

**TOWN OF DRYDEN
TOWN BOARD MEETING
April 15, 2021
Via Zoom**

Present: Supervisor Jason Leifer, Cl Daniel Lamb, Cl James Skaley,
Cl Loren Sparling, Cl Leonardo Vargas-Mendez

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

Other Town Staff: Ray Burger, Planning Director
Amanda Anderson, Bookkeeper
Peter Walsh, Town Attorney
Cassie Byrnes, Secretary to the Supervisor

Supv Leifer called the meeting to order at 6:03 p.m.

TOWN CLERK

RESOLUTION #94 (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 March 11 and March 18, 2021.
2nd Cl Sparling

Roll Call Vote	Cl Sparling	Yes
	Cl Vargas-Mendez	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

Codification – Atty Peter Walsh reported he has reviewed the document provided by General Code. He found only two minor typos. This was a good piece of work on General Code’s part and an excellent move for the town. He has spoken with Evan Gelder, Editor at General Code, and they discussed sending the entire code for filing with the Secretary of State. The public hearing on adoption can be set.

**RESOLUTION #95 (2021) – SET PUBLIC HEARING
ON PROPOSED LOCAL LAW - CODIFICATION**

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

WHEREAS the Town Board of the Town of Dryden has entered into a project for the codification of local laws, ordinances and certain resolutions of the Town of Dryden for the purposes of increasing the effectiveness of town governmental administration, providing for greater public awareness of and access to town legislation and protecting the health, safety and welfare of town inhabitants; and

WHEREAS the proposed codification has been published in loose-leaf form and the Town Board now desires to formally effect the adoption of said codification by enactment of a local law;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board with respect to enactment of the following local law, such public hearing to be held on the 20th day of May, 2021, at 6:30 p.m., in the Town Hall, 93 East Main Street, Town of Dryden, New York, or by video conference as may be provided by state law governing public meetings during the Covid pandemic emergency. The proposed local law to be considered is as follows:

LOCAL LAW NO. __ -2021

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF DRYDEN INTO A MUNICIPAL CODE TO BE DESIGNATED THE “CODE OF THE TOWN OF DRYDEN”

Copies of the text of the above-named local law shall be filed in the office of the Town Clerk.

AND BE IT FURTHER RESOLVED that the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given in accordance with the Municipal Home Rule Law, the Open Meetings Law and §§ 264 and 265 of the Town Law of the State of New York.

2nd Cl Sparling

Roll Call Vote	Cl Sparling	Yes
	Cl Vargas-Mendez	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

ANNOUNCEMENTS

County Elected Official Call Notes – Most discussion centered around vaccine distribution and incentivizing employees to get vaccinated.

The Association of Towns Finance Meeting – will be held May 19 and 20, 2021.

HUMAN RESOURCES

Communications Policy – Revisions were made after discussion last month and it is ready for adoption:

RESOLUTION #96 (2021) – APPROVE COMMUNICATION POLICY

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

Whereas, the Town of Dryden saw the need for a Social Media and Website Policy for all Town administered sites.

Whereas, the Bookkeeper and Town Attorney researched and drafted a combined policy titled the Communication Policy to address all areas of electronic and other communications from the Town.

Therefore, be it resolved that the Board approves the Communication Policy and it will be distributed to all employees and volunteer committees.

2nd Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Vargas-Mendez	Yes

Cl Skaley	Yes
Cl Lamb	Yes
Supv Leifer	Yes

PUBLIC HEARINGS FOR MAY

Supv Leifer reported the Planning Board has passed a resolution (4-3) in support of the Town Board moving forward with adoption of the NYS Stretch Energy Code.

RESOLUTION #97 (2021) – SET PUBLIC HEARING – NYS STRETCH ENERGY CODE

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

RESOLVED, that this Town Board hereby sets a public hearing on adoption of the NYS Stretch Energy Code for May 20, 2021, at 6:40 p.m.

2nd Cl Skaley

Roll Call Vote	Cl Sparling	Yes
	Cl Vargas-Mendez	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

VARNA WATER/SEWER UPDATE

The board will hold a special meeting on April 22, 2021 at 5:00 p.m. for matters related to the infrastructure upgrade in Varna. Cl Skaley has provided board members with an update of the status of the projects. The board has until mid-May to complete the items still missing from the EFC application. After that we should be in good shape for short-term loan funding.

The board can proceed with bonding for the water piece at any time after approval from the Department of Health on the amended engineering report. Rates for municipalities are still very low, so this would be a good time to lock something in.

COUNTY BRIEFING

Martha Robertson reported the facilities and infrastructure committee met. Jim Skaley, Laurie Snyder, and Rick Young attended to talk about the Freese Road bridge. She had heard that it was reported that the county would not contribute the local share because it would not be rebuilt as a two lane-bridge. She is drafting a resolution for the board to consider later in the meeting. On Tuesday night the legislature will be considering a resolution to pay the local share of the S George Road bridge, which actually came in at 5.5 times what was projected in the original BridgeNY grant and yet the county is going to pay for that. If the board passes a resolution tonight explaining that the design of Freese Road bridge is a collaborative effort that everyone is satisfied with then perhaps we can make it clear that this is what the local municipality wants and that the county should support that.

Other towns, Ulysses, Lansing & Ithaca, are applying for BridgeNY with the understanding that the county will pay the local share. She doesn't know that any of them have any sort of contingency about their design being held over their heads.

Cl Lamb said we want a consistent policy for covering local share of these awards that towns or villages are applying for with BridgeNY. They need to know that they can do this with the confidence of knowing the county will pick up the local share since winning these awards

takes these projects off the county's priority list and allows that money to be spent elsewhere. We are saving the county money.

R Young said he just submitted two more bridge grant applications (for Genung Road & Mill St in Dryden) and understood that the county would cover the local share. The county highway manager has implied the local part would be covered.

M Robertson will continue to work on the resolution while the meeting continues.

PLANNING DEPARTMENT

Ray Burger reported his monthly department update is on the web. There is a comp plan update steering committee meeting scheduled for April 29 at 6:00 p.m. This meeting will be dedicated to looking at the draft greenhouse gas inventory.

Plans for review include:

- Tompkins County Hazardous Mitigation Plan – This is part of their resiliency planning effort. We're in the early stages of that multi-year project.
- Water Source Protection Program Plan prepared by Steven Winkley of New York Rural Water Association. Comments can be sent to R Burger by the end of May. He will consolidate them and forward on to S Winkley so that we can get a final draft by early summer.
- DEC's TMDL for Cayuga Lake – This originally came out with a 45-day comment period, but it may be extended to 90 days. It has taken more than a decade to get to this point, so justifying a 45-day rush doesn't make sense. We can have our various advisory boards take a look at that also.

The special joint committee at the Ithaca Area Wastewater Treatment Plant is dealing with a couple of emergencies that will be coming before the Town Board next month. A pipeline clogged with rags created back pressure on the digester and had enough back pressure to elevate a cement cap, raising it 18" and breaking the 15 stainless steel bolts that were holding it down. That is probably a million-dollar repair. An engineering report will nail down the cost. They also had two of their four aerators fail. Details and specifics should be available next month.

The City of Ithaca will put some water mains underground through property at the wastewater treatment plant and will be seeking some easements. That will be another action the town will have to take as part owner of the plant.

ED Collaborative Group that met today discussed how to coordinate some of the American Rescue Plan funding coming to the various municipalities. They hope to be able to coordinate and leverage that money to the best advantage for the county. They had a briefing on a couple of small business loan and grant programs that are becoming available through county efforts and the Ithaca Area Development Corporation (formerly TCAD). Microenterprise grants and seed program small business lending will be fully activated by the fall.

Supv Leifer noted there was recently some interest in our loan program.

The Drinking Water Source Protection Program Plan went out to all boards for comment. Comments received will be discussed at the June agenda meeting.

Fall Creek Streambank Stabilization SEQR is on the agenda for next week's meeting. Cl Sparling noted that the Conservation Board wanted to see EAF.

HIGHWAY/DPW DEPARTMENT

R Young said he had one recent retirement in his department and there are two employees who have 30 years in. He advertised the vacancy for the retirement and only received five applications, three from within the department. There is a lot of work coming up this year with trail work and the streambank stabilization project. He is going to need more help to handle the workload and groom new hires to take over when people retire. He normally hires seasonal workers and would like to blend that in to working on some of the grant stuff to see if any have potential that he can bring on full time. It is getting harder to get a CDL and he is struggling to find candidates.

He advertised the position as he has in the past with Tompkins County Civil Service. Board members offered suggestions on other places to advertise and doing outreach that is not necessarily conventional in order to reach diverse communities.

Varna Sewer/Water -The design plan has been submitted DSNY for marking of utilities.

R Young reported the state is giving back 15% of CHIPS funding previously withheld and he has sent in the paperwork. He just received notice from the Highway Superintendents Association that the state will now give back the last 5% and he will submit for that. It looks like next year CHIPS funding could be an extra \$100,000.00 (or possibly late this year). More roads will be repaired with that money.

The department has been out doing snowplow cleanups. They've received a lot of thank yous and cards.

R Young will contact Van Hee Heating for a timeline on the work to be done on the town hall HVAC.

DISCUSSION/ACTION ITEMS

Large Monitor – This was budgeted for last year, but the order did not go in. Supv Leifer noted based on recent attendance, the large meeting room can probably accommodate us with the reduced social distancing requirements. We could still use a zoom link for public attendance, but won't need a massive computer screen. We could get a smaller screen like the one in the Caldwell conference room.

HeatSmart Advertising Money Allocation – Supv Leifer said Alice Green is concerned with reaching households that don't have internet and getting help with printing costs. He can take some funding from the supervisor's contingency budget. Vouchers can be sent to the Town Supervisor. A Green said we may be able to get 50% of the cost of the flyers reimbursed by NYSERDA. It will cost about \$230 to run a Shopper ad and Supv Leifer authorized that expenditure. Flyers will also be left at businesses around town.

Freese Road Bridge – The board reviewed a draft resolution prepared by M Robertson and after consideration passed it.

Resolution #98 (2021) - Requesting that Tompkins County Pay the Local Share for the Freese Road Bridge within the Bridge NY Program

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

WHEREAS, Tompkins County and the Town of Dryden cooperatively maintain bridges on Freese Rd. over Fall Creek and on South George Rd. over Virgil Creek in the Town, and

WHEREAS, due to the deterioration of these bridges, Tompkins County had included their reconstruction in its Five-Year Bridge Plan and Capital Program at a projected \$2,632,000 county cost (80% of the total based on the normal 80/20 cost split with the town for such projects), and

WHEREAS, on its own initiative, the Town of Dryden secured a Bridge NY grant that would pay 95% of the costs for the Freese Rd. and S. George Rd. bridges (\$2,825,000 and \$1,013,000, respectively), with only a 5% local share, and

WHEREAS, being relieved of paying \$2,632,000 for both bridges (the typical 80% of the full costs), Tompkins County agreed to pay the full 5% local share for both bridges, which was projected to be \$50,637 for S. George Rd. and \$141,250 for Freese Rd., and

WHEREAS, in the spirit of intermunicipal cooperation and to make good on its pledge, even though the S. George Rd. project has come in over budget such that the local 5% equals \$278,275, Tompkins County is in the process of approving the local share of the completed bridge, and

WHEREAS, the Freese Rd. bridge has been classified as eligible for national historic status by the New York State Historic Preservation Office, so the project was far more complex than most bridge projects, and

WHEREAS, the Town of Dryden has been working, for more than six years, with the residents of Varna and other community members, to help craft a plan for rehabilitation of the Freese Road bridge that simultaneously preserves the unique 1886 historic structure, and serves the desires and needs of the community and the traveling public, and

WHEREAS, after countless meetings on this subject involving the community, the Town, the NYS Department of Transportation (NYSDOT), the NY State Historic Preservation Office (NYSHPO), and the Federal Highway Authority, an agreement satisfactory to all parties was reached to replace the bridge with a new one-lane truss bridge reminiscent of the current bridge, and

WHEREAS, this agreement will preserve the historic Groton Bridge Company bridge by selling it for a nominal fee to an organization in Groton that is establishing a publicly accessible display of the bridge, so that the community can honor, inspect, and learn from the great work that was done by the Bridge Company, at the time one of the principle bridge-building facilities in the United States, and

WHEREAS, the Town of Dryden appreciates the historic collaboration it has enjoyed with Tompkins County, including as partners in the Bridge NY program which brings millions of dollars into the county, and

WHEREAS, other towns in Tompkins County, including Lansing, Ithaca, and Ulysses, are following Dryden's lead in applying for Bridge NY funding, and

WHEREAS, in order to commit the staff time needed to apply for Bridge NY grants and pay the upfront costs as required, town governments need to be confident that the county's participation can be relied on and the policy to pay the full local share will be consistently applied, now therefore be it

RESOLVED, that the Town of Dryden respectfully requests that the County commit to contributing the full local share of the Freese Rd. bridge project, as has been promised through all previous stages of this work, ensuring that the Town’s preferred plan as approved by State and Federal agencies can be completed successfully.
 2nd Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Vargas-Mendez	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

ADVISORY BOARD UPDATES

Rail Trail Task Force – Bob Beck reported he and Todd Bittner met with Rick Young west of the Route 13 crossing where they plan to build a spur trail down to Fall Creek through Cornell land and talked about how to get across a wetland there. R Young was helpful looking at possible gravel and culverts to get through. The committee will meet again with consultants for the Route 13 bridge next Thursday at 4:00 p.m. There is some additional information from DOT and they will resume discussions with Erdmann Anthony and ask them to produce another iteration of the bridge alignment and design. The input from DOT could allow for a design that is a little less expensive.

Cl Lamb reported an application went into Congressman Reed’s office for assistance in closing the funding gap for the project.

The committee also:

- Is looking at a workaround in the Etna area.
- Discussed use of the railbeds for laying fiber. There are easements in place for sewer and water. That may be adequate for a fiber utility. If so, the RTTF can help with some synergy for working with landowners. There are sections of the trail that are still totally overgrown where we don’t have easements, and you can’t just go through and lay fiber without a considerable amount of clearing.

Planning Board – Cl Lamb reported there was a robust discussion about the stretch code that resulted in a resolution to recommend the Town Board adopt the stretch code. Not everyone agreed in the end and the vote carried 4 to 3. Cl Skaley noted the President has laid out a more aggressive timeline for reducing carbon emissions. If funding comes through, there may be more resources available to push these kinds of things forward.

With respect to the First Light fiber shed approval, R Burger reported that thinking that a fabric covered chain link fence was better screening than a black matt finish chain link fence, he had recommended that to the Town Board for approval of the project. The Planning Board believes fabric fence liners need periodic replacement and in the long run a black matt chain link fence is a better long-term fix. The applicant will put that in their site plan. It is a slight change from what the board approved last month. The Town Board agrees with the recommendation of Planning Board.

Ag Advisory Committee – Cl Sparling reported the Ag Committee still has questions about the stretch code. Steve Foote will collate the questions and send them to the Town Board.

Conservation Board – Cl Sparling reported there was a presentation last night by Rebecca Schneider about roadside ditches. He presumes Conservation Board members attended. R Schneider is still willing to work with Dryden on our ditching efforts. The Conservation Board would like to provide input on the streambank stabilization SEQR and he will send that information to them. They passed a resolution that requests the Town Board to instruct the Planning Department to enforce the Town of Dryden Erosion and Sediment Control Law to its fullest and provide an accounting of all projects that are non-compliant with the written plan for mitigation of these deficiencies. They also ask for access to these documents for review.

Recreation & Youth Commission – Cl Sparling reported summer camp will follow a pod model and fees will be charged. Supv Leifer noted that camp registration filled up in four hours.

Climate Smart – Notes from the meeting: John Kiefer related a conversation he had with a representative from NYPA on their blended power program. He learned that NYPA is interested in selling green electricity to the town and that their offering qualifies for NYSERDA's CSC program. The NYPA rep also mentioned they are interested in developing photovoltaic projects on land owned by municipalities and they offer a variety of options that compensate the municipality for use of the land. The CSC committee suggested the parcel north of the town hall, but did not know at the time of the plan to use that land for recreation fields. If the fields end up in another location, we could contact NYPA on their website.

The committee also discussed the Energywi\$e Dryden campaign (in partnership with HeatSmart). Marie McRae has been a promotional force in this regard and there have been three recent articles in local papers.

Supv Leifer noted he has signed a release for NYPA to contact our energy suppliers to get information from them. Community Choice Aggregation through TCCOG's subcommittee was noted and we don't want there to be overlap.

Cl Lamb inquired about the status report of building ball fields near town hall. The Rec Department is talking with R Young about the plans, and there may need to be modifications, but it is moving forward. There is no time frame. Parking is an issue.

Broadband Advisory Committee – There is a meeting scheduled for tomorrow.

CITIZENS PRIVILEGE

Craig Schutt – The Conservation Board passed a unanimous resolution regarding enforcement of stormwater laws and hope to hear something back.

He has concerns about the stretch code. His understanding is the Planning Board resolution was based on some misinformation and that Mr Vogel has admitted that. He hopes that proper information gets out before the board moves on it. It is not good to approve things when information is not correct.

Cl Lamb said he has seen the email chain. L Vogel admitted to misquoting the price of an ERV. He doesn't believe it would have changed the vote. He appreciates the point, but it is not something that will change the schedule on a hearing.

On motion made, seconded and unanimously carried, the board moved to executive session to discuss the employment history of two particular individuals at 8:06 p.m. and returned to regular session at 8:16 p.m.

RESOLUTION #99 (2021) – APPOINT DIRECTOR OF RECREATION

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

RESOLVED, that this Town Board hereby appoints Marty Conger at a pay rate of \$26.00/hour starting March 30, 2021 to the part-time position of Director of Recreation.
2nd Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Vargas-Mendez	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

RESOLUTION #100 (2021) – INCREASE PAY RATE FOR RECREATION SUPERVISOR

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

Whereas, Andrew Pierce has been paid an additional \$133.00/pay period from the Director of Recreation Personnel Budget Line (A 7020.100) while the Town was without a Director, and

Whereas, Andrew Pierce will continue his responsibilities as before the Director was hired and should now be paid the same amount at an hourly rate of an additional \$1.90/hour in the Recreation Supervisor Budget Line (A 7020.101), now therefore, be it

RESOLVED, that the Town Board approves an increase for Andrew Pierce in his hourly rate of \$1.90/hour in budget line A 7020.101 starting on April 18, 2021.
2nd Cl Lamb

Roll Call Vote	Cl Sparling	Yes
	Cl Vargas-Mendez	Yes
	Cl Skaley	Yes
	Cl Lamb	Yes
	Supv Leifer	Yes

There being no further business, on motion made, seconded and unanimously carried, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Bambi L. Avery
Town Clerk