

**TOWN OF DRYDEN  
TOWN BOARD MEETING  
Via Zoom  
June 11, 2020**

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

Absent: Supervisor Jason Leifer

Elected Officials: Bambi L. Avery, Town Clerk

Other Town Staff: Jennifer Case, Bookkeeper  
Ray Burger, Planning Director  
Marty Conger, Recreation Director  
Sherri Crispell, Payroll Clerk  
Ryan McHugh, Secretary to Town Supervisor

Deputy Supervisor Daniel Lamb called the meeting to order at 6:10 p.m.

**Approval of Abstract**

**RESOLUTION #69 (2020) – APPROVE ABSTRACT #6**

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

RESOLVED, that this Town Board hereby approves Abstract #6, as audited, general vouchers #373 through #441 (\$351,943.09) and TA vouchers #18 through 21 (\$3,981.03) totaling \$355,924.14.  
2<sup>nd</sup> Cl Skaley

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

**Budget Modification**

The Highway Superintendent has submitted a budget modification to move funds previously authorized by Resolution #35 (2020) when the sale of equipment was authorized. The board expressed concern about expense of these funds in view of pending budget difficulties.

**RESOLUTION #70 (2020) – APPROVE BUDGET MODIFICATION**

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

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

From		To	
DA2665	Sale of Equipment	DA5130.2	Machinery & Equipment 58,970.00

2<sup>nd</sup> Cl Servoss

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

**April Financials**

Cl Servoss said things look good at this point. Her concern is for next year’s budget and the board should start early to determine what the deficit for next year will be. J Case thanked Sherri Crispell for her efforts in catching up after closing this year. It wasn’t easy due to the water/sewer consolidation. Financials for January through March have also been provided, though they don’t appear on the website.

**Town Clerk**

B Avery reported that a sense of normalcy is returning to town hall since the doors have been unlocked. Visitors must wear a mask and sign in. There has been no instance of over-crowding.

**Public Hearing  
Proposed Improvement Project  
Actiflow Capital Project  
Wastewater Treatment Plant**

Cl Lamb opened the public hearing at 6:28 p.m. R Burger explained this is a wastewater treatment plant project to replace four pumps. Total cost is \$102,658.00 and the town’s share is \$2,033.16. The notice of public hearing has been properly published and noticed. The board reviewed the resolution adopting the Public Interest order and can adopt it after closing the hearing. There were questions from the public and the hearing was left open at 6:35 p.m.

**Discussion/Action Items**

**Summer Camps** – Though there is some direction from Albany on summer camps, the town doesn’t expect to change its mind on cancellation because of the additional requirements, preparation, staffing and cleanup. M Conger said there is no place to hold camp this year, and some of the staff are not comfortable doing it. Schools are not available, social distancing outside requires a lot of room, and groups of ten must be maintained and not co-mingled requiring additional staff. It would run at a deficit. David Peck, Chair of the Recreation & Youth Commission, said he agrees that it doesn’t seem possible to offer to summer camp.

M Conger said they are still considering running some of the smaller camps planned for later this summer such as dance camp. They are also looking into drive-in movies and drive-in music. The Health Department has encouraged them to keep planning, though they are not allowed to have the events yet.

The VFW is booked for its summer music series beginning July 8 and hopefully we’ll be able to move ahead with that. Sports camps/events are on hold for the time being.

## Planning Department

Comp Plan Update – the Planning Board met last night with the consultant and there is continuing public outreach and virtual meetings planned for later this month. They are drafting survey questions and expect to finalize that next month. Postcards will be delivered everyone in the town encouraging them to participate in an online survey. Social media will be utilized as well as signboards to help get the word out.

Department Update – Last month the Planning Board approved the Dollar General Store at 1408 Dryden Road. The ZBA conducted a public hearing via Zoom.

Wood Road Complaints – This involves a property owner who been bringing in a lot of fill on their site. They are filling in an old ag pond. They do have a SWPPP and are doing it when opportunistically when fill is available. There is a neighbor bothered by the on again off again activity, but it is legal with an agricultural component to the project. There are junk cars on the property and they are working to resolve that.

Zoning Law Amendments – Cl Skaley and R Burger have been reviewing this with the town attorney. A clean version will be available for introduction next week.

There were no further comments on the public hearing and Cl Lamb closed the hearing at 7:00 p.m.

### **RESOLUTION #71 (2020) – ADOPT PUBLIC INTEREST ORDER IAWWTF CAPITAL IMPROVEMENTS FOR ACTFILOW SYSTEM**

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

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

In the Matter  
of  
the Proposed Improvement Project Pursuant to  
Town Law §202-b for the Wastewater  
Treatment Plant in the City of Ithaca serving the  
Town of Dryden known as the Actiflow Capital  
Project

**PUBLIC INTEREST ORDER**

WHEREAS, a plan and proposal have been duly prepared in such manner and in such detail as heretofore has been determined by the Town Board of the Town of Dryden, Tompkins County, New York, relating to the Capital Project recommended by the Special Joint Committee (SJC) for Replacement Pumps and Piping for the Actiflow High Rate Sand Ballasted Tertiary Treatment Phosphorus Removal System, pursuant to Town Law § 202-b, at the Ithaca Wastewater Treatment Facility (IAWWTF) in the City of Ithaca owned and managed jointly by the City of Ithaca, Town of Ithaca and Town of Dryden (Owners), which wastewater treatment plant provides wastewater treatment services for the Town's Consolidated Sewer Districts served by such wastewater treatment plant, such improvements to be constructed and owned by Owners, and

WHEREAS, said plan and report have been prepared by Koester Associates, Inc. and have been filed in the office of the Town Clerk where they are available for public inspection, and

WHEREAS, on April 15, 2020, the Special Joint Committee SJC resolved to recommend to the Owners to establish IAWWTF Capital Project 424J Replacement Pumps and Piping for the Actiflow Tertiary Treatment Phosphorus Removal System in an amount not to exceed \$102,685.00, and

WHEREAS, the SJC thereby recommended authorization of this project contingent upon action by Owners committing their percentage of reimbursement shares to the Joint Activity Fund allocated per the Joint Sewer Agreement as follows:

Municipality	Percentage	Project Cost
City of Ithaca	57.14	\$58,674.21
Town of Ithaca	40.88	\$41,977.63
Town of Dryden	1.98	\$2,033.16
		=====
TOTAL:		\$102,685.00
		=====

WHEREAS, the IAWTTF serves the Town of Dryden Consolidated Sewer District, and

WHEREAS, the maximum proposed to be expended for the improvements is \$102,685.00 of which Town of Dryden’s share is \$2,033.16, with the proposed method of payment being that the Town will reimburse the City of Ithaca for the former’s share pursuant to a contract between the Town and the City of Ithaca. The Town will not issue or co-issue any bonds but pay its share of expenses from sewer rents and charges from the Consolidated Sewer District, and

WHEREAS, due to the Corona Virus/COVID-19 pandemic, the Governor of the State of New York has authorized municipalities to conduct certain public hearings and meetings by virtual means in order to ensure the public health and safety,

WHEREAS, the Town Board of the Town of Dryden adopted an Order on May 21, 2020, calling a public hearing upon said plan and report and the question of providing said Improvement Project, and the question of executing any related agreement, and to hear all persons interested in the subject thereof, all in accordance with the provisions of Town Law §202-b and applicable provisions of the General Municipal Law and Local Finance Law, and

WHEREAS, said public hearing was duly held on June 11, 2020 at the time and in the manner set forth in said Order and all persons interested in the subject thereof were heard concerning the same, and

WHEREAS, The Town Clerk of the Town of Dryden, Tompkins, County, New York, caused a copy of the said order to be published once in the official newspaper of the Town, and also posted a copy thereof on the Town signboard maintained by the Clerk, not less than ten (10) nor more than 20 days before the day designated for the hearing as aforesaid.

WHEREAS, the construction of the proposed project has heretofore been determined to be a "Type II Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined, will not require any environmental review for the following reasons: the Improvement includes the purchase of equipment; replacement in kind of facilities on the same site; maintenance or repair involving no substantial changes in an existing structure or facility; and construction of accessory/appurtenant non-residential structures or facilities involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls ; and

WHEREAS, it is now desired to authorize the improvements to be known as IAWWTF Capital Project 424J Replacement Pumps and Piping for the Actiflow Tertiary Treatment Phosphorus Removal System,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Dryden, Tompkins County, New York, as follows:

Section 1. It is hereby determined that it is in the public interest to make the improvements hereinafter described and such improvements are hereby authorized.

Section 2. The maximum proposed to be expended for the improvements is \$102,685.00 of which Town of Dryden's share is \$2,033.16, with the proposed method of payment being that the Town will reimburse the City of Ithaca for the former's share pursuant to a contract between the Town and the City of Ithaca. The Town will not issue or co-issue any bonds but pay its share of expenses from sewer rents and charges from the Consolidated Sewer District.

Section 3. That this Order is subject to a permissive referendum in the manner provided in Town Law Article 7 and Town Law Section 209-q.

Section 4. That the permission of the State Comptroller is not required because the Town of Dryden does not propose to finance the cost of the Improvement by the issuance of bonds, notes, certificates, or other evidences of indebtedness of the Town.

Section 5. That pursuant to subdivision 6(d) of Section 209-q of the Town Law, the Town Clerk is hereby directed and ordered to cause a certified copy of this Order to be duly recorded in the Office of the Clerk of the County of Tompkins within ten days of the date this Order becomes effective pursuant to Town Law Section 91, which when so recorded, shall be presumptive evidence of the regularity of the proceedings and action taken by the Town Board in relation to the aforesaid Improvement.

Section 6. This order shall take effect immediately.  
2<sup>nd</sup> Cl Skaley

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes

Cl Skaley                    Yes  
Cl Lamb                     Yes

**Varna Water/Sewer**

Cl Skaley reported a preliminary application is due to the Environmental Facilities Corporation by August. There will be resolutions on next week’s agenda in connection with bonding for the project. He said there may be many people in the district who are not above the median average wage and we may be eligible for a hardship grant application. In order to do that we need an income survey of the households in the district. He is gathering information on how to conduct a survey and will share what he finds out. It would be to our benefit to qualify for that application. TG Miller is completing the engineering reports.

**Noise Complaints - Residential**

Cl Skaley said while campaigning he heard from a resident in the Fox Hollow neighborhood that they were experiencing trouble with a neighbor who held loud parties, played loud music and such. While the Town of Dryden does not have a noise ordinance that covers residential properties, some municipalities do. Enforcement can be an issue and currently there is no reason for code enforcement to address an instance. Cl Skaley said there have been incidents on Mineah Road also. The Village of Dryden doesn’t have an ordinance. The Town of Ithaca does.

Mike Lane said normally when there is a neighbor to neighbor issue (barking dogs or issues with loud music) you would first ask the neighbor to quiet down and if that doesn’t work, call the police.

Cl Lamb said there seems to be steps that need to be taken before the board takes this up. Cl Skaley suggested it could be referred to the Planning Board for consideration. There are pockets of density where it may be more appropriate than others.

**Code Enforcement Contract**

The Village of Dryden has prepared a contract for continued Code Enforcement Services from the town for the same terms as last year.

**RESOLUTION #72 (2020) – APPROVE CODE ENFORCEMENT AGREEMENT WITH VILLAGE OF DRYDEN**

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

RESOLVED, that this Town Board hereby approves a contract with the Village of Dryden to provide code enforcement services for a period of one year commencing June 1, 2020, at a total price of \$30,000.00 and the Town Supervisor is hereby authorized to execute said agreement.

2<sup>nd</sup> Cl Sparling

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

**County Briefing**

Mike Lane reported that TC3 is in the process of putting together a budget for next year. The news isn't good. Spring enrollment was down about 17%. They are hoping for better this summer. The big problem is what the state is going to pay or not pay. In ten days, they are due for a payment from the state of over 2 million dollars and if they don't get it, they won't have the cash flow to continue payroll through the summer. They are letting the counties (Tompkins and Cortland) know they need help. The counties are also looking at reductions in the money they receive. The state is holding up Medicaid payments and has raided the sales tax. This is a situation that will not rectify quickly, and it may be a year for the college. He will keep the board updated.

He read that health insurers will ask for a rate increase because of the Covid crisis. That may impact our Health Insurance Consortium.

The airport has pretty much finished the customs facility. There will be a contract between the county and Customs to have a person on site to inspect shipments. That person may be shared with another airport, but that hasn't been worked out.

The county will be sending out RFPs for a new five-year contract to run the recycling and solid waste materials facility on Commercial Avenue. They expect with the lower prices for most recyclables, that there will be a large increase in the proposals from bidders.

**George Road Bridge**

George Road bridge opened last Friday. Cl Servoss asked that the road be striped in the near future. Now that the bridge has been widened, she expects traffic be faster and striping may help slow them down. The project came in ahead of schedule and under budget.

**Freese Road Bridge**

Cl Lamb said a revised and updated findings document for the Freese Road bridge has been prepared that reflects the resolution of the board in April in going with alternate six as a preferred option (single lane bridge with a cantilevered pedestrian walkway). The board needs to accept the document. When received by NYS DOT it will be reviewed and then it will go to SHPO for signoff. A response from Federal Highway would be expected by the end of August. Cl Skaley said this conforms to the wishes of the community and will hopefully be a win-win all the way around. The final design may be tweaked if funding allows to perhaps add a sitting area in the middle of the pedestrian bridge portion.

Cl Skaley said the description of the historical components of the bridge should be archived with the Dryden Historical Society and a plaque with information on the character bridge is to be located at the bridge site. That helps to maintain the historical component.

**RESOLUTION #73 (2020) – ACCEPT FINDINGS DOCUMENT FOR FREESE ROAD BRIDGE**

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

RESOLVED, that this Town Board hereby accepts the Section 106 Evaluation and Historical Resources Report for the Freese Road over Fall Creek Bridge Replacement (PIN 3756.41) as a replacement for the previous findings document.

2<sup>nd</sup> Cl Skaley

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes

Cl Skaley                      Yes  
Cl Lamb                        Yes

On motion made, seconded and unanimously carried, the board moved to discuss the employment of a particular individual at 7:56 p.m. No action was taken, and the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Bambi L. Avery  
Town Clerk