

**Danby Town Board
Minutes of Regular Meeting
May 20, 2013
Draft**

Present:

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

Others Present:

Town Clerk Pamela Goddard
Bookkeeper Laura Shawley
Highway Sup. Carl Seamon
Legislator Frank Proto
Public Robert Roe, Elizabeth Owens Roe, Ronda Roaring, Rebecca Brenner, Jim Holahan

Dan Klein initiated an informal discussion about a resident's concerns related to Deputron Hollow Road. Shawley gave a report from the Highway Department following a review of the situation responding to some Email correspondence.

The Danby Town Board meeting was opened at 7:04 pm

Privilege of the Floor

Elizabeth and Robert Roe expressed concerns about the location of the newly installed solar panels at Town Hall, with respect to their property line. They were concerned that the panels would be a liability to their property value. They also expressed concern about a lack of advertising/public notice for the Local Assessment Review Board "Grievance Day." This was mistakenly not listed in the Danby Area News this year.

Roaring added her concern regarding installation of "structures within ten feet of a property line" and whether/where this is stated in the Town zoning code. She would like clarification from the Code Enforcement Officer.

Supervisor Dietrich arrived at 7:11pm

Proposal for Town Hall Floor Improvements

The Board held a preliminary review of a proposal by Code Officer Matt Cooper for refinishing and repair work on the library/meeting room floor. Quotes were received from Blue Spruce, Edgewater Hardwood Flooring, and Superior Reflections Flooring. Cooper recommended accepting the Edgewater Flooring bid, as the most realistic and as this is a local business (Superior, the low bid, is from Clifton Springs near Rochester). Blue Spruce, the highest bid, was not considered.

The Board had several questions about the exact location and scope of the work, the difference in prices quoted, and logistics of moving furniture and other items in the library and meeting room. There was a question as to the total amount approved for various improvements to the Town Hall, and the amount approved for this particular project. This project will be funded through the building reserve.

Dietrich answered several questions about the project. The entrance area, near the bathrooms, has significant damage and needs to be replaced. The main floor in the library/meeting room needs refinishing. Some of the cost included in the bids relates to moving book stacks, furniture, etc. during the refinishing process.

As this is not an emergency repair, the Board agreed to hold off on a decision until the June TB meetings. Cooper should provide more information by that time. Dietrich encouraged the Board to send any questions about this project to Cooper.

Legislator's Report

Frank Proto reported on several items. He provided the information that residents who miss their local assessment board of review may attend other "Grievance Days." Five property owners attended the May 13 review day in Danby. They asked for review of changes in open space and farm land tax assessment.

Proto provided short reports of actions/information related to the school district budget vote, the Water Resources Council and hydrilla remediation, and "Navigator Programs" to assist citizens with making choices about health insurance. All citizens must be enrolled in a health insurance program by January 2014 or pay a penalty. Information was provided about meetings related to Youth Services, TCAT transportation, and Legislative meetings to set the tax levy rate for different departments. It is anticipated that the County will request an increase of 3.5–4% for capital programs.

Highway Department Update

Seamon and Shawley provided information about maintenance costs for trucks, particularly old snow plows. The Highway Department has spent \$64,000 for repairs—nearly one third of the maintenance budget—on just these three trucks over the past three years. In the view of the Highway Superintendent, this expense will only get worse as the trucks continue to age. A recommendation was made to replace the three oldest snow plows (circa 1999, 2001, and 2003).

Information was provided about the cost of replacing these vehicles with a five year note/lease arrangement: cost of \$568,000 for all three. The Highway Department proposes putting down \$200,000 and putting the rest on lease. At the current interest rate, the Town would spend approximately \$19,000 in interest for \$368,000 on a five-year note. It may be possible for the Town to receive an estimated \$65,000 for the three trucks at auction or through inter-municipal sale. This would more than cover the finance charges. Truck replacement costs can also be covered by CHIPS funds and other existing sources. It is not anticipated that this lease agreement would affect the Town's tax rate.

Shawley has begun the preliminary process of seeking bids for the new trucks. She has also consulted with the Town Attorney about the viability and acceptability of "piggy backing" on other municipal contracts. Research has begun regarding doing this with an Oneida County contract. The Town Attorney has indicated that this is acceptable. It would save time and money for the Town.

The Board asked questions about the age of the trucks, what would happen at the end of the five year lease. Shawley stated that the Town would own the trucks at the end of the lease. These trucks have a "life expectancy" of about 10–15 years. There was a question about whether there might be a "bulk rate" for purchasing three trucks at the same time. This is being researched.

RESOLUTION NO. 62 OF 2013 - AUTHORIZE TRUCK REPLACEMENT

Resolved, that the Town Board of the Town of Danby authorizes the Highway Superintendent to proceed with the process of replacing three trucks through leasing, including putting these trucks out to bid and starting paperwork with First Niagara Bank.

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

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

Ideas about long term truck replacement/fleet management. The Highway Department wants to move into a system through which truck replacement is rotated in a rational manner. The Highway Department has been maintaining healthy fund balances with the intention of directing those reserves toward fleet management. The Department is establishing good record keeping related to the fleet.

Race encouraged the Highway Department to have a long range plan for fleet management and truck replacement, if possible, prior to replacing these old snow plows. This would include a plan, in

writing, so that there is not the need to replace multiple trucks at the same time in the future. Shawley responded that this is the goal, along with a comprehensive road improvement plan. Shawley will attempt to have a draft plan, listing the types and ages of existing equipment, prepared for the June TB meetings.

Financial Review

Shawley gave a review of the 1st quarter Supervisor's Reports (January-March) and detailed expenditure reports. She informed the Board about a new system of regular budget review, as recommended by the NYS Comptroller's office. All accounts are at appropriate levels for the first quarter of the 2013 fiscal year. This more detailed review will be added as a part of the monthly financial review, along with approval of the warrants, in order to provide a clear picture of Town finances to the board. Budget transfers will be taken care of periodically through the year, rather than *en masse* at the end of the year. This should improve the budget planning process in the Fall.

Shawley made arrangements with Board members as volunteers to review areas of accounts and procedures. This review needs to be done once a year. Each Board member will go over a check list of best practices for money management in different departments of the Town, including the Supervisor's accounts, Town Clerk's office, Court, and Water District. Review of each checklist, provided through the NYS Comptroller's office, is estimated to involve a time commitment of about an hour to an hour and a half. Each department should be reviewed by the end of June/early July. This review is open to candidates for Town Board.

Aquifer Protection Ordinance

There was a continued discussion of how to move forward with the draft Aquifer Protection Ordinance. There were short reports from Board members regarding information from other agencies. Klein presented the view that the ordinance is "90%" of the way to being ready for adoption. Some of the technical questions still seem to require substantial work, including mapping of different protection areas. There was further discussion about protecting specific zones or having one set of rules for the entire Town. The view was posed that it may be simpler, and more comprehensive, to have a uniform set of rules for the entire Town.

Connors suggested that a special meeting, an "Aquifer Summit", be held in late summer (late July or August) to focus on the Aquifer Study report and technical details of the draft Protection Ordinance. There was a suggestion that the meeting might include a "water tasting" with water from private wells throughout Danby. Discussion of this draft ordinance will continue at the Joint Town/Planning/Zoning Board meeting on May 23. This item will be kept on the agenda for the next few months.

Correspondence/Procedures

There was a short discussion of request from a resident for a changed procedure related to correspondence received "for the record" by the Town Board and/or Town Clerk. The request was that all correspondence be noted by subject, in the agenda and minutes, that the letters be read into the record, and that the Town Board decide for the record whether it will act on such items. The Board stated that it is satisfied with the current procedure for noting correspondence.

Correspondence was received and acknowledged from Ronda Roaring: concerns regarding Planning Board transparency and procedures, and an "Adopt-a-Highway" concern. There was also Email from some residents with a concern about activity on Deputron Hollow Road.

Short Reports

The Code Enforcement Report was distributed to the Board. The report included information about the Solar Liberty PV installation. NYSEG still needs to install the new meter. Town Hall bathroom floor renovations are underway.

The Town Clerk's report was distributed to the Board. In the month of April, the office processed 51 dog licenses, a marriage license, and sold one fishing license. There was a donation of \$20 to the Danby Library.

The Records Management assistant has processed and reviewed materials which had been pulled from a safe in the old highway barns in the 1970s. These documents were moldy and stored in several sealed bags. Only a small portion of these documents needed to be retained. Those documents may be photographed for informational purposes and the originals destroyed, so that damaging mold does not migrate to the rest of the archive.

Office Security

Clerk Goddard reported that, as a follow up to a recent incident at the Danby Town Hall, a State Trooper has agreed to give some general advice about office security and procedures.

Use of Highway Funds

Shawley and Seamon presented information about the first round of road repairs scheduled for 2013. Additional road repairs will be planned for later in the season.

RESOLUTION NO. 63 OF 2013 - APPROVAL TO SPEND HIGHWAY FUNDS

Resolved, that the Town Board of the Town of Danby approves the Highway Department Amendment to Agreement to Spend Town Highway Funds - 2013

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvements of highways, and received from the State for repair and improvements of highways, shall be expended as follows:

General Repair

1. A sum not to exceed \$63,000.00 shall be spent to improve Fisher Settlement Road one mile beyond the current oil and stone surface. The road will be ground with number two stone added to the base. The road will then be graded and rolled. The surface will then be finished with two layers of oil and stone. This project will be funded by the CHIPS contribution to the Town.
2. A sum not to exceed \$58,000.00 shall be spent to improve East Miller Road from Troy Road to Nelson Road. The road will be ground with number two stone added to the base. The road will then be graded and rolled. The surface will then be finished with two layers of oil and stone. This project will be funded by the CHIPS contribution to the Town.
3. A sum not to exceed \$63,000.00 shall be spent to improve Brown Road from the south side of the railroad tracks to the foot of the hill beyond the second bridge. The road will be ground with number two stone added to the base. The road will then be graded and rolled. The surface will then be finished with two layers of oil and stone. This project will be funded by the CHIPS contribution to the Town.
4. A sum not to exceed \$35,000.00 shall be spent to improve Yaple Road from Comfort Road to West King Road. Sections will be dug out, and number two stone along with draingage fabric will be added to the base. The surface will then be finished with two layers of oil and stone. This project will be funded from the road repair line in the 2013 Town Budget.

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

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

Time Warner Franchise Audit

Klein asked about the status of an audit of funds which should have been collected through the Time Warner Franchise on behalf of the Town. Shawley reported that this is in process. A copy of the original contract needs to be forwarded to Time Warner.

Dietrich reported that a new contract is being written for this franchise. This should be ready by the end of the summer. Shawley reported that some towns receive internet service free of charge from Time Warner if requested.

Recreation Partnership

Race reported that the Recreation Partnership representative, Janice Johnson, would like to make a report to the Town Board during one of the June or July meetings. A suggestion was made to invite the Danby Community Council to that presentation.

Adjournment

The Meeting was adjourned at 8:58 pm.

Pamela Goddard, Town Clerk