

**Danby Town Board  
Minutes of Year-End Meeting  
December 22, 2011**

**Present:**

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

**Excused:**

Town Clerk Pamela Goddard

**Others Present:**

Bookkeeper Laura Shawley  
Planning Board Anne Klingensmith

**These Minutes were drafted by Councilperson Kathy Halton.**

**The Meeting of the Danby Town Board was opened at 7:03pm.**

**Additions and Deletions to the Agenda**

Two separate resolutions--one for approving the Gas Drilling Task Force's comments on the draft SGEIS, and another to approve the County Legislature's recent resolution regarding a statewide ban on hydraulic fracturing— had been submitted by Code Enforcement Officer, Sue Beeners. The Board decided to postpone discussing the resolutions as several members had not yet received it. The Town Board will review these at its first January meeting.

Connors asked that a discussion of the process by which the Town Board presents tasks for the Planning Board to do in the coming year be added to the agenda.

**Privilege of the Floor**

Anne Klingensmith addressed the Board regarding two issues related to the Planning Board.

She reviewed the work that had been done in the last year, and stated that the Planning Board had been tasked to work on the hamlet plan during 2011, but they had been sidetracked by several very immediate things that were more important—the Road Law, the Aquifer Protection Law, and the law banning gas drilling in Danby. Those items were in addition to the routine work of the Planning Board. She stated that the Planning Board expects to be working on a review of the 2003 Danby Comprehensive Plan this year, and they are ready to go on that. She asked that the Town Board give the Planning Board clear instructions, and that these instructions be written down.

Connors referred to the minutes of recent TB discussions regarding the tasks that the Planning Board should have been doing this past year. She expressed concerns regarding the way instructions are communicated to the PB. Connors stated that she thought, after the November meeting, that we had asked the Planning Board to review the Comprehensive Plan, but then when they had their November meeting, the instructions “morphed” into a long list of things. She thought that many members of the Planning Board were confused by this.

Dietrich stated that, “We had been reviewing what the Town would be dealing with this coming year,” and there is a lot of work to be done. Staff used “Darby’s list” and other material to try to prioritize these issues, and figure out what will need Town staff to work on and what can be done independently by volunteers. He would like to see groups forming to do this work. The Town Board would sponsor meetings—one would concentrate on energy, energy audits, etc. There followed a discussion of “groups” that would work on issues for this year. Connors reiterated that the Town Board needs to be very clear about what these subjects are, and we shouldn’t keep changing what we ask them to do.

Klingensmith repeated that the Planning Board is ready to jump into the review of the Comp Plan this year. Klein summarized our discussion by stating that we will wait to see a list of these tasks, and then decide what we want them to do at the next meeting. Klingensmith discussed what the Planning Board can do (reviewing other laws) and can't do (write laws), and she repeated her request that we be as specific as we could.

### **Planning Board Appointment**

Klingensmith also discussed the polling of Planning Board members about whom they wished to work with as a new member. The PB chairman asked his Deputy Chair to do a telephone poll of the members (five of the six had Frank Kruppa as first choice). Klingensmith stated that they currently have a diverse group, with different skills and different experience, and they work well together.

Connors stated that she was responsible for communicating this message about the poll to the Board, and she communicated the results to Halton to report to the Town Board at the December 12 meeting. There was discussion about the potential bias of such a poll, and that if not submitted formally in writing to the Board, the information might be considered as hearsay. The Board agreed that having the results of a telephone poll "in writing" would be a good idea.

### **Warrants**

#### **HIGHWAY FUND**

#192-193 for a total \$4,990.19

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

#### **WATER DISTRICT**

#070-073 for a total \$2,573.49

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

#### **GENERAL FUND**

#545-557 for a total \$5,297.57

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

### **Approval of Minutes**

#### **RESOLUTION NO. 121 OF 2011 - APPROVE MINUTES**

**Resolved**, that the Town Board of the Town of Danby approves the minutes of December 5 and 12, 2011, as amended.

**Moved by Halton, Second by Race.  
In Favor: Connors, Halton, Klein, Race, Dietrich**

## **Planning Board Appointment**

Halton made a statement that there had been three good applicants for this vacancy and that she hoped that those who applied would apply again. Dietrich stated that he intended to abstain from the vote.

### **RESOLUTION NO. 122 OF 2011 - PLANNING BOARD APPOINTMENT**

RESOLVED, that the Town Board of the Town of Danby appoints Frank Kruppa to fill a current vacancy on the Planning Board.

**Moved by Halton, Second by Connors.**

**In Favor: Connors, Halton, Klein**

**Opposed: Race**

**Abstained: Dietrich**

## **Town Response to rdSGEIS**

The response to the draft SGEIS will be sent to the Town Board on the Friday before its first meeting (on January 9), so that the Board will have time to read the comments and be prepared to vote on them. The Board anticipates voting on these resolutions at that time. Halton stated that there are several new members on the GDTF and they are all working very hard contributing to this work. Klingensmith stated that the Planning Board would like to see these comments. This may not be feasible, since their meeting won't be until after the deadline for submittal.

## **Conservation Advisory Committee Annual Report**

The CAC was set up by the Town Board this year. Its annual report was sent to the Town and the DEC. Its expenditures were \$125.63 and revenue was \$50.00 (donated). They had several educational programs that were not as well attended as had been hoped. Jake Brenner and some students have worked on mapping, including identifying features that they are interested in preserving or at least knowing about (e.g. streams, steep slopes, etc.). The CAC met with the Finger Lakes Land Trust, but the latter were not interested in providing support at this time.

Klein presented information about how to write easements. The CAC is currently learning about how it is done. There are a number of property owners in Danby who have expressed interest in having easements. The CAC is doing a trial procedure with one property owner. This will be moving slowly, since they will learn as they go. They will write up the easements, and then take them to the lawyers. Then they will bring the document to the Town Board meeting for its approval. The main part of these voluntary easements is that there would be no more buildings put up on those lots. There will be volunteers to monitor these properties once a year. The CAC can accept a donation of land on behalf of the town, but they are not soliciting that.

### **RESOLUTION NO. 123 OF 2011 - APPROVE CONSERVATION ADVISORY COUNCIL ANNUAL REPORT**

**Resolved**, that the Town Board of the Town of Danby formally accepts the 2011 annual report presented by Dan Klein speaking for the Conservation Advisory Council.

**Moved by Dietrich, Second by Connors.**

**In Favor: Connors, Halton, Klein, Race, Dietrich**

### **Energy Efficiency Intern**

Klein informed the Board of two ideas for potential projects for an energy intern: Researching wind power legislation from other Towns, and compiling information about renewable projects already going in Danby and, perhaps, making an inventory of them. These ideas were incorporated in the application, submitted by Town Clerk Goddard.

### **Joint Defense Fund**

Dietrich briefly discussed the progress of the joint defense fund, and stated that there are several different opinions. He has some written material from Town Attorney, Guy Krogh, which he will forward to the Town Board members. There appears to be a legal method for a municipality to accept donations for this purpose.

### **Adjournment**

The Meeting was adjourned at 8:45pm.

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These Minutes were drafted by Councilwoman Kathy Halton  
Pamela S Goddard, Town Clerk