "Dryden") is the sole member municipality of the Southern Cayuga Lake Intermunicipal Water Commission (hereafter "Bolton Point") lacking a direct physical connection to the Bolton Point water transmission main within its municipal boundary, and Ithaca, Dryden and Bolton Point have historically utilized the Apple Orchard Pressure Reducing Valve (hereafter "Apple Orchard PRV") and NYS Route 366 water mains (hereafter "Mains") as a secondary source of supply for the Ithaca Sapsucker Woods Tank and Dryden Distribution System; and

WHEREAS, recent development within Dryden necessitates the need to provide an alternative source of supply for the Dryden water distribution system, Ithaca does not have sufficient capacity within its Sapsucker Tank to adequately supply Dryden and its future development, and this increased development, demand, and need necessitates the need to provide a primary source of water supply to Dryden through the Apple Orchard PRV and Mains, and Dryden desires that the Apple Orchard PRV and Mains become the primary source of supply for the Dryden Distribution System, and Dryden desires to utilize and control the Apple Orchard PRV and Mains on behalf of the several Dryden water benefit district(s) presently relying upon the continual supply of Bolton Point water, or any future consolidated water district(s) and Ithaca is willing to agree to permit Dryden to utilize and control the Apple Orchard PRV and Mains for the purposes of extending, expanding, repairing, replacing and maintaining this infrastructure for the co-benefit and use of Dryden, upon the terms and conditions hereinafter stated; and

WHEREAS, the Town of Ithaca (hereafter "Ithaca") will retain the ownership interest in the Apple Orchard PRV and Mains and their remaining capacity for the benefit of continuing service to its parcels in respect of its town-wide Article 12-C water improvement area, and at present the only Ithaca parcels having a water connection utilizing the Apple Orchard PRV and Mains are Cornell University facilities,

BE IT NOW RESOLVED, that the Town Board of the Town of Dryden approves the execution of an Inter Municipal Agreement entitled " Inter-Municipal Agreement Between Town of Dryden and Town of Ithaca Regarding Maintenance, Management, Use and Control of the Apple Orchard PRV

and NYS Route 366 Water Main” (hereafter “Agreement”), which agreement shall provide as follows:

1. Current Ithaca parcels connected to the Mains (mainly between the Apple Orchard PRV and Game Farm Road) will continue to be Ithaca customers and billed for water consumption and any Ithaca District indebtedness. A map and list of facilities that are currently serviced by the Main to be contained in Exhibit C thereof.
2. In Exhibit D the agreement shall outline an estimate of the remaining capacity in the Apple Orchard PRV and Mains (the “System”), and represent the remaining capacity allocable to Ithaca prior to being required to pay for, or contribute to, any upgrades or improvements to the System. Once the hook-ups and amount of water delivered to Ithaca exceeds the capacity listed in Exhibit D, Dryden shall undertake improvements to the System, including but not limited to increasing main sizes or System capacity, to continue to serve both the Ithaca properties and any needed flow rates or capacity for Dryden districts and authorized users.
3. Any new connections to the Main after the effective date of the Agreement shall be subject to prior review/approval of Dryden, which may not be unreasonably withheld unless Ithaca’s capacity has been exceeded and Ithaca and Dryden have not come to agreement upon the allocation of costs for System improvements.
4. The termination or abandonment of any existing Ithaca customer connections shall be completed at the Main per Bolton Point Standards in a timely manner.
5. Dryden hereby undertakes all responsibility for the testing, management, inspection, maintenance, repairs to, and replacement of the System and its appurtenances, and all related costs thereof, and accepts each and all such components, appurtenances, and the Apple Orchard PRV, Mains, and System is their respective and collective present “AS IS, WHERE IS” location and condition, without recourse. Dryden is responsible for all system upgrades and capacity improvements, except as may be required by paragraph 2, above. For the purposes of clarity, Dryden is also responsible for: (i) mowing and any building and grounds maintenance for Apple Orchard PRV and Main locations and improvements; (ii) all electric costs for the Apple Orchard PRV and Main, and Ithaca and Dryden shall cooperate to have all electric billing accounts transferred to Dryden; (iii) all Bolton Point billing for SCADA upgrades and maintenance, and Ithaca and Dryden shall cooperate to effect such change in Bolton Point billing and invoicing. The responsibilities of Dryden shall cover all Apple Orchard PRV and Mains, and all related facilities, from the take off point as defined in Bolton Point Rules and Regulations, being the first outlet valve off the SCLIWC transmission main subject to the Oakcrest pump station, Burdick Hill and East Hill water storage tank pressures, being also the outlet valve off the transmission main to the PRV building.
6. The following procedures shall apply to system management and upgrades: (a) At any time during the period of this Agreement, or any Renewal Term hereof, either Party may present to the other a plan for the expansion of the System to meet current and future capacity requirements of the respective water districts; (b) Whenever Ithaca or Dryden commence the process of examining upgrades or improvements to the System, such Party shall notify the other and allow the other Party to participate so as to provide for proper capital and cost management and improvements, as well as the proper coordination of System construction and financing; and (c) at least once in the year preceding the commencement of any Renewal Term the Parties shall coordinate to determine whether any capital improvements or increases in System capacity are required. In any case where both Parties are to participate in capacity upgrades, the terms and conditions for sharing the capital cost of such an expansion will be covered by a separate agreement. Unless a Party participates in the upgrade in capacity, the allocation of available increased capacity shall belong to the Party paying for or financing such improvements; otherwise capacity shall be allocated fairly in the separate agreement referenced above.

Notwithstanding the foregoing or any other clause in this Agreement, Dryden is and hereafter shall be solely and primarily responsible for all construction contracts and installations implementing all improvements, as well as all costs pertaining to general System costs, and management, including all maintenance and repair. However, both Parties reserve the right to effect inspections to assure proper construction, and agree that Bolton Point may also undertake final inspections, testing, and permitting in respect of the same.

7. Whenever Dryden undertakes action in respect of the System, including inspections and surveying, Dryden shall be deemed to be acting jointly with, and as an agent of, Ithaca, and shall act in accord with, and within the scope of, any easements and rights-of-way running in favor of Ithaca allowing access to the System. If and as needed, Ithaca agrees to cooperate to help obtain any needed easements, licenses, or rights-of-way naming or running in favor of Dryden as are now or hereafter necessary or convenient for the Parties to implement this Agreement and carry out the duties and responsibilities set forth herein.

8. The Parties acknowledge that the Agreement does not require a permit from the New York State Department of Environmental Conservation (DEC) pursuant to Environmental Conservation Law § 15-1521.

9. Ithaca shall not be liable or responsible for any water quality issues or problems, interruptions in service, water pressure or quantity issues, or any direct or indirect claims arising from any of the foregoing, including from third parties. To the fullest extent authorized by law, Dryden shall to the extent of its commercial general liability insurance defend, indemnify and hold harmless Ithaca, its officers and employees for all claims, damages, expenses and costs (including reasonable attorney's fees if assessed by a court of competent jurisdiction) or injury to persons or property which may arise out of the acts or omissions of Dryden, or its special districts, agents or employees in the course of their employment in carrying out the terms of this Agreement, except to the extent that such claims, damages, expenses and costs are attributable to the acts or omissions of Ithaca and its officers, employees, agents, and volunteers. Likewise, to the fullest extent authorized by law, Ithaca shall to the extent of its commercial general liability insurance defend, indemnify and hold harmless Dryden, its special districts, officers and employees for all claims, damages, expenses and costs (including reasonable attorney's fees if assessed by a court of competent jurisdiction) or injury to persons or property which may arise out of the acts or omissions of Ithaca, or its agents or employees in the course of their employment in carrying out the terms of this Agreement, except to the extent that such claims, damages, expenses and costs are attributable to the acts or omissions of Ithaca and its officers, employees, agents, and volunteers. Each Party shall carry commercial general liability coverages in the minimum coverage amount of \$3,000,000 per incident/per person, and shall have at all times contractual liability endorsements or coverages with like limits to help give effect to the indemnity obligations of each Party to the other, including as set forth herein. Each Party waives, individually and on behalf of its insurer(s), any and all claims or rights of subrogation against the other Party for any loss or damage insured.

10. The Agreement shall continue in force for a period of five years from the date of execution of this Agreement, and will be automatically renewed for additional five-year periods (the "Renewal Term") unless otherwise terminated by any Party, or unless otherwise amended or superseded by agreement between the Parties. This Agreement may be terminated on 120-days' written notice at any time by either Party.

11. Each Party shall keep detailed and accurate records of their undertakings, costs and expenses incurred in connection with this Agreement, and make all such records accessible to the other Party upon reasonable notice and request, including for, but not limited to, auditing and finance/grant verification and compliance purposes.

12. No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the Party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

13. This Agreement is governed by the laws of the State of New York, without regard to or the application of New York State's conflicts of law principles.

14. This Agreement shall be deemed executory and each Party's liability is limited in accord with funds appropriated and available for this Agreement. Dryden warrants and promises that it will annually appropriate sufficient funds as to ensure the timely delivery of potable water in accord with standard water district practices and standards undertaken by member municipalities of Bolton Point.

15. Notwithstanding anything to the contrary contained in the Agreement, no Party shall be liable or responsible to the other Party or to any third party for consequential, incidental, indirect, special, punitive, or exemplary damages arising out of or related to the transaction contemplated hereunder, including claims for or damages relating to loss of profits, loss of the benefits of use, or loss of business, even if a Party was apprised of the likelihood of such damages, and even if such damage or loss was foreseeable. It is expressly understood and agreed that each and every provision of this Agreement that provides for a limitation of liability, a disclaimer of warranties, or an exclusion of damages, is intended by the Parties to be severable from any other provision, and is a separable and independent element of risk allocation intended to be enforced as such. There are no intended or implied third-party beneficiaries or third-party rights arising under or in relation to this Agreement.

16. If any provision hereof is held invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or operation of any other provision, and such invalid provision shall be reformed to the minimum extent required to bring it into compliance with applicable law, or to otherwise make such provision enforceable. Such reformation shall be performed by first considering purposes sought by the Parties in any such provision, and secondly by the intent of the Parties as set forth in this Agreement. If such reformation is not possible, then such provision shall be severed from this Agreement and the Parties agree to immediately begin negotiations to replace, update, or take other required action to replace such provision. As well, any clause or provision required by law to be part of the Agreement shall be deemed a part of the Agreement and the Parties shall again promptly meet to formally integrate any such requirement. Examples include, but are not limited to, EEOC requirements, MWBE requirements, anti-discrimination requirements, OFAC rules, state and federal Executive Orders, the MacBride Fair Employment Practices Act, the Trading with the Enemy Act, the Foreign Narcotics Kingpin Act, the Iran Divestment Act, wage and hour standards, including prevailing wage and public works requirements, procurement and public bidding requirements, non-collusion requirements, the requirements of the Omnibus Procurement Act of 1992, state and federal debarment list requirements, State Finance Law 165 and the prohibition against use of tropical hardwoods, and like requirements of state, federal or local law.

17. The Agreement constitutes the entire understanding of the Parties, revokes and supersedes all prior discussions, negotiations, and agreements between the Parties, and is intended as a final expression of their Agreement. It shall not be modified or amended except by a signed written agreement between the Parties that specifically refers to this Agreement. This Agreement shall take precedence over any other documents that may be in conflict herewith, and no Party shall be bound by any agent's or employee's representation, promise, or inducement not set forth in this Agreement. No course of prior dealings between the Parties shall be relevant or admissible to supplement, explain, or vary any of the terms of this Agreement. Acceptance of or acquiescence in a course of performance rendered under this Agreement (or any prior

agreements) shall not be relevant or admissible to determine the meaning of this Agreement, even though the accepting or acquiescing Party has knowledge of the nature of performance and an opportunity to make objection. No representations, understandings, or agreements have been made or relied upon in the making of this Agreement other than those specifically set forth herein.

18. All disputes arising under or in relation to the Agreement, or the System and purposes sought to be implemented and affected hereby, including the interpretation, enforcement, or alleged breach of or non-performance of any term or requirement herein, shall be resolved by the Parties by mediation through a neutral, recognized third-party mediation service or professional. Absent resolution by mediation, the Parties agree that any such dispute may thereafter proceed to be resolved judicially, but only in a New York State Court of record having territorial jurisdiction in and over Tompkins County, New York, and be it further

RESOLVED the Town Supervisor for Dryden, Jason Leifer, is duly authorized to sign the agreement on behalf of Dryden and the original fully executed agreement shall be kept in the Dryden records by Town Clerk.

2nd Cl Green

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

Local Law to Override the Tax Levy Cap

Supv Leifer introduced the following local law and said this year we have had new assessed value added. The levy would go up with changing the tax rate by approximately \$240,000. The limit also applies to special districts including fire and ambulance and we are in discussion with Dryden Ambulance about raising more money for them so they can staff and pay people adequately. This will increase their contract substantially. That alone will possibly exceed the limit. The public hearing was set for 6:10 p.m.

LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C

Be it enacted by the Town Board of the Town of Dryden as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Dryden, County of Tompkins pursuant to General Municipal Law §3-c, and to allow the Town of Dryden, County of Tompkins to adopt a town budget for (a) town purposes, (b) fire protection districts, and (c) any other special or improvement district, and Town improvements provided pursuant to Town Law Article 12-C, governed by the Town Board for the fiscal year beginning January 1, 2020 and ending December 31, 2020 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override: The Town Board of the Town of Dryden, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.

County Briefing

Supv Leifer said Martha Robertson sent follow-up email with more information about the request for funding for the Community Housing Development Fund.

EV Charging Stations

Cl Green explained the town is interested in exploring getting a rebate from NYSEDA. The town is eligible for a rebate that would cover costs of installation on two electronic vehicle charging stations. Earlier this year we got an estimate from one of the companies and had an electrician visit to tell us about the electrical costs of the installation. It is important to apply for the rebate in advance before approval of the project. The town will get back approximately \$8,000 from NYSEDA and the planned site in the town hall parking lot. The energy managers from Cornell Cooperative Extension have advised that we qualify for that. The proposed resolution authorizes the supervisor to sign a site host agreement for the rebate application. This would be a mid-level charging station.

Resolution #136 (2019) - Authorize Town to apply for NYSEDA rebate on installation of two Electronic Vehicle (EV) Charging stations at Town Hall Parking lot.

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

WHEREAS, the New York State Energy, Research and Development Authority (NYSEDA), is offering a rebate to municipalities and others who qualify to cover the costs of installing EV charging stations, and

WHEREAS, installing clean energy charging stations is consistent with Town conservation efforts through the Climate Smart Community program, and

WHEREAS, the Town of Dryden is eligible for that rebate and wishes to install two EV charging stations in the Town Hall Parking lot,

Now therefore be it resolved, that the Town Board authorizes the Town Supervisor to sign the required Site Host Agreement for the rebate application.

2nd Cl Lamb

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

Cl Green said the Climate Smart Task Force expects to have a big announcement coming out next week.

CITIZENS PRIVILEGE

Jim Skaley read from attached written statement.

David Weinstein – The town has received new information from Trinitas. He wants to highlight that the Planning Board two months ago established a subcommittee of four members to identify ways of correcting the incompatibilities between what the current zoning allows in Varna and the buildout plan in the existing Varna plan. The subcommittee has finished a very intensive series of meetings and produced a plan to be presented to the Planning Board next week for their evaluation. He asked the Town Board to allow the Planning Board to do its work over the next month or two and decide if it will make a recommendation to the Town Board that could affect Trinitas. Given that Trinitas hasn't met the Town Board's condition and demonstrated their compatibility with the Varna plan, he urged the Town Board to wait until the Planning Board does its work before moving forward with Trinitas. Let the Planning Board take the time to do their work right.

ADVISORY BOARD UPDATES

Planning Board – Cl Lamb reported the Planning Board did its work on the Mill Creek final plat and cleared up some misgivings about how the lots were going to be developed; that all lots would not be developed simultaneously. They are looking into short-term rentals and whether the town should take any action in terms of regulating that.

Conservation Board – did not meet.

DRYC – no report.

Ag Committee – met during a budget meeting, no report.

Rail Trail Task Force – There was an email from the county regarding the parks and trails agreement with county. B Beck said he will get back to them. The task force has switched its focus to Springhouse Road and George Road but may not be done by the end of summer. DPW people are working on it, but it has been a complicated matter.

Cl Green said the town has received \$15,000 from the Triad Foundation. A subcommittee of RTTF had a good meeting on moving forward with the TAP grant. The next step will be an RFQ to get consultants to help look at alternatives for a bridge over Route 13 and some sections of resurfacing. They will be looking for consultants to be creative in the town match and combination of funding sources that have been put together.

They are waiting for stamped plans for the trestle work to be approved by DEC before can proceed. The county is now amenable to an at grade crossing at Game Farm Road if the town performs specific tasks. They will be talking more about getting the MOU to a place where everyone can sign it and move forward.

Other Business

Supv Leifer said he has a question in to TCAD about when the Town will start receiving the PILOTS for solar. When it starts, the Ellis Tract amount will be approximately \$19,900 for the first year. The amount is based on the KW hours for construction. For 2150 Dryden Road it would be \$9,180. Those amounts are just for the town of Dryden. The county will get slightly less, and the schools will get substantially more.

Last year's town tax rate ranked the 4th lowest of towns in Tompkins County.

There being no further business, at the request of Atty Sokoni the board adjourned to executive session at 7:55 p.m. to receive legal advice.

Respectfully submitted,

Bambi L Avery
Town Clerk



Town of Dryden Highway and DPW
Richard Young, Jr. - Highway Superintendent

September 19th 2019

Jason and Town board members

Summer update

Rick Young Highway superintendent is away for mandatory training.

Employment: Kate Casey **New hire** replacement for Kirsten Clapper

Road surfacing projects:

Stone & oil: Yellow barn Road, German Cross Road, Purvis Road Star Stanton Road, Bone Plain Road.

Blacktop: Ed Hill Road, Schutt Road, Ocean Drive, Genung Road, Ferguson Road, Hurd Road and Hollister Road.

Road stripping: *36miles this year*

Driveway pipe installation:

We require a site plan and application for the removal and installation of driveway pipes. We visit each customer and personally review our procedure. Year to date we have install and removed 30 with more coming in every day.

Maintenance of Town right away ditching: Ongoing process with ditching and bank stabilization using stone and Hydro seeding to control erosion. With help from the Tompkins county soil/water.

DPW: Virgil Creek Dam mowing, maintenance, Yellow barn water valve location and mapping. Trail and park maintenance mowing tree brush removal, painting/staining bridges, trail heads.

**Yours Truly,
Ron and Chris**

Memorandum

Date: September 18, 2019

To: Town Board

From: Ray Burger, Planning Director

Subject: Planning Department Update

Application materials and other documents for some of the items below can be found at:

<http://dryden.ny.us/departments/planning-department/permit-review-links/>

Trinitas –Townhomes at Dryden: More application materials have been received on this project including a new Full Environmental Assessment Form that expands the scope of the project to include sewer and water infrastructure upgrades contemplated along Dryden Road. This application is now being reviewed for completeness. When deemed complete the Town Board will be able to proceed with the environmental review. Materials submitted are available for review on the above website.

Mill Creek Subdivision: The Final Plat for a 40-lot subdivision of a 900-acre parcel that straddles Caswell Road was approved by the Planning Board at their August 22 meeting. As part of the proposal a 23 acre tract along Fall Creek and a 3 ½ acre tract along Wood Road will be conveyed to the Town. A public hearing will be held by the Town Board on September 19 to consider the acceptance of these parcels.

Comprehensive Plan Update: On September 11 the Planning Board met with staff from EDR, the consultant selected to help with the comp plan update. Discussion centered on clarifying the scope of work and process. Next steps will be developing a public outreach plan and community survey.

South Hill Recreation Way: NYSEG has offered a trail license to the Town to allow the extension of the South Hill Recreation Way from the Town of Ithaca town line to the Town of Danby town line. A public hearing will be held on September 19 when the Town Board considers accepting this license.

Zoning Board of Appeals variance request: The board granted a variance to construct a pole barn in the front yard of a residence on Caswell Road. This was a grant of relief from a prohibition in our Zoning Law against accessory buildings being placed in the front yard of the primary residence.

Planning and Zoning Seminars: Ten members from the Planning Board, Zoning Board of Appeals and Planning Department will attend a training sponsored by the Association of Towns and the NY Planning Federation in Big Flats on September 27.

Planning Department activity for TOWN -August 2019

Building permits: 20 (3 single family homes, 1 ADU)
Zoning permits: 7
Special Use Permit Reviews: 0
Site Plan Reviews: 3
Variance reviews: 2
New businesses: 0
Fire safety inspections: 1
Building inspections: 32
Certificates of Occupancy/Compliance: 0
Subdivisions: 0
Violation notices: 0
Complaints: 0
Fire calls: 0
Training hours: 6

Planning Department activity for VILLAGE -August 2019

Building permits: 4
Zoning permits: 1
Special Use Permit reviews: 0
Site Plan Reviews: 1
Variance reviews: 0
New businesses: 0
Fire safety inspections: 0
Building inspections: 0
Certificates of Occupancy/Compliance: 0
Subdivisions: 0
Violation notices: 1
Complaints: 4
Fire calls: 0

Recreation Department Report August 2019

Recreation Office:

- 2020 budget work has started.
- Winter programming and guide will begin.
- Pictures for all fall programs scheduled

Youth Football

- Football season is underway
 - Flag Football 24 registered (+4 from 2018)
 - Sr. Tackle 25 registered (+5 from 2018)
 - Jr. Tackle 18 registered (-2 from 2018)
- All coaches have been certified and players weighed in.
- Some new equipment (shoulder pads, chin straps) was ordered due to outdated unsafe equipment.
- Games for Sr. and Jr. Tackle are scheduled
 - JR&SR 9/21 @ Home
 - JR 10/1 @ Trumansburg
 - SR 10/2 @ Trumansburg
 - JR&SR 10/5 @ Home
 - JR&SR 10/12 @ Home
 - JR&SR 10/20 @ Home

Youth Cheer

- 32 registered. (+10 from 2018)
- Three teams: Flag, Junior, and Senior Cheer
- Uniforms for Senior Cheer donated by DHS Cheer coach. New Flag uniforms ordered

Youth Soccer

- Started September 7th with a player's clinic run by the Dryden High School coaches and players.
- 3 different age groups consisting of 4 teams each
 - 5/6 Teams: 38 registered
 - 7/8 Teams: 47 registered
 - 9/13 Teams: 51 registered
 - All players met their coach and received their team shirt and a soccer ball
 - All rosters games, practices and photo schedules have been completed
 - Practices will be held at multiple locations. Etna Park and Freeville Park.
 - All games will be held Saturday mornings at Cassavant Elementary School

Karate

- Start date 10/2/19

James E. Skaley, Ph.D.

940 Dryden Rd.

(607) 256-1617

Ithaca, N Y 14850

JESkaley@aol.com

19 September 2019

To: Dryden Town Board

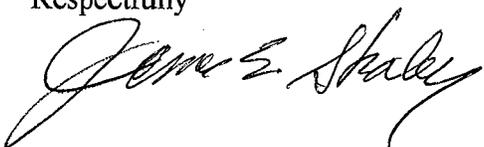
Re: Trinitas Proposed Development in Varna

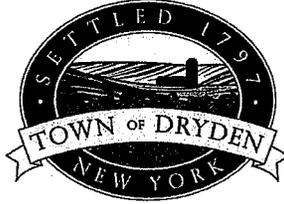
I would remind the Board that in the past year when the Town Board reviewed the sketch plan that the Board adopted several conditions to be met for approval of the sketch plan in a letter to Trinitas dated September 27, 2018 . One of the conditions for approval of the sketch plan was to demonstrate how this project conforms to the Varna Community Development Plan. Trinitas responded by letter dated October 23, 2018 citing two statements in the preamble of the Plan pages 19 & 20 describing development opportunities such as existing infrastructure and underutilized sites and green spaces that “cater to a family and student community”. They claim that their development would serve multiple populations—yet in their presentation to this Town Board they declared their market would be a demographic of students and young professionals 20-30 years of age—not families, not seniors. The plan layout is designed specifically for housing students with bathrooms attached to each bedroom and with a large number of the units constructed with three and four bedrooms. Trinitas simply did not address section 3, the goals/objectives of the Varna Plan nor any of the criteria for build-out in section 4 of the Plan titled Master Plan. Furthermore, Trinitas has given two properties at 952 and 966 Dryden Rd to INHS in a letter of intent dated Nov.9, 2018. The structures on these parcels in their plan were to be demolished so as to provide sufficient green space as required under our zoning law. Conveying these parcels to INHS for purposes of building new construction— means that Trinitas no longer meets the green space requirement for the project. Converting these sites to pocket parks would mean that suitable space for affordable housing in the Traditional zone would be lost. In my conversations with INHS they have a strong interest in building affordable housing in Varna if they have access to lands. Trinitas is not proposing to build affordable housing and further the local developer community is no longer proposing to build for students given that Cornell is providing more housing on campus in the coming year—therefore, there is no market for this project.

The Planning Board in their in-depth SEQR review of the project this past spring forwarded by resolution to this Board that Trinitas had in fact not met the criteria of complying with the Varna Community Development Plan and further recommended to the Town Board that should this project move forward it should require a full Environmental Impact Statement including a new scoping for the project.

To my knowledge the Town Board has never indicated by vote that Trinitas has in fact met the conditions attached to the sketch plan. Therefore, I would respectfully, ask that the Town Board consider the Planning Board’s SEQR review and declare that Trinitas has in fact not met the conditions that this Board attached to approval of the sketch plan and therefore declare that the application is incomplete.

Respectfully





Dryden Town Board Meeting

Dryden Town Hall

93 East Main Street, Dryden, NY 13053

Thursday, September 19th at 6:00 PM

1. 6:00pm Call Meeting to Order
2. 6:00pm Pledge of Allegiance
3. 6:00pm Roll Call
4. 6:05pm Town Clerk
 - a. Approve Meeting minutes of 8/8/19 and 8/15/19
5. 6:05pm Public Hearings/Presentations
 - a. Dryden Rail Trail –accepting 4 trail easements (6:05)
 - b. Mill Creek Preserve Subdivision –accepting two parcels of land (6:15)
 - c. S. Hill Rec Way Extension – accepting trail license from NYSEG (6:25)
 - d. Introduction – 16 Freeville Rd (6:35)
 - e. Apple Orchard PRV - Inter-Municipal Agreement Between Dryden & Ithaca (6:45)
6. 6:55:pm Citizens Privilege
7. 7:10 pm Discussion/Action Items:
 - a. Budget Mod – Recreation Department, Create ‘Van’ Line [Case]
 - b. Waive Marriage License Fees [Avery]
8. 7:20pm Highway Superintendent [Young]
9. 7:30pm Planning Department [Burger]
10. 7:40pm County Briefing [Robertson]
11. 7:50pm Advisory Board Updates
 - a. Planning [Lamb]
 - b. Conservation [Lamb]
 - c. DRYC [Servoss]
 - d. Ag Committee [Leifer]
 - e. Rail Trail [Green]
 - f. Safety and Preparedness [Magnuson]
12. 8:00pm Executive Session (if necessary)

Next Abstract and Agenda Meeting: Thursday, October 10th, 2019 at 6:00 PM

Next Town Board Meeting: Thursday, October 17th, 2019 at 6:00 PM

Town of Dryden
Town Board Meeting
September 19, 2019

Name - {Please Print}	Address or Board
Andrew Sullivan	The Dryden Courier
LOREN SPARLING	363 ED HILL RD, FREEVILLE
James Skelley	940 Dryden Rd
David Wisley III	130 Gorman Cross Rd
DAVID Wisley II	1119 Coddington Rd
Monica Cuthbert	463 Wood Rd
William Cuthbert	463 Wood Rd
Craig Schutt	69 Schutt Rd. - CB
RON SZYMANSKI	30 JOHNSON ST, FREEVILLE
TRANS DUNN	COURTAIN STANDARDS