

**TOWN OF DRYDEN
TOWN BOARD MEETING
January 21, 2021
Via Zoom**

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
Peter Walsh, Town Attorney

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

TOWN CLERK

RESOLUTION #37 (2021) – APPROVE MINUTES

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

RESOLVED, that this Town Board hereby approves the meeting minutes of December 10 and 17, 2020 and January 4, 2021.
2nd Cl Sparling

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

Dog Control – We put out an RFP for a dog control officer and received one response. The board will go into executive session at the end of the meeting to discuss this appointment. The kennel is secured with a contract.

ANNOUNCEMENTS

Martha Robertson has announced she is not running for county legislature again.

There are two more public meetings regarding the comp plan update, January 26 and 27, and there may be another. There were 48 people in attendance at the meeting last night.

HIGHWAY/DPW DEPARTMENT

Rick Young said he didn't go too high with the §284 Agreement because of being unsure what the state disbursements may be this year. He would like this approved so they can start work in the spring. The agreement was displayed so the public could view it. It can be amended if necessary. M Robertson said the county may be doing Turkey Hill Road this summer. R Young said he communicates regularly with Jeff Smith, the County Highway Manager.

RESOLUTION #38 (2021) – APPROVE §284 AGREEMENT

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

RESOLVED, that this Town Board hereby approves the §284 Agreement as presented for work to be done in 2021.

2nd Cl Lamb

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

Town Hall heating/Air Ducts - Kevin Moravec has prepared estimates/proposals to improve and repair or replace the heating system in the town hall (attached). He explained and discussed those with the board. The main piece is doing some discovery on the main air handling unit. It is a large system, essentially an ERV with a geo thermal hot water reheat coil in it. That system was taken offline for an issue with the pump. One option presented is to replace the pump with a like-type model that meets the gallon per minute requirement. It needs to be operational to see how it functions. They also need to see how the Pasco system ties into either variable capacity, occupancy basis and such.

Another option presented is annual maintenance for the 18 total heat pumps. There are 16 forced air units ranging from 1 to 6 tons. They all should be evaluated and cleaned to extend the life of them 3-5 years. The cost to replace the forced air units with updated technology was provided. There is a need to assess potential mold issues inside units if any.

There is a quote to replace the entire system. It was noted that the units that require R22 are problematic and can sometimes be repaired short term, but not replaced in kind. The existing system was way more complicated than it needed to be. It has been problematic several times and some offices have been without heat and using space heaters or without air conditioning on several occasions.

Cl Skaley is in favor of replacing the system. The procurement policy needs to be followed. R Young will work on an RFP and/or get more quotes.

PLANNING DEPARTMENT

R Burger said the board has the monthly update and most projects on the agenda.

COUNTY BRIEFING

Martha Robertson said Covid testing continues and the county just approved another \$300,000 for free testing for any county resident. She cautioned that people who have been vaccinated still need to continue safety protocols. Scientists don't know whether the vaccination means you can't actually contract the virus and transmit it to someone else. It just protects you from getting sick. Until more is learned, we need to maintain vigilance.

The Game Farm Road agreement for the Rail Trail was forwarded from the County today. Alice Green thanked her for her help in securing that agreement.

M Robertson said she is not running for re-election but has 11 months left to serve. If anyone is interested in the position, she'd be glad to talk with them about it.

This year she is Vice Chair of the Budget Committee. Mike Lane will chair the Facilities & Infrastructure Committee. The Public Safety Committee today talked about reimagining the public safety collaborative with the city and other agencies. That is on target for April 1 and there will be opportunities for the public to comment. County meetings are available on YouTube.

PUBLIC HEARING (continued)
Proposed Noise Ordinance

Supv Leifer reopened the hearing at 7:00 p.m. There were several public comments last month and the County 239 review has been received.

Martin Hatch has sent a letter in support and continues to support it.

Shenandoah Briere asked about whether this would be enforced by the police, the set decibel level and whether there was a time of day it was in place. Atty Walsh said the town has had a noise provision in effect for some time geared toward commercial and industrial levels. This provision extends it to any noise, wherever it occurs and defines it as unreasonable noise (not mechanical), which is what an ordinary person would expect under the circumstances. Police officers would respond to a complaint and if they agreed the noise was unreasonable, would issue an appearance ticket. The town justice would then handle the case. A noise that is reasonable in the daytime may not be reasonable in the middle of the night.

Supv Leifer said this ties in to short term rentals in that if there are noise complaints continually the owner may not be able to renew their permit.

Peter Davies said he supports this. He resides near where semi-automatic machine gun fire is sometimes heard. It destroys the ability of everyone within a mile to peacefully enjoy their own yard. It is unreasonable in a residential area and he wants to be sure this is covered.

M Hatch asked whether a recording is a reasonable option for this if the sheriff doesn't respond soon enough. Atty Walsh said someone who is bothered can detail the experience and testify in court as to what they experience. Human testimony is evidence that can be relied on.

D Lamb asked whether a section referring to this should be added to the short-term rental law. Atty Walsh said this is being discussed and they may be able to capture it in application process.

M Robertson said there were complaints in the Ellis Hollow/Hunt Hill Road area of big booms. She asked the Sheriff to investigate certain dates (check call records) and that could be helpful if something happens repeatedly.

Atty Walsh said the Sheriff's Department is pretty stretched lately and depending on what is happening at the time, they may not be able to respond at the time. The alternative is that neighbors can make a complaint themselves in court.

Ryan Green asked how the zoning district will be taken into account and was told it would be taken into account in determining if this noise, at this time and place, is reasonable or not. He said he understands the plight of those in support of it. As someone who does not like having other people solve problems, the government or law enforcement, it saddens him that as a community we can't speak with our neighbors and come to a peaceful solution without litigating it and writing it into law. He thanked the board for what they do and for listening.

There were no other questions or comments and the public hearing was closed at 7:24 p.m.

**TG Miller Presentation
Varna Water/Sewer Upgrades**

Dave Herrick and Dondi Harner of TG Miller gave a presentation of the planned work for water and sewer improvements in the Varna area and how sections might be prioritized. Maps were displayed and the attached outline reviewed.

Cl Skaley suggests getting the engineering done and ready for bids as soon as possible so we are ready to go when we have a decision on funding. The town is eligible for an EFC loan at 2.1% for sewer. There is no word yet from the Department of Health on water and current rates are 1.7%.

Noise Ordinance

The board reviewed the SEQR forms related to adoption of the amendment to the zoning law. The text of the local law is attached.

TOWN OF DRYDEN RESOLUTION #39 (2021) - Lead Agency Designation and Negative Declaration of Environmental Significance Local Law Regulating Noise and Amending Town Zoning Law

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

WHEREAS, the Town Board has before it a draft local law entitled “A Local Law Enacting Noise Control Regulations in the Town of Dryden, New York”; and

WHEREAS, the Town Board has reviewed a short-form EAF prepared by the Town Planning Department with respect to the proposed action; and

WHEREAS, the Town Board on December 17, 2020 conducted a public hearing on said draft local law and resumed the public hearing on January 21, 2021; and

WHEREAS, the adoption of said local law is an unlisted action under the regulations implementing Article 8 of the Environmental Conservation Law (the New York State Environmental Quality Review Act, also known as SEQR);

NOW, it is hereby RESOLVED as follows:

1. The Town Board hereby establishes itself as lead agency to coordinate the environmental review of the proposed action; and
2. Based upon its thorough review of the EAF and any and all other documents prepared and submitted with respect to this proposed action, the Town Board makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQRA for the above-referenced proposed action and determines that an Environmental Impact Statement will not be required; and
3. The Responsible Officer of the Town Board of the Town of Dryden is hereby authorized and directed to complete and sign as required the determination of significance, confirming the foregoing Negative Declaration, which fully-completed and signed EAF and determination of significance shall be incorporated by reference in this Resolution.

2nd Cl Skaley

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

RESOLUTION #40 (2021) - Adopting Local Law No. 1 of 2021 amending the Town of Dryden Zoning Law and entitled “A Local Law Enacting Noise Control Regulations in the Town of Dryden, New York”

Supv Leifer offered the following resolution and asked for its adoption

WHEREAS, the Town has authority to adopt the local law referred to above (hereafter, “the Local Law”) pursuant to Article 9 section 1 of the New York State Constitution and section 10 of the New York State Municipal Home Rule Law; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town of Dryden to adopt said Local Law; and

WHEREAS, the Local Law was introduced at the meeting of the Town Board on November 19, 2020, and the Town Board reviewed and discussed the Local Law and set a public hearing to be held by said Town Board on December 17, 2020 at 6:30 p.m. to hear all interested parties on the Local Law; and

WHEREAS notice of said public hearing was duly advertised in The Ithaca Journal; and

WHEREAS said public hearing was duly held on said date and time and continued on January 21, 2021 and all parties in attendance were permitted an opportunity to speak and comment on the Local Law; and

WHEREAS, the adoption of the Local Law is an unlisted action pursuant to the New York State Environmental Quality Review Act and its implementing regulations, for which the Town Board of the Town of Dryden acting as lead agency in an environmental review with respect to the adoption of the Local Law made a negative determination of environmental significance on January 21, 2021, after having reviewed and accepted as adequate a Short Environmental Assessment Form Parts 1, 2, and 3 prepared by the Town’s Planning staff;

NOW, THEREFORE, be it hereby

RESOLVED, that the Town Board of the Town of Dryden hereby adopts said Local Law as Local Law No. 1 of 2021, entitled “A Local Law Enacting Noise Control Regulations in the Town of Dryden, New York”, a copy of which is attached hereto and made a part hereof, and the Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Dryden, and to give timely notice of the adoption of said Local Law to the Secretary of State as required by law.

2nd Cl Skaley

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

DISCUSSION/ACTION ITEMS

First Light – This application for a special use permit for an equipment shed at 1622a Dryden Road is ready for a public hearing. That hearing will be held February 18, 2021 at 6:30 p.m.

Municipal Solutions – Supv Leifer explained Municipal Solutions is currently under contract with the town and is helping with broadband financial planning and bonding. They have submitted a proposal to expand their services to include the Varna water/sewer projects. The board has reviewed the proposal.

RESOLUTION #41 (2021) – AUTHORIZE AMENDMENT TO AGREEMENT WITH MUNICIPAL SOLUTIONS

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

RESOLVED, that this Town Board hereby approves the proposal from Municipal Solutions dated January 12, 2021, extending their current contract for six months and adding consulting services for potential financing related to the Varna water/sewer projects, and the Town Supervisor is authorized to execute the amendment.

2nd Cl Servoss

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

Finger Lakes Quarry – The quarry wants to expand what is happening there. They want to have a portable rock crusher truck on site one month per year in the middle of winter. DEC is lead agency and the town does not object to that.

R Burger said it has happened in the community in the past, for one week where Mt Varna was and processed chunks of cement that were in the pile. It is an industrial operation. He assumes he can go with a meter and if they exceed 65 decibels at the neighboring property line, we can affect their process.

Dryden Lake Dam – The Conservation Board has passed a resolution in support of keeping a dam, whether through repair or replacement for the preservation of Dryden Lake. DEC is getting cost estimates to replace/repair it. A note was received noting that osprey and eagles nest there. Dryden Village Trustees support replacing the dam. Supv Leifer has told the DEC that the town wants the dam replaced. He noted there is no danger of a catastrophic failure and DEC is moving forward with cost estimates.

LED Streetlight Project – Supv Leifer is still waiting for the purchase agreement contract with NYSEG. NYPA has applied on our behalf for a Smart Grant for \$20,000. There are some new features for the fixtures (cameras, smart cities features) that could be useful to town staff. The project will move forward when we have an agreement with NYSEG.

Broadband Project – There will be a presentation from Hunt Engineers in February on how to move forward. The committee will meet next week and will decide on recommendations to the board on a business plan. They have been reviewing the pros and cons of an open access system vs a single ISP system. They intend to hire a company for customer service, but it will be a town run system in its entirety. The board will decide on the business model.

City Harbor Public Interest Order – R Burger reported documents were just received. This involves agreements for the project to be adjacent to Ithaca Area Wastewater Treatment Facility to use the effluent for their heating source and agreements to adjust the easements that pass through that property. The board will take this up at the February meeting.

Rail Trail - Game Farm MOU w/ DEC – Atty Walsh has reviewed the agreement as well as Bob Beck and Todd Bittner. Some revisions were made (such as allowing horses on the trail and other clarifications) and it was sent back to the DEC. We hope to have a response in a short time.

Freese Road Bridge – Cl Lamb reported he met with the town’s consultant and D Mills of NYSDOT to discuss next steps. The town has to try to sell the bridge and make an effort to relocate it. He is trying to find out if they will provide additional funds to do this. He will reach out to a company in Indiana. There was a lot of interest in preserving the historic bridge and perhaps it can be rehabbed and reused somewhere.

The new bridge is in the early stages of design. There will be another opportunity to look at the design. It will probably be a new truss style bridge as opposed to having the façade of the old bridge put on the side. Cl Lamb has reached out to David Weinstein, who had been negotiating on behalf of bridge committee, and has not heard back from him. He noted if we don’t have to cut up the old bridge for the façade, the cost of the bridge goes down.

Advisory Board Appointments

RESOLUTION #42 (2021) – APPOINT AG ADVISORY COMMITTEE MEMBER

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

RESOLVED, that this Town Board hereby appoints Marie McRae to the Agriculture Advisory Committee for a term to expire December 31, 2022.
2nd Cl Sparling

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

RESOLUTION #43 (2021) – APPOINT DRYC MEMBER

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

RESOLVED, that this Town Board hereby appoints Claudia Hafercamp-Wise to the Dryden Recreation and Youth Commission for a term to expire December 31, 2023.
2nd Cl Sparling

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

Consolidated Sewer District

Cl Skaley explained the board needs to pass the same resolutions that it passed last June with a revision. The EFC has said because of the potential for using a diversion, it becomes an unlisted action. Bond counsel has revised the resolutions to identify this as an unlisted action moving forward.

RESOLUTION #44 (2021) - DETERMINING THAT ACTION TO ACQUIRE, CONSTRUCT AND INSTALL CERTAIN IMPROVEMENTS TO THE TOWN OF DRYDEN CONSOLIDATED SEWER DISTRICT FACILITIES WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT

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

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

WHEREAS, the Town Board of the Town of Dryden, Tompkins County, New York (the "Town") is considering undertaking the acquisition, construction and installation of improvements to the Town of Dryden Consolidated Sewer District (the "District") sanitary sewer system including, but not limited to, the replacement or rehabilitation of sewer mains, manholes, pump stations and other facilities, and the acquisition of machinery, equipment or apparatus required in connection therewith (the "Project"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-b of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York ("DEC"), being 6 NYCRR Part 617, as amended (the "Regulations"), the Town Board desires to determine whether the Project may have a significant effect on the environment and therefore require the preparation of an environmental impact statement; and

WHEREAS, Town officials have prepared an environmental assessment form for the Project (the "EAF"), a copy of which was presented to and reviewed by the Town Board at this meeting and a copy of which is on file in the office of the Town Clerk; and

WHEREAS, pursuant to the Regulations, the Town Board has examined the EAF in order to make a determination as to the potential environmental significance of the Project; and

WHEREAS, the Project does not appear to constitute a "Type I Action" (as defined by the Regulations);

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF DRYDEN, TOMPKINS COUNTY, NEW YORK AS FOLLOWS:

1. Based on an examination of the EAF and based further upon the Town Board's knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the Town has deemed appropriate, the Town Board makes the following findings with respect to the Project:

- (a) The Project is described in the EAF;
- (b) The Project constitutes an "unlisted action" (as defined in the Regulations);

(c) No potentially significant effect on the environment is noted in the EAF for the Project, and none are known to the Town Board; and

(d) The Project will not have any significant adverse environmental impacts and the Town Board will not require the preparation of an environmental impact statement with respect to the Project.

2. The Town Supervisor is hereby directed to execute Part 3 of the EAF (Determination of Significance), to confirm the determination that the Project will not result in any significant adverse environmental impacts. A copy of the completed EAF shall be maintained in the Office of the Town Clerk in a file that will be readily accessible to the public.

3. This resolution supersedes and replaces the prior resolution adopted by the Town Board on June 22, 2020 determining that the Project is a “Type II Action” under the SEQRA Act and Regulations.

4. This resolution shall take effect immediately upon its adoption.
2nd Cl Skaley

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

RESOLUTION #45 (2021) - APPROVING THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO THE TOWN OF DRYDEN CONSOLIDATED SEWER DISTRICT FACILITIES

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

WHEREAS, pursuant to Town Law Section 202-b, the Town Board of the Town of Dryden (the "Town") proposes to undertake the acquisition, construction and installation of improvements to the Town of Dryden Consolidated Sewer District (the “District”) sanitary sewer system including, but not limited to, the replacement or rehabilitation of sewer mains, manholes, pump stations and other facilities, and the acquisition of machinery, equipment or apparatus required in connection therewith (the "Improvements"); and

WHEREAS, the total estimated maximum cost of the Improvements is \$5,358,570; and

WHEREAS, on June 18, 2020 the Town Board held a public hearing regarding the Improvements, as required by Town Law Section 202-b; and

WHEREAS, following the public hearing on June 18, 2020, the Town Board adopted a resolution pursuant to Town Law Section 202-b determining that it is in the public interest to acquire, construct and install the Improvements and authorizing the Town to proceed with the Improvements (the “Prior Approving Resolution”); and

WHEREAS, subsequent to adopting the Prior Approving Resolution, the Town performed an environmental review regarding the acquisition, construction and installation of the Improvements (the “Project”) pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-b of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the

State of New York (“DEC”), being 6 NYCRR Part 617, as amended (the “Regulations”) to determine whether the Project may have any significant adverse environmental impacts; and

WHEREAS, by resolution adopted on January 21, 2021, the Town Board determined that the Project will not have any significant adverse environmental impacts; and

WHEREAS, after completing its environmental review under the SEQRA Act and Regulations, the Town Board now desires to authorize the Project in accordance with Town Law Section 202-b.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby determines it is in the public interest to acquire, construct and install the Improvements; and be it further

RESOLVED, that the Town Board hereby authorizes the Town Supervisor and other proper officers of the Town to proceed with the Improvements provided, however, that the financing of the Improvements shall not occur until the Town Board has adopted a Bond Resolution in accordance with the New York Local Finance Law; and be it further

RESOLVED, that this resolution supersedes and replaces the Prior Approving Resolution adopted by the Town Board on June 18, 2020.

2nd Cl Skaley

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

RESOLUTION #46 (2021) - AUTHORIZING THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO THE TOWN OF DRYDEN CONSOLIDATED SEWER DISTRICT FACILITIES, AT A MAXIMUM ESTIMATED COST OF \$5,358,570 AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,358,570 SERIAL BONDS TO PAY THE COST THEREOF.

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

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

Section 1. The acquisition, construction and installation of improvements to the Town of Dryden Consolidated Sewer District (the “District”) sanitary sewer system in the Town of Dryden, Tompkins County, New York (the "Town") including, but not limited to, the replacement or rehabilitation of sewer mains, manholes, pump stations and other facilities, and the acquisition of machinery, equipment or apparatus required in connection therewith, is hereby authorized at an estimated maximum cost of \$5,358,570.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$5,358,570, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$5,358,570 in serial bonds (the "Bonds") of the Town authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years, pursuant to Section 11.00(a)(4) of the Local Finance Law. The proposed maturity of the Bonds will be in excess of five years.

Section 4. Pursuant to Section 107.00(d)(3)(l) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be apportioned and assessed upon the several lots and parcels of land within the Town of Dryden Consolidated Sewer District, which the Town Board shall determine to be especially benefited by the improvement, an amount sufficient to pay the principal of and interest on such obligations as the same becomes due and payable, but if not paid from such source, all the taxable real property in the Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on such obligations when due.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00 inclusive of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to sell and deliver the Bonds and any bond anticipation notes providing for substantially level or declining annual debt service, is hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 8. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Town's General Fund. It is intended that the Town shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this resolution and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Regulation Section 1.150-2.

Section 9. The Town Supervisor, as Chief Fiscal Officer of the Town, is further authorized to sell all or a portion of the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, to the New York State Environmental Facilities Corporation (the "EFC") in the form prescribed in one or more agreements (the "Agreements") between the Town and EFC; to execute and deliver on behalf of the Town all Agreements and other documents, and take such other actions, as are necessary or appropriate to obtain a loan or loans from EFC for all or a portion of the costs of the expenditures authorized by this resolution, and perform the Town's obligations under its Bonds or bond anticipation notes delivered to EFC and all Agreements.

Section 10. The serial bonds and bond anticipation notes authorized to be issued by this resolution are hereby authorized to be consolidated, at the option of the Town Supervisor, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other bond resolutions previously or hereafter adopted by the Town Board for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolutions. All matters regarding the sale of the bonds, including the dated date of the bonds, the consolidation of the serial bonds and the bond anticipation notes with other issues of the Town and the serial maturities of the bonds are hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town.

Section 11. The Town Supervisor, as Chief Fiscal Officer of the Town, is hereby authorized to file an application with the New York State Comptroller pursuant to Section 124.10 of the Local Finance Law to exclude the proposed indebtedness authorized herein from the constitutional and statutory debt limits of the Town.

Section 12. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 13. This resolution, or a summary hereof, shall be published in the official newspapers of the Town for such purpose, together with a notice of the Clerk of the Town in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 14. This resolution is not subject to a referendum on petition in accordance with Section 35.00(b)(2) of the Local Finance Law.

Section 15. The Town Supervisor, as chief fiscal officer of the Town, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the Town to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 16. The Town Board hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 17. This resolution supersedes and replaces the prior bond resolution adopted by the Town Board on June 18, 2020 relating to the objects or purposes authorized herein.

Section 18. This resolution shall take effect immediately.

2nd Cl Skaley

Roll Call Vote	Cl Sparling	Yes
	Cl Servoss	Yes

Cl Skaley	Yes
Cl Lamb	Yes
Supv Leifer	Yes

RESOLUTION #47 (2021) – AUTHORIZE PUBLIC HEARING TO DISCUSS COMMUNITY DEVELOPMENT NEEDS AND THE POSSIBLE SUBMISSION OF ONE OR MORE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATIONS FOR THE 2020 PROGRAM YEAR

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

Whereas, in order to apply for a CDBG grant to help fund the sewer/water infrastructure for the Combined Sewer/Water district a public hearing is required prior to submittal of the grant application, therefore be it

Resolved that a public hearing, available on Zoom, is set for February 18, 2021 at 6:45 p.m. to discuss community development needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications in the 2020 program year, and be it further

Resolved that a notice of this public hearing shall be printed in the legal notices of The Ithaca Journal as required.

2nd Cl Skaley

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

Website Presentation

Cl Servoss has been working on a new website for the town. She gave a presentation of the new website and gathered input from board members.

On motion made, seconded and unanimously carried, the board moved to executive session at 9:00 p.m. to discuss the appointment of a particular individual. No action was taken, and the board moved back to open session at 9:30 p.m.

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Bambi L. Avery
Town Clerk

Van Hee Heating Service Inc

6355 Dean Parkway Ontario NY 14519

Phone 585.545.4096 Fax 585.545.4099

www.vanheemechanical.com

Name:	Dryden Town Hall - Chris Clauson	Phone#:	607-229-4492	Date:	1/14/2021
Street:	61 East Main Street	Work#:		Job:	Centralizing Zones
City,State,ZipCode:	Dryden, NY 13053	Email:	asstdpwsupt@dryden.ny.us		

We hereby submit Specifications and estimates for:

Make Up Air Unit - 4400cfm Intake/Exhaust Unit - Massivly oversized for 98% of building use	
Replace P6 Pump - needed to make system operational for evaluation	\$3,800.00
Diagnosis of unit - requires access to control system	\$800.00
Cleaning of unit	\$800.00

•PLEASE CIRCLE ALL OPTIONS SIGN AND EMAIL, FAX, or MAIL BACK SIGNED CONTRACT w/DOWNPAYMENT•

We Herby Propose the Furnish Material and Labor complete in accordance with above specifications, for the sum of

Choose options and record price in space provided Dollars \$

Payment to be made as follows

**Approximately 1/2 Down Payment (round to the nearest 100) - Balance Due Upon Completion
if payment has not been made After 30 days 1.5% interest will be charged on total bill**

All Material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance

Authorized
Signature

Kevin Moravec

Note: this proposal may be withdrawn by us if not accepted within **30** days

Acceptance of Proposal

the Above prices , specifications , and conditions are satisfactory and are herby accepted. You are authorized to do the work specified.
Payment will be made as outlined above

Signature

In Business Since in 1959 We carry an A+ rating with the BBB



**ACCREDITED
BUSINESS**

Van Hee Heating Service Inc

6355 Dean Parkway Ontario NY 14519

Phone 585.545.4096 Fax 585.545.4099

www.vanheemechanical.com

Name:	Dryden Town Hall - Chris Clauson	Phone#:	607-229-4492	Date:	1/14/2021
Street:	61 East Main Street	Work#:		Job:	Individual Replacement
City,State,ZipCode:	Dryden, NY 13053	Email:	asstdpwsupt@dryden.ny.us		

We herby submit Specifications and estimates for:

Annual Maintenance on 18 total heat pumps - \$350/unit	Per	\$6,300.00
Semi Annual Maintenance on 18 Total heat Pumps - \$275/Unit - 2x annually	Per	\$9,900.00
Loop and Make Up Air Unit Maintenance - 1x annually	Per	\$850.00
Replacement of Units - Forced Air units, 1 Ton Units (small Zones) (10 Total)	Per	\$10,000.00
NYSEG Rebate - \$1400 per ton on average depending on rating of equipment	Per	\$1,400.00
Need to verify with NYSEG that multi-year replacement cycle is acceptable	Net	\$8,600.00
Replacement of Units - Forced Air Units, 2 Ton Units (medium Zones) (4 Total)	Per	\$11,000.00
NYSEG Rebate - \$1400 per ton on average depending on rating of equipment	Per	\$2,800.00
Need to verify with NYSEG that multi-year replacement cycle is acceptable	Net	\$8,200.00
Replacement of Units - Water to Water Units, 6 Ton Units (ERV System) (2 Total)	Total	\$25,000.00
NYSEG Rebate - \$1400 per ton on average depending on rating of equipment	Total	\$13,500.00
Need to verify with NYSEG that multi-year replacement cycle is acceptable	Net	\$11,500.00

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—————> Dollars \$

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Name:	Dryden Town Hall - Chris Clauson	Phone#:	607-229-4492	Date:	1/14/2021
Street:	61 East Main Street	Work#:		Job:	Centralizing Zones
City,State,ZipCode:	Dryden, NY 13053	Email:	asstdpwsupt@dryden.ny.us		

We hereby submit Specifications and estimates for:

Annual Maintenance on 18 total heat pumps - \$350/unit	Per	\$6,300.00
Semi Annual Maintenance on 18 Total heat Pumps - \$275/Unit - 2x annually	Per	\$9,900.00
Loop and Make Up Air Unit Maintenance - 1x annually	Per	\$850.00

Replacement of Existing Forced Air Heat Pumps

Upgrade systems to Variable Speed Technology - Waterfurnace 7 Series - Includes Symphony Monitoring (replace Pasco)

Tie multiple heat pumps into single unit and zone the air system using Intellizone 2 (4 Total)

Replace both Courtroom Units with individual 5 ton units

Units provide active dehumidification

Waterfurnace 5 ton 7 Series or equivalent - 6 Total Units	\$150,000.00
NYSEG Rebate - \$1500 per ton - 6 Total Units	\$45,900.00
	\$104,100.00

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Dollars \$

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**ACCREDITED
BUSINESS**

T. G. MILLER, P. C.

ENGINEERS AND SURVEYORS

605 West State Street | Ithaca, NY 14850 | phone 607-272-6477 | fax 607-273-6322 | www.tgmillerpc.com

January 21, 2021

Jason Leifer
Supervisor
Town of Dryden
93 East Main Street
Dryden, New York 13053

RE: Consolidated Water and Sewer District Infrastructure Planning

Dear Supervisor Leifer,

In anticipation of road and sidewalk improvements along Rt. 366 (Dryden Road) scheduled for the Spring of 2022, a list of priority water and sewer upgrades have been outlined below for consideration.

Water system upgrades ranked by priority

1. Replace watermain - Section 3 from Forest Home Dr. to Monkey Run Pump Station
 - a. Replace approximately 4,040 LF of 1960's 8" water pipe with 12" DIP
 - b. Remove and replace in same trench with temporary water main.
 - c. **\$1,510,992** (Including Survey, Engineering, const. admin and legal @ 15% \$161,892)

2. Replace watermain - Section 2 from Game Farm Rd. to Forest Home Dr.
 - a. Replace approximately 1,575 LF of 1960's 8" water pipe with 12" DIP
 - b. Existing water main is located outside of pavement/new walk but has high break history.
 - c. Survey and 30% design plans have already been completed
 - d. **\$582,270** (Including engineering, const. admin and legal @ 5% \$22,395)

3. Apple Orchard PRV upgrades to establish primary source of supply per agreement
 - Options:
 - a. Add 3" PRV and use existing building (**Construction Budget \$15,000 to \$20,000**)
 - b. Upsize valving and use existing building (**Construction Budget \$45,000 to \$65,000**)
 - c. New PRV building with upsized valves (**Construction Budget \$200,000 to \$220,000**)

Total Water System Improvements - Priority Sections **\$2,113,262 (New 3" PRV valve added)**

Total Water System Improvements - Full replacement per Eng. Report **\$3,221,956 (New PRV Station)**

The CWD fund balance at the end of 2019 was \$1,249,103

Sewer System upgrades ranked by priority

1. Refurbish sewer main MH#34 (Forest Home Dr.) to MH#63 (East of Freese Rd.) South Side Dryden Rd.
 - a. Need to complete video inspection to determine pipe condition and repair technique
 - b. Assume rehabilitate existing 8" AC pipe and manholes (3,600LF)

David A. Herrick, P.E.
Frank L. Santelli, P.E.
Andrew J. Sciarabba, P.E.

Donald M. Harner, P.E.
LEED A.P., C.P.E.S.C.

Lee Dresser, L.S.
Darrin A. Brock, L.S.

- c. Replace 60LF of 8" pipe from MH#34 to pump station with 12" PVC
- d. **\$743,750** (Including Survey, Engineering, const. admin and legal @ 15% \$79,688)

2. Upgrade Varna Pump Station and forcemain

- a. Partial replacement of forcemain from Forest Home Dr. to Game Farm Rd. with 8" HDPE (1,750 LF)
- b. New generator sized for future pump upsizing
- c. Survey and 30% design plans have already been completed
- d. **\$538,430** (Including Engineering, const. admin and legal @ 5% \$23,410)

Total Sewer System Improvements - Priority Sections **\$1,282,180**

Total Sewer System Improvements - Full upgrade per Eng. Report **\$4,006,590**

The CSD fund balance at the end of 2019 was \$812,317.

Total Combined Water and Sewer System Improvements- Priority Sections **\$3,395,442**

Respectfully,



Donald Harner, P.E.

CC: R. Young, Highway Superintendent
R. Burger, Director of Planning

TOWN OF DRYDEN, NEW YORK LOCAL LAW No. ___ of 2020.

A Local Law Enacting Noise Control Regulations in the Town of Dryden, New York.

BE IT NOW ENACTED by the Town Board of the Town of Dryden (hereafter "Town Board") as follows:

Section 1. Subdivision A. Policy Statement of Section 1307 of the Town of Dryden Zoning Law is hereby amended to read as follows:

The Town of Dryden has a compelling interest in ensuring for its residents an environment free from excessive noise which may jeopardize their health or welfare or degrade the quality of life. The prohibitions of this section are intended to protect, preserve and promote the health, safety, welfare and quality of life for residents of the town through the reduction, control and prevention of such loud and unreasonable noise.

Section 2. Subsection C. Definitions, of Section 1307 of the Town of Dryden Zoning Law is hereby amended to add thereto two new definitions to read as follows:

Unreasonable noise - any excessive or unusually loud sound which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of a reasonable person of normal sensitivities, or which causes injury to animal life or damage to property or business.

Person in charge of a party or other event or gathering - the person or persons who obtained permission to utilize public property for that party, event or gathering, or the person or persons who own or rent private property for any party or event (regardless of whether the renter has a long-term or short-term lease), and any adult person who lives in or on the premises involved in such party, event or gathering.

Section 3. Section 1307 of the Town of Dryden Zoning Law is hereby amended to add thereto a new Subsection I, entitled "Prohibition of Unreasonable Noise", to read as follows:

I. Prohibition of Unreasonable Noise.

1. No person shall make, continue, cause or permit to be made any unreasonable noise.

2. It shall be unlawful for any person in charge of a party, event or gathering that occurs on any private or public property to allow that party, event or gathering to produce unreasonable noise within any building, or outside of a building at a distance of 25 feet or more from the source of such sound. It shall also be unlawful for any participant in that party, event or gathering to contribute to such unreasonable noise.

3. Factors to be considered in determining whether noise is unreasonable in a given situation include, but are not limited to, any or all of the following:

- a. The intensity of the noise.
- b. The duration of the noise.
- c. The intensity of the background noise, if any.
- d. The zoning district within which the noise emanates and all zoning districts that lie within 500 feet of the source of the noise.
- e. The time of day or night that the noise occurs.
- f. The proximity of the noise to sleeping facilities.
- g. Whether the noise is continuous or impulsive.
- h. The existence of complaints concerning the noise from one or more persons who are affected by the noise.
- i. Whether the nature of the noise is usual or unusual.

j. Whether the noise is due to a natural or human-made activity.

Section 4. Severability. Should any section or provisions of this Local Law be declared by any court of competent jurisdiction to be unconstitutional or invalid, such declaration shall not affect the validity of this Local Law as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. Effective Date. This Local Law shall take effect on the first Monday of the month following upon its filing with the Secretary of State.