

**Danby Town Board  
Minutes of Special Meeting  
August 31, 2010**

**Present:**

Supervisor: Ric Dietrich  
Councilpersons: Leslie Connors, Kathy Halton, Dylan Race

**Excused:**

Councilman: Dan Klein

**Others Present:**

Town Clerk Pamela Goddard  
Code Enforcement Susan Beeners  
Code Enforcement Russ Klinger  
Bookkeeper Laura Shawley  
Highway Sup't Carl Seamon

**Members of the Public:**

Doug Benson, Benson's Farm Equipment, Inc.

**Opening Bids - Phase 2 Town Highway Salt Barn Project**

Three bids related to this project were received in the Town Clerk's office. The sealed bids were opened at 7:00pm.

Legacy	\$53,559
Benson's Farm Equipment	\$32,175
EJ Construction	\$51,556

All bidders were given the same specifications and all bids were for similar structures. All are hot dipped galvanized steel. References were not requested.

A representative of Benson's Farm Equipment, based in Groton, NY, was in attendance in order to answer questions. There was a general discussion between the Board and Highway staff about the structure and how it will be erected and used. There is a 15 year guarantee on the steel, based on the full ventilation system planned for this salt barn. Doug Benson said that the biggest problems with the membrane structure are vandalism and trucks driving into it. The location and current security of the proposed Danby Salt Barn is such that vandalism should be a minor concern. There was a short discussion about the color of the shed. The highway department plans to go with a white membrane, for increased interior daylight in the work space, with dark green trim. The cover has a life expectancy of 20-25 years. The cover is approximately 25% of the kit cost. Minimal maintenance is required, primarily periodic tightening in the first year.

Benson spoke about his experience as a dealer and installer for Coverall/Calhoon Superstructure membrane sheds. He has installed these for commercial, agricultural, and municipal highway use. He stated that the difference in price between his bid and the two others is likely due to reduced travel costs and his ethic to "Not gouge town tax payers." He stated that he, "Doesn't like waste, even if it's not my money."

Benson excused himself and the Town Board had a short discussion about awarding the bid. Carl Seamon stated that he knows of farmers who have used his structures.

**Resolution No. 103 of 2010 – TOWN HIGHWAY DEPARTMENT SALT BARN PROJECT - PHASE 2 – STEEL FRAME MEMBRANE STRUCTURE**

**WHEREAS**, the Town has invited the submission of sealed bids for Phase 2 of the Town Highway Department Salt Barn Project, said phase being the construction of a steel frame membrane structure and has received and reviewed such bids; **NOW, THEREFORE, IT IS**

**RESOLVED**, that the Town Board of the Town of Danby authorizes the Town Supervisor to award a contract

to Benson's Farm Equipment, Inc. for said construction of a steel frame membrane structure; and it is

**FURTHER RESOLVED**, that the Town Board approves the expenditure of funds for said Phase 2 from the Capital Highway Improvements Program.

Moved by Race, Second by Connors. The motion passed.  
In Favor: Connors, Halton, Race, Dietrich

**Town Hall Painting Project:**

The proposed resolution identifies the designated account for the transfer of funds for painting and repairs on the town hall. This is the account where all building reserve money is held. The money will be moved as it is used.

**Resolution No. 104 of 2010 – TOWN HALL PAINTING PROJECT – APPROVAL OF FUNDING SOURCE**

**RESOLVED**, that the Town Board of the Town of Danby approves the transfer of funds from the Town Building Reserve Fund, Account #A231, for use in paying the expenditures related to the painting of portions of the Town Hall, said expenditures being the price contracted with Blue Spruce Painting & Decorating, Inc. of \$30,555, and any possible future change orders authorized by the Town Supervisor not to exceed \$5,000.

Moved by Dietrich, Second by Connors. The motion passed.  
In Favor: Connors, Halton, Race, Dietrich

**Snow and Ice Removal Agreement:**

This is a maintenance item, updating an agreement between Danby and Tompkins County. This contract is renewed every three years. The stated contract is on file in the Highway Department offices.

**Resolution No. 105 of 2010 – PERMISSION FOR THE TOWN SUPERVISOR TO ENTER INTO A THREE YEAR CONTRACT WITH TOMPKINS COUNTY FOR THE REMOVAL OF SNOW AND ICE FROM DESIGNATED COUNTY ROADS**

**WHEREAS**, section 135-a of the State Highway Law and General Municipal Law Section 119-o authorize a County to contract with a Town for the removal of snow and ice from the County Roads and for the County to provide snow and ice maintenance on Town Roads; **NOW, THEREFORE, IT IS**

**RESOLVED**, that the Town Board of the Town of Danby gives the Town Supervisor permission to enter into a three year agreement with the County for the removal of Snow and Ice on designated County roads with all conditions stated in the signed contract.

Moved by Race, Second by Halton. The motion passed.  
In Favor: Connors, Halton, Race, Dietrich

**Phase One Salt Barn Shed bids:**

An engineer will have preliminary drawings for the poured concrete foundation and walls ready on September 3, 2010. Bids will be read at the September 13 Town Board agenda meeting.

**Resolution No. 106 of 2010 – AUTHORIZING THE TOWN OF DANBY HIGHWAY DEPARTMENT TO SEEK BIDS FOR THE CONSTRUCTION OF A SALT STORAGE FACILITY**

**RESOLVED**, That the Town Board of the Town of Danby authorizes the Town Highway Department to seek bids for the construction of a 42' by 100' poured concrete foundation and walls to be used as a salt storage facility.

Moved by Race, Second by Connors. The motion passed.  
In Favor: Connors, Halton, Race, Dietrich

**Highway Superintendent Referendum Mailing:**

There was a short discussion about the wording and layout of the mailing to voters regarding the November

referendum on a proposed change of elected Highway Superintendent to appointed. The position statements, gathered from various and diverse people, will not be edited or altered in any way.

**Oasis Zoning Update:**

Sue Beeners gave an update on letters to be sent to Pam Kaminsky, Linda Bryan with copies to other neighbors. These letters have been reviewed and approved by the Town Attorney. Beeners' research finds that a bar/dance hall has been at this location since 1934. This predates the earliest zoning ordinance in Danby. A 1989 BZA decision upheld a Certificate of Occupancy approving that the premises for use as a tavern, restaurant, dance hall, "until 2:00am." Thus, the issue of interior noise, and the existence of a basement apartment, are both "grandfathered" in relation to relevant zoning and there is little basis for regulating this type of noise. The most the Town can do is recommend that Kaminsky work diligently to tone it down. Kaminsky has indicated that she intends to install air conditioning for next year.

The letter to Kaminsky will advise her of non-conforming use with outside amplified music and alcohol consumption in the parking lot and gazebo. Any further violations will initiate the issuance of appearance tickets. The letter to Bryan will inform her of the history, rights, and limitations of this business zone. Beeners will transmit these letters to Kaminsky, Bryan, and the others. Copies will be transmitted to the board as well.

**Adjournment**

A motion to adjourn the Meeting was made at 8:33pm.

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Pamela S Goddard, Town Clerk