

**Danby Town Board
Minutes of Regular Meeting
September 10, 2012**

Present:

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

Others Present:

Town Clerk Pamela Goddard
Code Office Sue Beeners
Bookkeeper Laura Shawley
Justice Garry Huddle
Highway Sup. Carl Seamon
Public Lisa Turner from Waldorf School

The Meeting of the Danby Town Board was opened at 7:02pm.

Privilege of the Floor

Shawley and Seamon explained a change that will take place regarding the Deputy Highway Superintendent. On a trial basis, the Highway Department is going to operate under a work order system. This is intended to reduce Deputy Highway Superintendent hours for a while in order to keep budget costs under control. The work order system will assist with a performance review for the Deputy Highway Superintendent.

According to CSEA agreements, the Deputy Superintendent should not be part of the union. The person currently appointed as Deputy Superintendent is a union member. This has been a concern.

There was a discussion as to whether formal support for the work order system and re-evaluation of the Deputy Superintendent, via a Town Board resolution, was required. The Board has been informed and a letter will be sent to the employee. No other action is needed.

Warrants

GENERAL FUND

#378-420, for a total \$25,507.82

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

HIGHWAY FUND

#113-127 for a total \$85,619.30

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

WATER DISTRICT FUND

#046-052 for a total \$3,525.54

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

Approval of Minutes

Goddard noted that a small addition, requested by Kathy Halton, was made to the August 20 minutes.

RESOLUTION NO. 87 OF 2012 - APPROVE MINUTES

Resolved, that the Town Board of the Town of Danby approves the minutes of August 13, 2012, and August 20, 2012 as amended.

Moved by Race, Second by Dietrich. The motion passed.

In Favor: Halton, Klein, Race, Dietrich

Court Requests

Justice Huddle presented a resolution regarding a request to submit a grant application. Huddle informed the Board that a specific use of the grant would be to consolidate and digitize some of the Town Court files. Grant money would be used to cover the time of a person to sort and consolidate files and scan or destroy items as appropriate. A person, currently doing a similar job for the Town of Ithaca, has been identified to do this work.

Huddle further informed the Board that this person may be trained as a potential Court Clerk, as the current Court Clerk is getting older and may wish to retire.

RESOLUTION NO. 88 OF 2012 - AUTHORIZE TOWN COURT GRANT APPLICATION

Whereas, the Danby Town Court is eligible to submit a grant application to the New York State Office of Court Administration for funding from the 2012 Justice Court Assistance Program (JCAP) for the purchase of court related items, and

Whereas, Town of Danby Justice Theresa Klinger and Town of Danby Justice Garry Huddle are requesting authorization from the Town Board for the Danby Town Court to submit a grant application to the New York State Court Administration for funding from the 2012 Justice Court Assistance Program (JACP) in the amount not to exceed \$30,000; **Now Therefore, It Is**

Resolved, that the Town Board of the Town of Danby approves the request from the Danby Town Court to submit a grant application to the New York State Office of Court Administration for funding from the 2012 Justice Court Assistance Program (JCAP) in the amount not to exceed \$30,000.

Moved by Klein, Second by Halton. The motion passed.

In Favor: Halton, Klein, Race, Dietrich

Councilperson Connors arrived at 7:20pm.

Bookkeeper Shawley presented a resolution regarding a request from the Town Court for petty cash accounts, in order to make change when collecting fines. This is in response from a request from the Justices, presented to the board in August.

RESOLUTION NO. 89 OF 2012 - ESTABLISHING TWO PETTY CASH FUNDS FOR THE TOWN JUSTICES

Whereas, the Danby Town justices have a need for petty cash to be available for normal operations of the court, **Now Therefore, It Is**

Resolved, that the Town Board of the Town of Danby approves of the formation of two petty cash funds, one for each Justice, in the amount of \$100.00 each for a total of \$200.00. The amount will be issued from the fund balance of the General Fund. The account numbers, for accounting purposes, will be A211 and A212.

Moved by Klein, Second by Race. The motion passed.

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

Amendment to Agreement to Spend Town Highway Funds

Information was provided by Seamon and Shawley. This is in addition to the amendment passed in July. This is general maintenance for Banks Road, not in response to the 2011 flood.

RESOLUTION NO. 90 OF 2012 - AMENDMENT TO AGREEMENT TO SPEND HIGHWAY FUNDS - 2012, IN ADDITION TO PREVIOUS AMENDMENT DATED JULY 16, 2012

RESOLVED, Pursuant to the provisions of Section 284 of the Highway Law, that the Town Board of the Town of Danby agree that moneys levied and collected for the repair and improvement of highways shall be expended as follows:

General Repairs

1. A sum not to exceed \$20,000 shall be spent to resurface Banks Road with oil and stone. This amount shall be paid out of the Road Repair line in the Town budget.

Moved by Klein, Second by Halton. The motion passed.

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

Fireworks Display Permit Request - Waldorf School

Beeners presented information regarding a request from the Waldorf School to have a fireworks display as part of an event on September 29, 2012. The Town, at its option, may grant or deny a fireworks display permit but can not deviate from the procedures established by state penal law, §405. Beeners explained where the fireworks would be set up for ground and air display. The Code Office has reviewed the staging area and the permit application from Proximity Pyrotechnics. The Spencer company has provided all of the required information, including insurance and certification documentation. The Code officers have reviewed all safety procedures with Proximity Pyrotechnics, as well as the procedure for canceling or postponing the display in the event of high winds or very dry conditions.

The display will begin at approximately 7:30-8:00pm and last for approximately 20 minutes. The operating company has compared this to a, "wedding-style display." Information has been provided to the Danby Fire Chief for the Fire Department's professional judgement. The Code Office advised the Board that they are confident that all safety measures will be taken and recommended issuing a fireworks display permit.

RESOLUTION NO. 91 OF 2012 - FIREWORKS PERMIT REQUEST - WALDORF SCHOOL

Resolved, that the Town Board of the Town of Danby authorizes the Code Enforcement Officer to issue a Fireworks Display Permit pursuant to the provisions of New York State Penal Law, Article 405, for the proposed fireworks display sponsored by the Ithaca Waldorf School and operated by Proximity Pyrotechnics, LLC, to be held on September 29, 2012, subject to approval of the proposed operation and logistics by the Danby Fire Chief.

Moved by Klein, Second by Connors. The motion passed.

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

Veteran's Exemption - Status Report

Deputy Clerk, Sue McLellan introduced herself and presented information for consideration to grant a NYS partial tax exemption on real property owned by qualified veterans. The Alternative Veterans' Exemption on property tax was passed by New York State in 1984. Most of the municipalities in Tompkins County opted to grant this exemption in the mid- to late 1980s. Danby is the only town in Tompkins County that has not passed the veterans' exemption.

If Danby offered the Alternative Veterans' Exemption, it would benefit about 80 veterans. Fourteen would qualify for the Disability Vet Exemption. These are the numbers of veterans who have applied for the County exemption. Two options were highlighted for consideration. Option #1 would increase taxes \$5.27 on the median assessed property in Danby. If Option #2 was adopted, the tax increase would be \$6.17. The median assessed property in Danby is currently \$150,000. These numbers were provided by the Tompkins County Department of Assessment.

The Town Board will review the information presented. Race also asked for additional information regarding a possible exemption to be extended to veterans of “Cold War” conflicts. Further discussion regarding this exemption will be held as part of budget planning. Possible future action includes public information sessions, engaging the American Legion and/or Ithaca’s Office of Veterans Affairs, having Jay Franklin (Director of the Department of Assessment) attend a meeting to speak in detail about tax rates.

CSEA Negotiations

Dietrich gave a brief update on the status of union negotiations. A meeting with CSEA representatives will be held in the next week. Progress on an agreement regarding salary and benefits is slow. The current contract expires at the end of 2012.

Biomass Boiler Update

Dietrich and Beeners gave a brief update. All is set for the boiler to begin operating in late September or early October. The engineer needs to do a final sign-off. A public open house may be planned for November, after it is certain that the boiler is functioning properly. The date will be set in October, allowing for media notification.

Proposed Revision to Local Laws

Code Officer Beeners informed the Board that revisions to two local laws are still being packaged up.

Broadband Update

A community meeting about Broadband buildout may be scheduled for the second week in October. Broadband providers and members of the TC Legislature’s Broadband Committee will attend. Halton commended the articles in the Danby Area News as a effective public information tool. There has been significant evidence of the need, through Email and casual communications and through frequent use of the WiFi service at the Danby Town Hall.

Dietrich provided information about a grant proposal to a New York State agency, being drafted by several companies serving the Town and County. This grant money may be significant in jump-starting the buildout process. Dietrich described Danby as the most “shovel-ready” of all the unserved municipalities in Tompkins County. The County contribution to this grant proposal is a 20% match (this may include the use of 911 towers). The service providers will put up 80%. Residents have expressed interest and willingness to contribute private money to a possible buildout for sections of Danby, should the grant not be awarded.

In a related discussion, Dietrich gave an update on the status of renegotiating the cable franchise with Time-Warner. Meetings are being held and residents are being contacted about their concerns. The audit of franchise payments to the Town will be underway.

The Clerk informed the Board about a donation of cast iron furniture for people who want to sit outside to use the WiFi when Town Hall is not open. Tables and chairs have been set up in the front area of the historic building.

Building Maintenance Update

Beeners information the Board that energy upgrades on the historic portion of Town Hall’s structure are now completed. Beeners reported the results of blower door test. There was a 59% reduction in air infiltration in the meeting room/library area of Town Hall. There was a 31% reduction in air infiltration in the modern addition area. Beeners gave the opinion that the rate of air flow would be even lower in the meeting room if the floor was not so leaky. Rugs might help this problem.

Exterior painting to scheduled to commence on September 24. Other projects are currently on hold and may need Town Board approvals to progress.

Code Office Report

Code Officer Beeners made a short report on activities occurring in the Code Office in the past month. The asbestos survey on the structure scheduled for demolition at 33 Maple Avenue has been completed. Fencing has been installed as per Code order. Fire safety inspections are being done on the larger properties in Danby.

Oasis Code Compliance Update

Code Officer Beeners informed the Board that the Code Office is in regular communication with the owner and manager of the Oasis Dance Club. She invited members of the Board to call her if they had questions.

Short Reports and Correspondence

Reports from the Highway Department, Town Justices, and Fire Commissioners were circulated.

Goddard presented the Town Clerk's report and Records Management Report. The Town Clerk's office processed 31 dog license renewals, four building permits, and several hunting licenses.

Goddard reported on a meeting with staff in the County Clerk's office regarding the potential to join in a "E-records" service through the county. The County Records Management Officer has created a shared services agreement through a State Archives grant. There is a second grant to expand this service. Permanent records would be digitized and the electronic version stored off-site. Access to Town E-records would be safe and secured. The County has seen a substantial savings in storage space needed, facilities and staff costs, and retrieval time for its records. There would be a small maintenance fee for the Danby to participate in this service. Several other Tompkins County municipalities have already joined in the service. Additional information will be presented at a State Archives regional symposium in October.

There was a discussion about speeding problems along Route 96B in front of the Town Hall. There was a recent accident involving a resident being hit as they were attempting to turn into the Town Hall lot. The Clerk suggested that perhaps the County Sheriff or State Police might randomly park an empty patrol vehicle near the front entrance to the Town Hall as a traffic calming measure. There was also a suggestion for renewed requests for improved highway signs advising motorists of lane changes. A formal request needs to be submitted to the County Highway Superintendent.

Adjournment

The Meeting was adjourned at 8:23pm.

Pamela S. Goddard, Town Clerk