

**Danby Town Board  
Minutes of Regular Meeting  
May 15, 2017**

**Present:**

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

**Others Present:**

Town Clerk Pamela Goddard  
Code Officer Paul Hansen  
Public Sarah Leon, Duncan McAllister, Pat Woodworth, Charles Tilton, Ted Crane, Ronda Roaring, Katharine Hunter, Scott Davis, Matt Ulinski

**Regular Meeting Opened at 7:06pm**

**Privilege of the Floor**

Ted Crane spoke about upcoming programs through the Danby Community Council. He also inquired whether there was any update to questions that had been asked, several meetings ago, about Community Choice Aggregation.

Scott Davis made a favorable report on Community Council programs that had been held the previous weekend. He also volunteered to repaint the gazebo/band stand next to the Town Hall. If the Town purchases the paint, Davis will do the work as a volunteer.

Ronda Roaring made a report and request regarding snowmobile trails in the Danby State Forest. These had been applied for by a Spencer-Van Etten snowmobile club and were supposed to be maintained by that club. It is not clear whether the club still exists and whether anyone is maintaining those trails. If the trails are not being maintained, Roaring suggested that they be abandoned. She asked the Supervisor to invite someone from the snowmobile club to attend a Town Board meeting and make a report. Dietrich asked for Roaring's assistance in finding contact information for this group.

Holahan replied briefly to some of questions previously asked about Community Energy Choice Aggregation. Much of the program is still in the planning/consideration stage, including whether to have a program manager. The planning committee intends to undertake out reach and public education in various ways. Local municipal involvement in CCA is passed by a local law, not by voter referendum. Later in the meeting Holahan answered another question, and a further question, about the ability of customers to enter and leave the program, was remembered.

**Unified Solar Permit**

The Board considered two resolutions prepared by Planner CJ Randall. Brenner asked whether there were any negative consequences to this action? There seemed to be none. Dietrich noted that this process opens the door for other opportunities. In fact, the Town will be awarded \$2,500 from NYSERDA as an incentive for adopting the Unified Solar Permit process.

## **RESOLUTION NO. 41 OF 2017 - ADOPTION OF THE NEW YORK STATE UNIFIED SOLAR PERMIT**

**Whereas**, New York State has developed a unified solar energy permitting process designed to streamline municipal permitting which will reduce costs for solar projects and support the growth of clean energy jobs across the state, and

**Whereas**, the Town wishes to enable streamlined permitting of residential and commercial solar energy systems under 25 kW;

**Now Therefore, be it**

**Resolved**, that the Town Board of the Town of Danby adopts the New York State Unified Solar Permit; and it is

**Further Resolved**, that the Town Board authorizes the Code Enforcement Office to complete the grant application to receive the Streamlined Permitting PV incentive award of \$2,500 from the New York State Energy Research and Development Authority for the adoption of the United Solar Permit Application.

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

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

Crane noted an loophole in the wording of the second resolution, that systems of exactly 25 kW would not be covered by this resolution. This was addressed with a change to the language of the resolution.

There was a discussion regarding the appropriate fee per kW for large, commercial solar installations. The Board asked how the fee of \$3 per kW was determined. Hansen reported that this number was reached after research of other municipality's fees. There was a suggestion that the fee be higher, as these small fees are just a part of doing business for commercial installers, but can produce significant income for the Town. Holahan suggested that the fee be raised to \$5 per kW. Hansen confirmed that there is not a significant difference between \$3 per additional kW or \$5 per additional kW. The Board opted for the higher fee.

## **RESOLUTION NO. 42 OF 2017 – ESTABLISHING FEES FOR SOLAR ENERGY SYSTEMS**

**Whereas**, the Town Board of the Town of Danby by Resolution No. 72 of 1991, amended by Resolution No. 18 of 2009 and Resolution No. 54 of 2010, has established fees for permits, review, and other matters related to administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the Zoning Ordinance of the Town of Danby; and

**Whereas**, the Town wishes to update such fees in conjunction with the adoption of the New York State Unified Solar Permit to enable streamlined permitting of solar photovoltaic systems under 25 kW;

**Now Therefore, be it**

**Resolved**, that the fees set forth below shall supersede any other fees established by any prior resolutions of this Board for the activities described herein; and it is

**Further Resolved**, that the fees set forth below shall take effect immediately; and it is

**Further Resolved**, that fees for the items set forth below be calculated as follows:

Residential and commercial solar energy systems with capacity design level under 25 kW: no fee  
Residential and commercial solar energy systems with capacity design level 25 kW and over: \$150 plus \$5 per kW thereafter.

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

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

## **Legislator's Report**

Legislator Klein reported to the Town Board on several items. Three properties in Danby have gone into the County's foreclosure process, as the property owners are three years in debt for back taxes. Two are on Danby Road and the third on West Miller Road. The property owners have until May 31 to redeem their property by making a payment on taxes. Should this not happen, they will go to auction in mid-June.

The County has received an application for a 1.7 acre parcel on Brown Road to be added to an Agricultural District. A Public Hearing on this addition was to be held on May 16 during a Legislature meeting. Klein did not know the exact address of this property, nor what the property would be used for.

County Highway road work projects will be undertaken on Brown Road, Station Road (culvert replacement), West Miller Road (in the area of the bridge), and five miles of South Danby Road.

Klein reported that centralized arraignment plan will not be pursued as a measure for County shared services. The court system will continue with local arraignments in each municipality.

### **CAC Secretary Funding**

Clerk Goddard presented the request on behalf of Planner Randall. Supervisor Dietrich spoke to the need to create a funding line for the Conservation Advisory Council Secretary. There was a discussion and clarification of the of hours to be worked. Dietch confirmed that this position would work up to 20 hours per month on projects such as the Natural Resources Inventory, in addition to attending CAC meetings and preparing minutes. Bookkeeper Shawley provided information of how will be paid. This will be an hourly position with a time sheet, in the same fashion as is done for hourly support staff such as the Planning Board/BZA secretary.

#### **RESOLUTION NO. 43 OF 2017 – APPROVE CONSERVATION ADVISORY COUNCIL SECRETARY BUDGET LINE**

**Resolved**, That the Town Board of the Town of Danby authorizes a spending line for the Conservation Advisory Council Secretary, of \$3,500.00, to be paid from budget line A810.400 (general support) under Planning and Code Enforcement.

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

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

### **Pond Program Staffing Titles**

Bookkeeper Shawley presented a draft resolution, addressing the need to change the title of one of the support staff for the Jennings Pond recreation program. Both of these positions are to be a Civil Service positions.

#### **RESOLUTION NO. 44 OF 2017 – APPROVE THE POSITION OF RECREATION ASSISTANT FOR JENNINGS POND PROGRAM**

**Whereas**, the Jennings Pond program currently has two positions called Recreations Supervisor because the tasks are such that it takes two people to complete all that is needed to run the program; and

**Whereas**, the pond programs would be better served to change one of these titles from Recreations Supervisor to Recreation Assistant to allow for more flexibility of candidates required by job descriptions through Civil Service, and

**Whereas**, the quantity of work required from both of these positions is equal so the Recreation Supervisor feels that the current split of the pond stipend as an even match is still warranted despite the difference in job title;

**Now Therefore, be it**

**Resolved**, that the Town Board approves the positions of Recreation Assistant be added to the pond program for a stipend of \$800.00.

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

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

### **County Shared Service - Update**

Dietrich reported that discussions are continuing related to devising new programs for shared services, as cost savings measures, between various municipalities and Tompkins County. Focus seems to be on potential shared services, with cost savings, through Highway Departments. Dietrich will continue to attend meetings and work with the County on this initiative. Further reports will be presented at upcoming TB meetings.

## **Town Hall Access Remodel Proposal**

Hansen presented information regarding a proposed alteration to the Town Hall. This is for the purpose of improving accessibility. The current handicap access ramp is too steep to meet code requirements. The proposal is to create a new accessible entrance in the front of the building facing the mail road. This entrance is already level and would not need ramps.

In addition, the sidewalk paving and curbs along the side of the building have deteriorated. If the handicapped access is via the front of the building, the sidewalks can be removed; Hansen proposed that this area be redesigned as a garden and sitting area with plantings and a bench.

Hansen distributed draft sketches of the possible appearance the new entrance with one central double door. The two existing doors will be removed. Storage areas will be designed on either side of the central entrance. A parking space meeting access code will be installed in the area near the Civil War monument.

There was an extensive discussion, with questions from the Board. Is there any concern regarding Historic Preservation? No. The draft drawing shows two stairways to the balcony storage area, would it be possible to have just one thereby creating a larger storage area on the ground floor? Yes. There was interest in making any improvements in the style of the original building, or to match historic elements in the building, as much as possible. This should be achievable.

Hansen described three phases of the Town Hall entrance renovation project:

- Phase 1 - remove the old concrete sidewalk. Create a new handicap access entrance in the front (road side) of the Town Hall Building.
- Phase 2 - Redesign and install a garden and patio area where the old sidewalk was. Repair stone curbing that is a potential tripping hazard.
- Phase 3 - Redesign plantings, sidewalk, and entrance at the side Court entrance of the building. The current “Main Entrance” stairs and ramp will remain.

The Board made a request for budget numbers, particularly an estimate of cost for the first phase of the work. Hansen said that the cost of a simple change—extending the existing ramp to meet code and repairing railings, etc.—was priced out at \$30,000. Preliminary estimates for all three phases of proposed changes, for two different designs of renovation, are in the range of \$10,000 - \$30,000. Hansen will work on a more detailed estimate for Phase #1 of the project, to be presented at the next TB meeting. Hansen reported that the Town has received \$2,500 from a Beautification Grant and that there is \$9,000 for entrance repairs from the Court Grant. The remaining funds needed for this work will come from the Building Reserve. The \$9,000 from the Court Grant needs to be spent by the end of August.

## **Code Report**

Code Officer Hansen reported on various activities. The solar array installation at the Highway Department property on Hornbrook Road had stalled, pending the identification of a new set of investors backing the project. SunVestment, the third group of investors involved with this project, seem to be on board and the installation should finally be moving forward.

Contacting residents about code violations—eight letters have gone out. The Hornbrook Road violation is going to Court again. Hansen reported that this will be a “test” to see whether the new zoning law regarding code violation fines holds up.

## **Adjournment**

The meeting was adjourned at 8:40 pm.

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Pamela Goddard, Town Clerk