

**TOWN OF DRYDEN
TOWN BOARD MEETING
October 8, 2020**

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

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

Other Town Staff: Ray Burger, Planning Director
Amanda Anderson, Bookkeeper

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

Approve Abstract

RESOLUTION #118 (2020) – APPROVE ABSTRACT #10

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

RESOLVED, that this Town Board hereby approves Abstract #10, as audited, general vouchers #626 through #715 (\$288,809.43) and TA vouchers #35 through #38 (\$4,189.32) totaling \$292,998.75.

2nd Cl Skaley

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

Budget Modifications

R Burger said the contractor for the Comp Plan update, EDR, has spent the 2020 budgeted amount and they would like to continue the momentum and expect it will be about another \$15,000 to finish out the year. The total project cost will remain the same. It is about a \$93,000 contract and there is \$100,000 for the project budget. The total amount would not change, but the budgeted amount for 2020 would need to be increased by \$15,000. He will have more specifics next month, but wanted to know how the board felt about keeping the project on schedule for this year. Next year's budgeted amount would be decreased by \$15,000.00. There were no objections and R Burger will prepare a budget mod for next month for this.

A budget modification has been submitted to move funds in the Ambulance District budget to pay for the CFR class provided at the high school. Funds will be moved from the workers comp line to pay TLC Ambulance for the class.

RESOLUTION #119 (2020) – 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		Amount
SM9040.8	Workers Comp	SM3989.4	CFR Class	4,900.00

2nd Cl Skaley

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

The board reviewed the 2021 budget requests submitted by the Town Clerk and Planning Department.

Permanent Appointment

Sherri Crispell has passed the civil service exam for Senior Account Clerk Typist and Supv Leifer asked for a resolution to permanently appoint her to that title.

RESOLUTION #120 (2020) – APPOINTMENT OF SHERRI CRISPELL AS SENIOR ACCOUNT CLERK TYPIST

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

RESOLVED, that this Town Board hereby appoints Sherri Crispell, from the certified list of candidates through Tompkins County Civil Service, to the permanent position of Senior Account Clerk Typist as of September 29, 2020.

2nd Cl Sparling

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

COUNTY BRIEFING

Mike Lane reported the County held its budget forum last night via Zoom with about 125 attendees. They hold the forum before finalizing the budget and holding their public hearing so that people don't think the public hearing is the only chance they have to speak. There were several over-target requests, including a community outreach worker for downtown Ithaca and the Downtown Ithaca Alliance. That person is a social worker who visits the Commons area and tries to help people that are homeless or otherwise struggling to obtain the services they need. There was also a request and discussion for a Climate Coordinator position and that is something they will be looking at very seriously. They will continue presentations on October 13 and subsequently come up with a budget. They are still short about 11% on sales tax (the worst in New York State except for New York City).

TC3 is foundering because the state has withheld payment to them that they normally get in September (\$2,000,000) yet they still have to make their payroll. The state has not let them know when they should expect that payment. There are about a dozen community colleges that are having issues. Five of them, including TC3, are having substantial issues because they don't have huge fund balances. They don't have access to taxes or other things to obtain money from. They have proposed raising tuition, but the budget that was sent to SUNY for approval was sent back because the budget assumed only 80% state aid next year. SUNY wants them to propose a budget that does 100% state aid next year, even though they are not likely to get 100% state aid. That may have to do with putting more pressure on Washington to have more aid to the states and localities. Colleges are required to pay the TAP (tuition assistance payments) that go to students (at all colleges), but there is no guarantee for full reimbursement by the state. No one can tell them where they are supposed to get the money from.

It's not a good time financially. The Intergovernmental Relations Committee has talked with representatives of Schumer's office, the State Budget Office and others. They have pressed the case to either have relief from the mandates or have the payments made that are required. The funds are needed in order to provide the services.

Flights from Tompkins Regional Airport will increase from one a day to two a day starting in November. That will be good for student and holiday travel in November.

Route 366/Freese Road/Mt Pleasant Road Intersection

Cl Lamb reported the Planning Board would like to investigate the status of a stop light study that was asked for at that intersection. They also discussed whether a roundabout might be appropriate for that location to make it safer. R Burger was told the results of that study would be forthcoming shortly. Pedestrian safety is an issue at that intersection. MPO Director Fernando de Aragon has mentioned that a preliminary scoping and design has started for the Route 366 improvements and is on the workplan for this current fiscal year. This would be a good time to bring up any addition if it was possible for this work for the DOT. This might be a good time to reach out to Mark Frechette and see what it would take to do something bigger at that intersection. Resurfacing will occur from the city line out to Route 13 and sidewalks will be going in the hamlet as well.

J Skaley said if there are traffic lights at the bridge and another light at the intersection and 100 vehicles exiting from the Maifly development suggests there may be a stack up of cars leading to frustration for drivers.

D Lamb said F de Aragon mentioned that we may need more space at the intersection and there may be a structure in the way. Roundabouts are not that expensive, a couple hundred thousand dollars added to a project. He will talk with Mark Frechette and see if it can be considered in the upgrade that is occurring. J Skaley said the incline from Freese Road to Route 366 should be addressed.

The board will prepare a resolution/request to DOT if necessary.

County Planning Municipal Support Application

Tompkins County municipalities can apply to County Planning for assistance. They can define a project and if there is a cost, the county would charge half the going rate for an individual planner. There is also an option called best practices. This includes asking for assistance in education on form based zoning and inclusionary zoning and there is no cost to the municipality. Given the changes we've seen and the county's desire for nodal development to be densified, J Skaley recommends the town apply for assistance in that regard prior to

looking at what might be applied town-wide after the comp plan update. The question is how to densify in and around nodes without destroying the communities in the process.

RESOLUTION #121 (2020) – APPLY TO TOMPKINS COUNTY FOR MUNICIPAL PLANNING SUPPORT

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

Whereas, Tompkins County Planning has called for project ideas to support municipal planning efforts, and

Whereas, County Planning has also emphasized nodal development in the County Comprehensive Plan and the Town is currently upgrading its comprehensive plan, it therefore would be timely for the Town to take advantage of this opportunity to obtain professional support as to how to promote nodal development in the Town, and

Whereas, County Planning is offering up to 200 hours of staff time for Best Practices that could include planning support for inclusive and form-based zoning, and

Whereas, incorporating more affordable housing is an objective of our comprehensive plan as well as the desires of town residents including Varna, and

Whereas, by participating with the County in Best Practices, there is no cost to the Town and as part of this opportunity County Planning would provide some training in form-based and/or inclusive zoning, and

Whereas, the Varna Community Development Plan suggests using form-based and character zoning as a means to develop the community and could therefore, provide an area to pilot how form-based and inclusive zoning may be acceptable to the community and also meet the objective of the County Comprehensive Plan for nodal development, therefore be it

Resolved that the Town of Dryden will apply for this planning support and directs the Planning Director to work out details with County Planning on how best to proceed.

2nd Cl Lamb

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

Video-Conferencing Equipment

Cl Servoss shared quotes she obtained for video-conferencing equipment to enable boards and staff to have hybrid meetings and broadcast meetings. The court would also be able to utilize this equipment in the course of their business. She explained how each setup would work.

A 55” monitor and necessary accessories for the Caldwell conference room would be \$4,559.60 and we could start using it immediately.

The quote for the public assembly room with an 86” monitor is \$11,804.69 and having the court apply for a JCAP grant for this was previously discussed. The downside to that is we

would have to wait to be approved to make the purchase. The monitor could be placed on a mobile stand instead of mounted permanently on the wall and the quote will be updated to include that expense.

Cl Servoss recommends outfitting the Caldwell room initially so that we can begin to hold hybrid meetings there. This company has been outfitting the county and are on state contract, so it does not have to go to bid. The purchase may be covered under the FEMA grant for Covid and R Young suggested the expense be submitted there. If it weren't for the pandemic, we would not be making this purchase. A budget mod from A1320.4 will be made to cover this purchase.

RESOLUTION #122 (2020) – AUTHORIZE PURCHASE OF VIDEO CONFERENCE EQUIPMENT

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

RESOLVED, that this Town Board hereby authorizes the purchase of video conferencing equipment from Mercury Networks in the total amount of \$16,364.38 plus an amount not to exceed \$1,000 for a monitor cart/stand if necessary.

2nd Cl Lamb

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

Air Duct Cleaning

Supv Leifer said they have received one estimate (about \$16,000) for the air duct cleaning and mold remediation for the town hall building. There will need to be an RFP because of the amount of expense. The company will provide a detailed report for \$500 and Supv Leifer suggested we get the detailed report and then do the RFP for the cleaning and mold remediation.

Airbnb/Noise Complaints

Supv Leifer said the local law for short term rentals will be introduced and a public hearing set for November. The noise complaint part needs to be addressed. The board can adopt something like what the Town of Ithaca has since the Sheriff's Department won't respond to noise complaints. That deals with parties and the issues we've had seem to do with Airbnb rentals. R Burger said having the short-term rental law on the books would provide some accountability and the town would then have a contact person. A noise ordinance would be the most effective thing against the Airbnb complaints that Code Enforcement has been dealing with for over a month. Having a noise ordinance in place would provide some accountability steps that could be taken and wouldn't necessarily pit one neighbor against another. A requirement for a registry in the short-term rental law means that an owner would have to sign a certification that they understand the rules, have all the safety equipment, and understand that they can only do up to 30 days a year. Then if Code Enforcement compiles enough evidence that they have exceeded that, there is an actionable item. There will be a penalty for not registering or not complying with regulations. The board agrees that adopting a noise regulation in addition to the short-term rental law would be helpful. The penalty portion will need to be discussed.

2150 Dryden Road

This public hearing will continue next week. The Planning Board has recommended the interconnect be underground. DRAC has also sent a letter. The Conservation Board discussed it and the Ag Committee will take it up at their meeting next week. Supv Leifer said NYSEG's regulations have nothing to do with True Green. There are interconnects in National Grid territory that are underground. There is an email on the website from NYSEG explaining that this is their standard, and all their linemen are trained on this equipment, this is the equipment that they stock and the universal standards that they use point toward this aerial equipment. Cl Skaley said the PSC oversees the utilities and should be able to tell the utilities what their standards should be. The PSC can establish some standards for solar given that it is an issue with Ag & Markets that burying the lines for the interconnect is a more desirable situation.

The recommendations of the Planning Board's resolution were reviewed and will be discussed with True Green next week. There had been a suggestion that the field where the interconnect is could possibly be used as recreation fields, but the property owner is holding on to that for agriculture. Screening will be important to be maintained along George Road if the poles remain. There can be conditions on any approval.

Six Mile Creek Gauge Station Agreement

Supv Leifer asked for authority to execute the agreement with the Town of Caroline for the Six Mile Creek Gauge Station for the next three years. The town's obligation under the agreement for the next three years would be: 2021 - \$3,034; 2022 - \$3,181; 2013 - \$3,331.

RESOLUTION #123 (2020) – AUTHORIZE AGREEMENT WITH TOWN OF CAROLINE FOR SIX MILE CREEK GAUGE STATION

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

RESOLVED, that this Town Board hereby approves the agreement with the Town of Caroline for maintenance of the US Geological Survey Gauge Station on Six Mile Creek and authorizes the Town Supervisor to execute the same.

2nd Cl Lamb

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

Moratorium on Development in Varna

Supv Leifer said Atty Sokoni had explained a lot with respect to this at the last meeting, and the question now is whether the board will put a vote on this on the agenda.

J Skaley said he was looking at the opportunity for assistance from County Planning discussed earlier as a way of going forward. He isn't sure this would be accomplished in a six-month time frame. The idea would be to put things on pause in the hamlet until there is sense on how we want to address development in a more coherent way that also meets with the requirements in the County's 239 letter. There is a need for more affordable housing and this is a way we can approach that as well as filling out nodes in a sustainable way that maintains community character, instead of dealing with whatever a developer decides to put in place. If

we are more forward-looking and learn how form based and inclusive zoning might work a community and can educate ourselves on the processes and legal issues, then it helps us address this. If Varna were used as a pilot area, then we would have to address how we go town-wide for any type of zoning upgrades. He understands that overlay zones might be one way of approaching this. If the county has expertise to offer, having a period to evaluate it along with the comp plan update and how it melds together, would be helpful.

Cl Lamb said the town attorney was unambiguous about this and that we would run afoul of the case law if we were to invoke a moratorium in this situation. Cl Skaley disagrees and said moratoriums are often used in situations where a board is looking at changing land use issues. It is a planning tool.

Supv Leifer said what would happen during a moratorium is not different that what is happening in the comprehensive plan process.

After further discussion, the board will not propose a moratorium. Cl Skaley thanked the board for the discussion.

October 15, 2020 Agenda Items

- 2150 Dryden Road Interconnect – resume public hearing
- Health Consortium Resolution
- 438 Lake Road Agreement Concerning Restrictive Covenant
- Short Term Rental Local Law
- Noise Ordinance

Updates

Varna Water Sewer – Cl Skaley reported the income survey letters will be sent out soon and the consultant will follow up with door-to-door visits after election. Still waiting to hear on the status of our funding applications from the Environmental Facilities Corporation and Department of Health. Other possible funding sources are USDA's Rural Development Grant and Office of Community Renewal to fill in gaps. There are also low interest and no interest loans. There is also the question of coordinating this work with the upgrade of Route 366. There is a timing issue to be sorted out. He is hopeful we'll get a fair amount of grant funding.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Bambi L. Avery