

**Danby Town Board
Minutes of Regular Meeting
October 8, 2018, 7pm, Danby Town Hall**

Present:

Councilpersons: Ric Dietrich (Supervisor), Leslie Connors, Jim Holahan, Matt Ulinski

Not Present:

Councilperson: Jack Miller

Others Present:

Town Clerk	Pamela Goddard
Code	Paul Hansen
Bookkeeper	Laura Shawley
Highway	Jack Shawley
Public	Ted Crane, Ronda Roaring, Pat Woodworth, Garry Huddle, Bruce Richards, Susan Franklin, John Clancy (NYS DEC)

Regular Meeting Opened at 7:08 pm

Budget Update

The TB confirmed that it will start its next meeting at 6pm for review of the draft 2019 Town of Danby budget. Laura Shawley answered some questions regarding the budget and budget process. Board members had received the preliminary budget and will direct questions to Shawley in the next week.

Shawley characterized the budget as the best effort they could make to meet required cost of living increases and stay within the NYS municipal tax cap. The budget will have a modest decrease in the amount to be levied per \$100,000 in property assessment, due to an increase in overall assessment in the Town. Shawley advised the Board that there is “not much wiggle room” for an increase in levy.

Further discussion will take place at the October 15 meeting, starting at 6pm.

Travor Road situation

Jack Shawley and a representative of the NYS DEC presented an extensive report of road damage on Travor Road due to a logging operation in the Danby State Forest. This damage was related to unseasonably heavy rains and wet conditions in the past several weeks. That area had received more than ten inches of rain in the previous month.

The Highway Department and the DEC met with the person in charge of the logging. All had been well until the heavy rain. Due to wet conditions, operations were ordered to cease until the ground was solid again. This “stop work” order came from both the Danby Highway Department and the NYS DEC. They were unhappy to find the contractor working in heavy rain. The road is closed until the road is capable of bearing weight again. The logger is bringing in materials to remediate the damage done.

Shawley included information that the Highway Department now has a proper piece of equipment for road remediation and repairs on Deputron Hollow Road. There is an ongoing attempt to maintain communication with the logger responsible for damage there. Deputron Hollow is now passable by a car. Additional work is being done, weather permitting.

Supervisor Dietrich expressed concern that the logging done in the State Forest was near the Finger Lakes Trail and sensitive ecosystem areas. John Clancy of the DEC provided information and responded to several questions. The work operation did need to cross the trail, and the landing area was near there. An adjacent log pile was in an unacceptable location. Clancy stated that the DEC will be checking on this area regularly until work is complete. The operation was 80% complete when it was shut down on October 4. Damage already done is to be mitigated. The DEC is discussing options with the contractor.

Due to weather conditions, it is unknown how long it will take to complete the remaining 20% of contracted logging. The logging operation will not be permitted to resume until the damage to the FLT and adjacent areas has been remediated to the satisfaction of the DEC.

Clancy responded to questions about regional staff charged with oversight of the State forest. A well trained person has been brought into the field to replace staff who had retired.

Highway Projects Update

Jack Shawley gave an update on several road projects currently being managed by the Highway Department. A meeting is scheduled for October 18, to go over plans for the Brown Road remediation project. The meeting will include representatives from the DEC, and Fish & Wildlife, the Army Corps of Engineers, as well as the road engineers and Highway Superintendents.

Gunderman Road bridge remediation is waiting notification about a possible grant award. If the grant is not awarded to the Town, the Highway Dept. will seek help from the County to complete this project. Three of the structural beams are questionable. Danby Highway can do the replacement work.

Culvert work on West Jersey Hill Road is in the same situation, awaiting notification on a pending grant. Design work has begun in case the grant is awarded. At this time, all of these projects are, "up in the air."

There was a brief update on installation of a bus shelter in the Danby Community Park. Work can not commence until there is a signed easement agreement between the DCPA and the Town of Danby. Laura Shawley reported that she is in discussions with the Town's insurance carrier, regarding coverage for accidents at the bus shelter. Dietrich suggested that research also be done to see what coverage TCAT has for its shelters.

There was a brief discussion about the status of design for the Highway wash bay needed for installation of a waste water recycling system, which is part of a larger grant. TG Miller engineering is working on the final plans. Once those are in hand, the Town can solicit quotes for the construction of the wash bay. The TB will need to give approval for the construction project, as the addition of a wash bay is not covered by the grant. All of this information needs to be in place before grant work can begin. Laura Shawley will present further project information at the next TB meeting.

Privilege of the Floor

John Van de Mark spoke on two topics. He gave thanks for work done on Station Road. Van de Mark expressed the importance of having a passable road between upper and West Danby. Jack Shawley added information about work that has been done to prevent water runoff damage. The road will be treated with oil and stone. Second, he asked why those who have handicap access hang tags aren't notified before they expire? His view was that a warning should be sent, since use of an expired tag is an offense. Clerk Goddard responded, noting that accessible hang tags are clearly marked as to when they expire. Although Town Clerks are charged with issuing such tags, they are not responsible for enforcement.

Susan Franklin, the current President of the DCC, made a request on behalf of the Danby Community Council. She made a case for funding for a full time youth program manager, as a method of maintaining a consistent youth program. The County Legislature is willing to budget \$5,000, on the condition that this is matched by the Town of Danby. The DCC has a pool of applicants for this position. Bookkeeper Shawley noted that this \$5,000 is currently included in the preliminary 2019 budget.

Ted Crane reminded the Board and those present that Danby Harvest Festival will take place on Sunday October 14.

Warrants

ABSTRACT #10 OF 2018:

GENERAL FUND

#410-464 for a total of \$55,831.66

**Moved by Ulinski, Second by Connors. The motion passed.
In Favor: Connors, Holahan, Ulinski, Dietrich**

HIGHWAY FUND

#238-267 for a total of \$252,529.19

**Moved by Connors, Second by Holahan. The motion passed.
In Favor: Connors, Holahan, Ulinski, Dietrich**

WEST DANBY WATER DISTRICT FUND

#22-27 for a total \$2,463.25

**Moved by Holahan, Second by Dietrich. The motion passed.
In Favor: Connors, Holahan, Ulinski, Dietrich**

Approve Minutes

MOTION - APPROVE MINUTES

Moved, That the Town Board of the Town of Danby approves the minutes of September 10 and 17, 2018.

**Moved by Holahan, Second by Ulinski. The motion passed.
In Favor: Connors, Holahan, Ulinski, Dietrich**

Court Grant Request - Resolution

Clerk Goddard presented a resolution on behalf of the Danby Court. Justice Huddle added information regarding the proposal through the NYS Court Assistance Program. The largest portion of the proposed grant will be for a security system with security cameras covering exterior and interior areas of the Town Hall used by the court. Six cameras will be included in the request. These will be monitored by the court office. The cameras will be record continuously, and hold images for up to 30 days. (There is already a similar system at the Town highway barns.)

RESOLUTION NO. 61 OF 2018 - 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 2018 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 2018 Justice Court Assistance Program (JCAP) in the amount not to exceed \$30,000;

Now, Therefor 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 Administration for funding from the 2018 Justice Court Assistance Program, (JCAP) in the amount not to exceed \$30,000.

**Moved by Holahan, Second by Connors. The motion passed.
In Favor: Connors Holahan, Ulinski, Dietrich**

Conservation Easement Update

Matt Ulinski informed the TB that the Conservation Advisory Council is close to completing a Conservation Easement agreement for a property at 2275 Danby Road. There are just a few minor wording issues to settle. The CAC has recommended that public hearings should be held for all pending deeds of Conservation Easement in the Town of Danby. Ulinski asked the Town Board to set a public hearing for the current CE, for the first TB meeting in November.

RESOLUTION NO. 62 OF 2018 - SET PUBLIC HEARING

Resolved, That the Town Board of the Town of Danby sets a public hearing related to consideration of acceptance of a deed of Conservation Easement on a property at 2275 Danby Road. This Public Hearing will take place on Monday November 12, 7:00pm, at the Danby Town Hall.

**Moved by Ulinski, Second by Connors. The motion passed.
In Favor: Connors Holahan, Ulinski, Dietrich**

Code Report

A Code Office report for the month of September was given by Paul Hansen. He informed the TB that the electric vehicle charging station is installed, but there are still issues to be resolved regarding access, so that all EV owners can use the system. Clerk Goddard asked whether it was possible to shield the LED display, for less light pollution.

Restoration of the garden area will be accomplished with funding through a Tompkins County Beautification grant, already received. \$1,500 is available for 2018, with an additional \$1,500 in 2019. This will cover the cost of benches and raised flower beds at the main entrance to Town Hall. Hansen outlined a schedule of improvements for the Town Hall entrances, into the spring of 2019.

Hansen reported on enforcement of remediation or removal of damaged and/or derelict buildings. Several buildings have been taken down as required. The Town Attorney is looking into legal mechanisms to add Code Enforcement fines to tax bills, when a property owner acts as a scofflaw in regard court assigned fines. If a violator refuses to pay a fine, there may be other mechanisms to receive the money.

Hansen answered questions regarding derelict buildings on Ridgecrest and Hornbrook roads, including the house that had been damaged by a police action. Hansen described a triage system for addressing derelict structures. Property owners are given several opportunities to remediate problems. The hope is that property owners will demolish buildings themselves.

Holahan asked about the status of projects under the Highway energy grant, beyond the wash bay, such as the energy audit and heat pumps. There was not a clear answer to this. The Highway Department is working under the idea that all parts of the grant project need to start at the same time. The Town has at least two years to complete the projects once the "start button" has been pushed.

Highway Superintendent referendum - update

The October 1 Public Information Session needed to be canceled because there was no presentation ready. Matt Ulinski gave a brief update, and asked that the topic be on the next agenda for a report with more complete information. Changes to the Civil Service process may influence aspects of an appointed Highway Superintendent. Ulinski is gathering more information.

Clerk Goddard reported that the ballot proposition has been delivered to the Board of Elections.

Short Reports - Justices, Town Clerk

Copies of the Justice's monthly reports was circulated to the TB. Huddle reported that there has been an increase in evictions in Danby in recent months. Speeding tickets and fines have been issued to people exceeding the 35mph limit on Comfort Road.

The September Town Clerk's Report; \$3,992.80 was received in the month of September for 14 days of DECALS license sales, 43 dog licenses, 4 building permits, one marriage license, and two planning fee. \$1,968.99 was disbursed to the Town Supervisor, \$1,948.31 to NY DEC, \$22.50 to the NYS Dept. of Health, and \$53.00 to the NYS Animal Population Control Program.

Dietrich made a short report on local emergency management preparedness discussions. A meeting with several involved agencies will take place in November. This is being coordinated by Deputy Supervisor Rebecca Brenner.

Ronda Roaring reported that broadband internet is being extended on South Danby Road. It is anticipated that this will be installed by the end of 2019.

Adjournment

The meeting adjourned at 8:34 pm.

Pamela Goddard, Town Clerk