

**Danby Town Board**  
**Minutes of Public Hearing and Regular Meeting**  
**May 8, 2017**

**Present:**

Councilpersons: Ric Dietrich (Supervisor), Leslie Connors, Jim Holahan, Jack Miller

**Excused:**

Councilpersons: Rebecca Brenner

**Others Present:**

Town Clerk Pamela Goddard  
Planner CJ Randall  
Public Pat Woodworth, Charles Tilton, Ted Crane, Betty and Scott Dean, Garry Huddle,  
Ronda Roaring, Frank Darrow, Ellen Walsh, Clare Fewtrell, Matt Ulinski

**Public Hearing Opened at 7:00pm**

PLEASE TAKE NOTICE that the Town Board of the Town of Danby will hold the following Public Hearing on Monday, MAY 8, 2017 at the Danby Town Hall, 1830 Danby Road (aka Route 96B):

7:00 p.m., to hear all comments of interested persons related to considering adoption of Town of Danby Local Law X of 2017 "A Local Law Local Law to Amend the Zoning Ordinance Related to Solar Energy of the Town of Danby, New York.

This Zoning for Solar Energy Law is to "advance and protect the public health, safety, and welfare of the Town of Danby, in accordance with the Comprehensive Plan, including: 1. Taking advantage of a safe, abundant, renewable energy resource; 2. Decreasing the cost of energy to the owners of commercial and residential properties; and 3. Managing the safety and aesthetic issues related to installation of Solar Energy Systems."

The full text of the proposed Local Law is on file on the Town of Danby web site, townofdanby.org, and in the Office of the Danby Town Clerk, located at 1830 Danby Road, and is available for review during office hours.

**Public Comments**

Ronda Roaring spoke against the Local Law with general comments against solar panels, which are often made in China and shipped by fossil fuels. Roaring questioned whether solar installations are in line with the Danby Comprehensive Plan and whether they fit in with a general idea of "rural character."

Ellen Walsh spoke in favor of the Solar Local Law. She noted that there are increasing numbers of panels being made in the United States, and that the technology has advanced with far less waste and more recyclable materials.

Ted Crane spoke in favor of the local law. He had previously submitted comments, with suggested edits to the language, to Planner Randall and Supervisor Dietrich by Email. He further stated his support for retaining financial incentives for private installations. However, he expressed some concern regarding the "commercialization" of property through very large installations. He urged higher fees and oversight for commercial installations.

Matt Ulinski spoke in favor of the local law. Ulinski suggested an edit to language related to definitions of solar power systems, to define what is meant more specifically.

Clare Fewtrell spoke in favor of the local law.

Holahan and Dietrich thanked those in attendance for their comments and noted that these comments will result in a revised draft of the proposed Local Law. To that end, the Public Hearing will remain open while the revisions are made so that additional comment may be gathered.

**Public Hearing To Remain Opened until June 12 Town Board Meeting**

## **Regular Meeting Opened at 7:20pm**

### **Privilege of the Floor**

Ted Crane described concerns related to defects in the current Town of Danby Zoning Ordinance, related to Special Permits. As the Zoning currently stands, it is next to impossible to deny a special permit in any zone. He urged action on addressing these defects, particularly striking the sections related to Special Permits.

Betty and Scott Dean asked about the status of South Hill Recreation Way MOU. Dietrich responded that the process is currently “in limbo” and that there is nothing new regarding the status of the NYSEG right of way/ownership of the old railroad bed. Randall added that the Town of Caroline is re-reviewing legal analysis which had been done previously.

Frank Darrow noted that the Planning Board could use more training and direction regarding authority, parameters, etc. for their deliberation and decisions. In his observations, they were not well prepared in the recent deliberation of the Blue Sky Center for Learning. This put the PB in an awkward and difficult position.

### **Approve Town Board Minutes**

#### **MOTION—APPROVE MINUTES**

**Resolved**, That the Town Board of the Town of Danby approves the minutes of March 20 and April 10, 2017.

**Moved by Dietrich, Second by Holahan. The motion passed.**

**In Favor: Connors, Holahan, Miller, Dietrich**

### **Warrants**

#### **ABSTRACT #4 OF 2017:**

There was a need for revote due to a typo resulting in a one cent error in the previous warrant for the West Danby Water District.

#### **WEST DANBY WATER DISTRICT**

#11-13 for a total of \$258.38

**Moved by Connors, Second by Holahan. The motion passed.**

**In Favor: Connors, Holahan, Miller, Dietrich**

#### **ABSTRACT #5 OF 2017:**

#### **GENERAL FUND**

#179-217 for a total of \$17,181.70

**Moved by Connors, Second by Miller. The motion passed.**

**In Favor: Connors, Holahan, Miller, Dietrich**

#### **HIGHWAY FUND**

#80-97 for a total \$37,695.96

**Moved by Holahan, Second by Miller. The motion passed.**

**In Favor: Connors, Holahan, Miller, Dietrich**

#### **WEST DANBY WATER DISTRICT**

#14-15 for a total of \$62.51

**Moved by Connors, Second by Miller. The motion passed.**

**In Favor: Connors, Holahan, Miller, Dietrich**

## **Increase Credit Limit and Modify Allowed Persons for Use**

Clerk Goddard presented the need for an increase in the credit limit to \$4,000.. There have been a number of instances when the circa-2010 credit limit of \$2,000 has been exceeded in a billing cycle, thereby stopping any additional activity on the card until the debt is paid. Purchases include stamps, computer equipment, registration for seminars, etc. The staff believes that an increase to \$4,000 will cover these needs.

Goddard additionally noted the need to update the names of persons allowed to use, changing Sue Beeners to Paul Hansen, to allow a credit card to be issued for that office. The Code Office often has a need for a second card, to cover postage for mailings etc.

### **RESOLUTION NO. 38 OF 2017 - INCREASE CREDIT LIMIT ON DANBY MUNICIPAL CREDIT CARD**

**Whereas**, The Town of Danby has adopted a Credit Card policy (Resolution No. 77 of 2010); and

**Whereas**, the current credit limit on the Danby Municipal card is \$2,000.00; and

**Whereas**, from time to time, required purchases exceed this limit resulting in an inability to purchase items required for the business of the Town until the current bill is paid in full;

Now, Therefore, It Is

**Resolved**, that the Town Board of the Town of Danby hereby authorizes an increase on the Credit Limit of the Danby Municipal Credit Card to \$4,000.00.

**Moved by Connors, Second by Dietrich. The motion passed.**

**In Favor: Connors, Holahan, Miller, Dietrich**

### **RESOLUTION NO. 39 OF 2017 – CREDIT CARD HOLDERS**

**Resolved**, That the Town Board of the Town of Danby authorizes credit cards in the name of the Town of Danby will be issued to these individuals: Paul Hansen, and Pamela Goddard.

**Moved by Connors, Second by Holahan. The motion passed.**

**In Favor: Connors, Holahan, Miller, Dietrich**

## **Unified Solar Permits**

Randall presented information about Unified Solar Permits. According to information on the Permit Application provided by NYS, “Municipal authorities that adopt the unified permit streamline their process while providing consistent and thorough review of solar PV permitting applications and installations.” The program provides submittal requirements for solar PV installations of 25kW or less, a standardized permit application form and processes, and field inspection checklist. Planning Board review and Fire Department approval are not required for solar PV installations of this size.

Randall described “PILOT” (Payment in Lieu of Taxes) arrangements being negotiated between Tompkins County Assessment and municipalities such as Dryden and commercial solar installers. Randall reported that such PILOT arrangements are a “moving target” with many variables.

Two resolutions, to adopt the Unified Solar Permit and to update the fee schedule for solar installations, will be voted on at the next TB meeting. The Code office is suggesting that fees for solar installations over 25kW in size should have a base permit fee of \$150 with an additional \$3 per kW above 25. This fee is based on research from adjacent municipalities such as Ulysses. Fees for installations less than 25kW will remain at Zero.

## **Clean Energy Communities**

Randall presented information updated information regarding the process of gathering data and steps being taken for Danby's participation as a "Clean Energy Community." Much of the data collection was undertaken by a college intern. Participation includes free code training and free energy code evaluations through NYSEERDA. Adoption of the Unified Solar Permit is an included action in the Clean Energy Community initiative. Danby's progress on this initiative has put the town at the "head of the line" for a "no match" project grant of up to \$100,000 from NYSEERDA. Randall and Hansen will be following up with this grant application.

## **Planning Report**

Planner Randall made a short report on activities in her office during the past month. Randall distributed a one-page memo of various funding applications due in July related to water quality and water infrastructure improvements. In addition there are some Climate Smart Communities program applications which can be made, including potential land use planning funding for a Natural Resources Inventory and for updating the municipal Comprehensive Plan.

Dietrich and Randall reported that interviews were conducted for a CAC secretary. Three residents applied for this position. The quality of the applicant pool was very high, including basic skills with GIS. Dietrich and Randall indicated that a decision may have been made. The applicants needed to be contacted, prior to an appointment being made. The final candidate will assist with data entry for the Natural Resources Inventory and other conservation related projects. The Board will need to approve a budget amount for this secretary position.

## **Conservation Advisory Council - Expenditure Request**

Clerk Goddard presented a request on behalf of the CAC, for an expenditure of \$40 for Conservation Easement educational material. An section of the 2010 CAC enabling resolution states that the Advisory Council must have TB approval before spending—even for a small amount. The Board may wish to revisit this provision in the process of budget review for the next year.

### **RESOLUTION NO. 40 OF 2017 – APPROVE CONSERVATION ADVISORY COUNCIL EXPENSE**

**Resolved**, That the Town Board of the Town of Danby authorizes the Conservation Advisory Council to expend \$40 on a promotional and informational rack card.

**Moved by Connors, Second by Miller. The motion passed.**

**In Favor: Connors, Holahan, Miller, Dietrich**

## **West Danby Water District Report**

Tod Sukontarak report on water resources/quality program:

"The West Danby Water District put on a smoked pork dinner and water talk on April 22, 2017 as a way to address our responsibility of public outreach and customer education on water issues. Our commissioners, Marrell Cortright, Skip Fairchild, Anna Finley, Carl Seamon and I as well as our bookkeeper Marge Seamon were all in favor of the idea and contributed to its planning.

The original idea was a result of a meeting organized by my wife Sarah McNaull of people who participated in the post presidential inauguration Women's March. There were 16 people at that meeting and a consensus was determined that a non-political action aimed at gathering people from our community around a topic of concern to us all and presented in an apolitical way would be something to help, in a very small way, bridge the divide that exists between so many of our neighbors. At the meeting it was decided that issues related to water would be ideal and that idea dovetailed well with the Water District and a portion of their mission to inform their customers of water quality issues.

The event had 63 people in attendance and raised \$186 in excess of cost to be donated to Danby Food Pantry. We had three volunteer speakers who covered topics of the watershed in general, as well as ground and surface water. They were Hilary Lambert of the Cayuga Lake Watershed Network, Steve

Penningroth of the Community Science Institute, and Todd Miller retired from the U.S. Geological Survey.

Advertising for the event was focused mostly on our customers who were sent postcard invitations through the postal service. Peter Fraissinet, one of our customers, did the informative and beautiful design and printing of this gratis and on a schedule.

Among others who should be recognized and thanked are the West Danby Fire Department for allowing us use of their facilities for food prep and service as well as the room for the presentation. We were also very fortunate to have had the services of a group of volunteers to plan, cook, decorate, setup and cleanup. Among them were Bill Mudra, Nikki Nease, Bill Mann, Anna Finley and Branden Thorpe.

Based on the response I've received, I think the event was a real success in terms greater than the tangible donation to the food bank and number of people in attendance. There have been several people asking for more of these sorts of events."

### **Justices' Report**

A Justices' Report from Justice Huddle was circulated among the Board.

### **Town Clerk's Report**

Clerk Goddard reported April activity: \$1,902.85 was received with \$64 disbursed to the NYS animal population control program, \$70.86 to NYS DEC for fishing licenses, and \$1,767.99 disbursed to the Town Supervisor. This reflects one Planning Fee, 40 dog licenses, and seven building permits.

### **Youth Program Manager Update**

Dietrich reported that he has nothing new to report and that the situation is still unresolved. He called on Ted Crane to provide more information. Crane reported that the DCC wants to move ahead with a full time person. It is hoped that an interview process will begin soon for a full-time position beginning in the Fall. It is hoped that the same person would be able to take on half-time responsibilities during the summer. All of this is contingent on a grant award, and approval by the Town of Newfield.

### **Adjournment**

The meeting was adjourned at 8:15 pm.

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Pamela Goddard, Town Clerk