

**TOWN OF DRYDEN  
TOWN BOARD MEETING  
August 16, 2012**

Present: Supervisor Mary Ann Sumner, Cl Stephen Stelick, Cl Jason Leifer, Cl Linda Lavine

Absent: Cl Joseph Solomon

Elected Officials: Bambi L. Avery, Town Clerk  
Jack Bush, Highway/DPW Superintendent

Other Town Staff: Jane Nicholson, Planner

Supv Sumner called the meeting to order at 7:30 p.m. and board members and guests participated in the pledge of allegiance. Supv Sumner said thoughts are with Joe Solomon who is attending the funeral of a friend, and Judge Valentinelli who has been hospitalized and his family.

**CITIZENS PRIVILEGE**

**Joe Wilson**, Hunt Hill Road, said it appears that fracking as permitted by the DEC is imminent and fracking trucks will soon be travelling our roads and adjacent roads. One pass by one of those trucks does as much damage as 9,000 automobiles covering the same territory. That will cost local government hundreds of millions of dollars in repairs. There is no mechanism in place to cause the frackers to pay the cost of repairs. It is time to have an enforceable road protection law in place in the Town of Dryden.

**Simon St Laurent** said he has been pleasantly surprised at the questions and comments he has received regarding fracking and such during his recent travels. A lot of people from a lot of places are behind us and are glad we are doing what we are doing here. It has received more reaction than just about anything else he has ever written.

He echoed J Wilson's comments regarding roads and said he realizes nothing can be done about Route 366, but worries about Baker Hill and Mt Pleasant Roads. Those are challenging roads to maintain, and with those in mind, he would love to see the town do something that saves the taxpayer money in repairs.

Supv Sumner said one of the code enforcement officers was recently approached by a construction worker at Poets Landing who commented he was pleased to see Dryden lead the way in the anti-fracking effort. With respect to the lawsuit, she said nothing has happened since the intent to appeal was filed. The road ordinance is important and imminent. The work has been done, and she expects to have that and the aquifer protection law ready in a month or so.

**Joanne Cipolla-Dennis** said she supports moving forward with the road ordinance. She thanked the board for its work done to date. She has been to Washington, DC to tell the President that what is going on is a crime. She hung banners on the White House fence, and met people from all over the world. Those people are inspired by the steps the town has taken in protecting its citizens and saying no to insidious industry that has ruined people all over the world. In Groton they have decided to ask their attorney to write some paperwork for a moratorium.

She and Deborah visited Dryden Lake for the first time. She said it is a fabulous property and thanked the board for maintaining it. They do have a concern about a loose rail on a bridge on the trail. They have a lot of wood on their property, and will donate whatever it takes to fix that. She would also be happy to design the rail and would like to dedicate it to the board and Dave Makar for protecting the people of this town and the county.

**Deborah Cipolla-Dennis** said we need to start working on the road protection. She appreciates the ban and where we are with that. She urged the board to move on with aquifer protection. People are starting to get nervous because of the Governor's recent statements. The SGEIS will probably be released this fall and there is a sacrifice zone in the southern tier that will likely be fracked shortly after that. We have to continue to protect ourselves.

Supv Sumner thanked Jack Bush for embracing the Delta Engineering approach to road protection. Because of that project we have the data we need and the template ordinance. It needs some polishing to point where we want to introduce it. She has spoken with the Regional State DOT Director and asked how haul routes were determined, for fracking or other heavy truck traffic. He has replied that the Governor has now formed a committee to figure that out. Supv Sumner going to try to have as much input as possible and stay on top of that because she is concerned about the intersection of three state routes within the village.

**Judith Pierpont** thanked the board for its work done to date. She knows we are ahead of most towns and urged the board to move forward with road protection aquifer protection. She has read articles about towns that weren't prepared for the effects of fracking and we should be doing anything we can to protect ourselves. We should also be alerting people.

Supv Sumner said this is a good time for public outreach and education. J Pierpont said we need to listen to people who have bona fide experience. Craig Stevens is putting together testimony from farmers and others in Pennsylvania. Hearing from those who have experienced it is valuable.

Supv Sumner acknowledged Attorney Perkins for working shoulder to shoulder with the board on this legislation. It would have been harder without his help.

## **VARNA DEVELOPMENT PLAN**

Jane Nicholson of the Planning Department gave a presentation of the Varna Development Plan. The town recognized that the hamlet of Varna is a unique community. It has cultural resources, natural resources and a quality of life that the residents would like protected and enhanced. She said it is very rare that hamlets get their own community development plan. Planning Department staff over the past year and half has worked on this plan and to make sure that it is a plan that the community wanted. The plan has now been presented to the community and Planning Board and the Planning Board has recommended it to the Town Board. The process has extensive. Community members worked with the Planning Department and the process was transparent.

A study area was established using 2010 census data and the natural resources. Before going to community they worked to understand land use patterns, settlement patterns, building patterns, transportation and traffic, amenities, natural areas and open space, and did a character area study. The plan became a character-based plan and the goal is to maintain the character while providing economic development opportunities and growth. They identified areas within the study area that have opportunity and areas that could use updating.

In the public participation process the department worked with the Varna Advisory Committee, held meetings with business owners, did a community survey, and held a public workshop and open house.

The goals and objectives of the plan are to protect and enhance the hamlet character; develop a transportation system that is balanced, safe, and equitable for pedestrians, cyclists, and motorists; and protect and improve the quality of life in the hamlet.

J Nicholson showed the board a slide of the existing conditions in the hamlet, and what it might look like if it were built out according to the plan. The community responded quite well to this potential.

Master Plan recommendations for public spaces included lots of green space, so that no matter where you stand in the hamlet, you see lots of green space. Transportation recommendations include integrating pedestrian pathways with sidewalks and roads, so that any user of a street will feel safe. Recommendations for buildings and form is a traditional neighborhood design with all the buildings placed on green space and that cars and traffic are secondary.

From there, they addressed implementation, action items, timeline and funding. The action items are a list of what we can do and the timeline that it should take to do them. Sidewalks could start almost immediately and there could be grant funding for them. Something like a roundabout at Route 366, Freese Road and Mt Pleasant Road could take years.

There is a section in design guidelines and landscape standards. These are recommendations for what the community will accept and how to help make any new development or buildings essentially blend into the existing landscape.

Zoning amendment – In the new zoning, Varna will have its own hamlet zone consisting of three overlay districts. These are similar in nature, but differ in intensity and use. The zoning section is still being discussed.

Cl Leifer would like the Planning Board's recommendation for the hamlet plan to be put on the website. The Varna Community Association will receive printed copies.

Cl Lavine asked about maintenance of sidewalks and J Nicholson said it was not discussed in the plan. The advisory committee has had those discussions and there are a variety of options that could be worked out in implementation. Cl Lavine said there is a lot of angst in Ithaca over sidewalk maintenance and she wonders if there is a good solution.

J Nicholson added that the transportation planners did determine that there is room in the highway right-of-way for sidewalks. They also determined there is room for a roundabout at Route 366, Freese and Mt Pleasant Roads, though the blue house may present a bit of a problem.

Supv Sumner thanked the Planning Department for their work on this extensive project.

Cl Lavine asked whether Cornell had any input in the plan and was told that they did support plan and helped fund it, but did not participate in the process. Cornell University will receive a copy of the plan, as well as the City of Ithaca, the County and the State.

D Weinstein said in order to improve a community you have to start with ideas and a vision on paper. This is an example of government doing exactly what it can do best. The

community could not have done this by itself because they don't have the resources and expertise. Having the Town of Dryden tell its planners to work with the community opened the door to getting great ideas on paper. It's a prime example of government working for the people in its community to make something happen that wouldn't have happened otherwise.

**TOWN CLERK**

**RESOLUTION #141 (2012) – APPROVE MINUTES**

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

RESOLVED, that this Town Board hereby approves the town board meeting minutes of June 27, July 12, and July 19, 2012.  
2<sup>nd</sup> Cl Stelick

Roll Call Vote	Cl Stelick	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

**HIGHWAY/DPW SUPERINTENDENT**

Atty Perkins explained that the Highway Superintendent would like the board to amend the authorization previously given him to purchase off the state contract to include the federal contract.

**RESOLUTION #142 (2012) – AUTHORIZE PURCHASE FROM FEDERAL CONTRACT**

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

RESOLVED, that in addition to any prior authorization given by the Town Board, the Superintendent of Highways is authorized to make purchases from federal general service administration supply schedules pursuant to section 211 of the federal e-government act of 2002, P.L. 107-347, and pursuant to section 1122 of the national defense authorization act for fiscal year 1994, P.L. 103-160, or any successor schedules in accordance with procedures established pursuant thereto, provided, however, that prior to making such purchases the superintendent shall consider whether such purchases will result in cost savings after all factors including charges for service, material, and delivery, have been considered.  
2<sup>nd</sup> Cl Stelick

Roll Call Vote	Cl Stelick	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

**RESOLUTION #143 (2012) – AUTHORIZE PURCHASE OF TRAILER MOUNTED GENERATOR**

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

RESOLVED, that this Town Board hereby authorizes the Highway / DPW Superintendent as follows: Advertise for bid or to purchase off State or Federal Contract one new and unused trailer mounted generator for the Department of Public Works.  
2<sup>nd</sup> Cl Leifer

Roll Call Vote	Cl Stelick	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

## COUNTY BRIEFING

**Martha Robertson** reminded the board that Dryden’s municipal representative seat on the Environmental Management Council is vacant. This should be filled by someone from the Conservation Board.

The County has begun its budget process. Department heads have made their requests and J Mareane is working to prioritize the over-target requests. He will present his budget to the legislature the first week of September. At this point they think the calculated tax cap for Tompkins County is 3.5%. The directive to him was to come in with a target budget of a 2.2% increase and show what else could be done if they had a 3.5% increase.

The county continues to see a chronic need for food stamps, temporary assistance for families, and children in placement. The number of children removed from their homes is up 40% from a year ago. Food stamp distribution is up 14% from 2 years ago. Tompkins County’s unemployment rate is 7.2% according to the federal government, lower than other places in New York and in the County, but they think that is actually an overstatement. TCAD has made other calculations and they think the real numbers are lower than that

With respect to housing, Ed Marx reports that in urban areas (City and Town of Ithaca) there is demand for 1350 new units of multi-family housing. Outside the City and Town of Ithaca they anticipate a need for 975 units over the next five years. Dryden is identified as one of the areas of high interest, from upscale units to low and moderate income units. This kind of development will go into areas where there is already infrastructure. He said anything new in a decent location will succeed. Almost all new units to date have been market rate, not low income. Someone from County Planning can come out and go over numbers if the board would like that presentation.

**Mike Lane** said we need to be mindful that not every small village wants high densification.

New prescription cards will be mailed out to residents soon for people who don’t have prescription coverage. Residents could realize a savings of 20% on brand name drugs and up to 70% on generic drugs.

The Ithaca Times and Dryden Courier both recently reported on the new 911 center. He said the Courier article was a little bit of fantasy and they were very concerned about it. The article reported on the presentation to public safety committee last week. Many quotes attributed to the County Administrator did not happen. The article seemed to be trying to show a lot more controversy within the dispatch center than they really think there is. They know they will need a new leader at the 911 center. They have Brian Wilbur, who has been wonderful, and is a former fire chief come back from retirement, but they are going to need someone with some basic experience in an E911 center to take the job at the top. None of the

current dispatchers have been part of a managed E911 center before. They have different ways of handling the same kind of calls and it is frustrating for some of the emergency responders. The consultant said there needs to consistency in the way calls are handled. They know there are problems and they are addressing them. He said not to believe all the panicky quotes in the article.

Supv Sumner thanked Brian Wilbur who has done a lot for the E911 center and is now working with the Dryden fire departments to bring some order to response plans and automatic mutual aid plans. She is happy to have his help. He visualizes Dryden as taking the lead in this.

M Lane said the County has been trying for the last several months to empty the old library downtown and thought they had secured space in Center Ithaca for the day reporting system and drug testing, but unfortunately at the last minute, the space was given to another tenant. They believe the treatment part can go into the courthouse once the Office of the Aging moves out, but that will be a while, and still leaves the other programs in the old library which is expensive to maintain. The County just signed lease to move their records storage to the old military bunkers in Seneca County.

The public hearing on the new redistricting proposal will be Tuesday at 5:30. The proposal includes a reduction from 15 to 14 districts in county. There will be a loss of one person in city. The number was proposed by the independent commission and keeps the boundaries secure between the city and town. They would be happy to have people come to meeting and speak on Tuesday if they have opinions. The Dryden districts are almost the same as they are now.

#### **RECREATION DEPT**

No report.

#### **PLANNING DEPT**

No report.

#### **ENGINEERING**

No report.

#### **ATTORNEY**

No report

#### **UNFINISHED BUSINESS**

None.

#### **NEW BUSINESS**

Farmland Protection Agreement Amendment – Supv Sumner said there is a need for a resolution to authorize the Supervisor to sign an amendment to the farmland protection agreement extending the deadline.

### **RESOLUTION #145 (2012) – AUTHORIZING TOWN SUPERVISOR TO SIGN CONTRACT EXTENSION WITH NEW YORK STATE DEPARTMENTN OF**

**AGRICULTURE AND MARKETS IMPLEMENTING THE AGRICULTURAL AND FARMLAND PROTECTION IMPLEMENTATION GRANT FOR SHERMAN**

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

WHEREAS, the Town of Dryden was awarded an Agricultural and Farmland Protection Implementation Grant by the New York State Department of Agriculture and Markets to purchase a conservation easement from Vaughn, Susan and Trever Sherman, and

WHEREAS, the Town Attorney has reviewed a proposed extension of Contract C800681 through August 12, 2013, now, therefore

BE IT RESOLVED, upon the recommendation of the Town Attorney and the Town Director of Planning, and in furtherance of the application submitted by the Town of Dryden in connection with the Agricultural and Farmland Protection Implementation Grant for property owned by Vaughn, Susan and Trever Sherman in the Town of Dryden, Tompkins County, New York, the Town Supervisor is hereby authorized and directed to execute an extension of Contract C800681 with the New York State Department of Agriculture and Markets to continue the implementation of the award of the grant funds.

2<sup>nd</sup> Cl Stelick

Roll Call Vote	Cl Stelick	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

Supv Sumner has received an agreement for an increase in the Bolton Point water rate to \$4.00 per thousand gallons. That will be on the agenda for next month.

There is a request from a recipient of housing a housing rehab grant to subordinate the lien agreement because she is refinancing her mortgage. It has been reviewed by the Town Attorney and here appears to be no change in the equity position. She recommends the board agree to the subordination.

**RESOLUTION #145 (2012) – AGREE TO SUBORDINATION – MOSHIER**

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

WHEREAS, Karen Moshier has received a housing rehabilitation grant from the Town of Dryden for her real property at 22 James Street, and now desires to refinance the first mortgage on the property, and

WHEREAS, the lending institution is requesting that the Town of Dryden execute a subordination agreement in connection with this refinance, now therefore, be it

RESOLVED, that this Town Board hereby authorizes the Town Supervisor to execute a subordination agreement, taking second lien position on the real property owned by Karen Moshier.

2<sup>nd</sup> Cl Leifer

Roll Call Vote	Cl Stelick	Yes
	Supv Sumner	Yes
	Cl Leifer	Yes
	Cl Lavine	Yes

## **COMMITTEE REPORTS**

Finance, Technology & Personnel Committee – Cl Stelick said the bookkeeper is gathering more information and they will be finalizing some HR issues. The server update was discussed and they have a quote on that. The committee will be meeting with the IT company.

Supv Sumner said a recent personnel change allowed a buyout of health insurance benefits and she asked if there was any limitation on length of employment. Cl Stelick said there is a provision for pro-rating the benefit. The committee will look into how it pertains to someone leaving employment in the middle of the year.

Emergency Services Committee – Supv Sumner said she had a great meeting with Brian Wilbur with respect to long-range planning for equipment and response plans.

## **Other Business**

Cl Lavine said road preservation needs to take top priority. The board discussed the template provided for Delta Engineers and agreed that it made sense to spend the \$500 or so for the updated version. Atty Perkins agrees.

Cl Stelick thanked the people who put together Dryden Lake Festival this year, specifically Don & Bonnie Scutt, Dan Schmohe, Dr. Bob Jacobson, Ralph Shortell, Monica Knight, J Bush and his crew, and Dryden Recreation Department. The fireworks were outstanding. The music was good; atmosphere was great. Supv Sumner thanked the fire departments for the emergency coverage.

Cl Stelick and Cl Leifer have received a recommendation and guidelines from the Ag group that has been meeting. They expect to have something for the board in the near future.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Bambi L. Avery  
Town Clerk