

**Danby Town Board
Minutes of Regular Meeting
December 10, 2018, 7pm, Danby Town Hall**

Present:

Councilpersons: Ric Dietrich (Supervisor), Leslie Connors, Jack Miller, Matt Ulinski

Not Present:

Councilperson: Jim Holahan

Others Present:

Town Clerk	Pamela Goddard
Code	Paul Hansen
Bookkeeper	Laura Shawley
Public	Ted Crane, Ronda Roaring, Pat Woodworth, Bruce Richards, Anne Klingensmith, Anna & Marty Blum

Meeting Opened at 7:02 pm

Privilege of the Floor

Ronda Roaring spoke on various items. She asked about the status of a request for speed limit reduction on the section of South Danby Road where she lives. This section is County road, and has not had a formal request for speed limit reduction. Supervisor Dietrich suggested that she present a neighborhood petition for this request. Roaring urged the Board to continue work on land management for Town owned parcels and logging issues in the Town.

Ted Crane spoke regarding the draft Code of Ethics, urging the Board to review the model Code of Ethics posted by the NYS Comptroller's office. He wondered why anything different from the model would be proposed. He also spoke regarding the proposed resolution in support of the Environmental Management Council recommendation to the County Legislature for a ban on single use plastic shopping bags. Crane was fully in support of the information included in all the "whereas" and first "resolved" sections (plastic bags), but expressed concern about second "resolved" recommending a proposed charge for paper bags. especially since none of the supporting "whereas" clauses contained any reference to paper bags.

Warrants

ABSTRACT #12 OF 2018:

GENERAL FUND

#510-541 for a total of \$18,697.04

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

In Favor: Connors, Miller, Ulinski, Dietrich

HIGHWAY FUND

#298-326 for a total of \$81,058.05

Moved by Ulinski, Second by Miller. The motion passed.

In Favor: Connors, Miller, Ulinski, Dietrich

Approve Minutes

MOTION - APPROVE MINUTES

Moved, That the Town Board of the Town of Danby approves the minutes of November 5, 12, and 19, 2018.

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

In Favor: Connors, Miller, Ulinski, Dietrich

Resolution in Support of the Environmental Management Council Plastic Bag Ban Recommendation to the County Legislature

The Board considered and acted on a draft resolution from the Tompkins County Environmental Management Council. The recommendation, to ask the County Legislature to enact a local law banning the distribution of single-use carry-out plastic bags in retail stores. Supervisor Dietrich urged Anne Klingensmith to express his concerns related to environmental contamination from plastic by-products to the EMC, with the hope that they would extend their work beyond this ban. Klingensmith stated that the EMC has every intention to do so, and that this bag ban is a first step.

There was some discussion of the recommendation that retailers be required to charge a \$0.10 fee for paper bags. Klingensmith stated that this practice has been shown to provide an incentive for shoppers to have reusable bags for their shopping. There were conflicting accounts regarding whether retailers (e.g., Wegman's) support this charge or not. Klingensmith says that there has not been a "massive objection" to this from stores. Dietrich reported that some stores see this as a difficult transition and strain on customer service. There was agreement that education will be very important, should this pass. Specific aspects of the bag ban are still in the research stage.

The Board discussed the final "whereas," which had been left with the option of the local municipality to add text, if desired. After a brief discussion, they decided to use language from the Town of Enfield resolution, as provided by Klingensmith.

RESOLUTION NO. 70 OF 2018 - DANBY RECOMMENDS THAT THE TOMPKINS COUNTY LEGISLATURE ENACT A LOCAL LAW TO PROTECT AND ENHANCE ITS NATURAL ENVIRONMENT BY BANNING THE DISTRIBUTION OF SINGLE-USE CARRY-OUT PLASTIC BAGS IN RETAIL STORES

Whereas, more than 100 billion single-use plastic bags are used and disposed of annually in America, which equals about 307 bags per person per year, and

Whereas, even though a 2009 New York State law requires large businesses to provide consumers with plastic bag recycling receptacles, less than one percent of plastic bags are recycled, and

Whereas, improper disposal results in plastic bags becoming litter on our streets, parks, and beaches, clogging our storm drains and sewers, and degrading into our soils and waterways, and

Whereas, plastic bags that are blown or washed into our rivers, waterfalls, and lakes may threaten the lives of avian and marine species through entanglement, choking, or by toxicity, and

Whereas, plastic bags that are landfilled take about 1,000 years to biodegrade, while those that remain in the environment as litter photo-degrade in about a year into micro particles that may be consumed by wildlife thus diminishing and contaminating a part of our food chain, and

Whereas, a 2018 study found that 93% of bottled water, from 11 major brands sold across the world, contains particles of plastic, and

Whereas, plastic bags must be screened out of yard waste collections, have contaminated food scrap composting facilities, and have jammed the mechanical parts of recycling balers and sewage treatment systems, and

Whereas, the impacts of plastic bag use and pollution have ignited a global movement to dramatically reduce the amount of disposable plastic bags distributed, and

Whereas, the state of California and Puerto Rico, along with more than 200 cities, towns, and counties across the United States, and more than 15 municipalities in New York State have legislation limiting the free distribution of single use plastic bags, and

Whereas, the Town of Danby is committed to protecting our natural environment through conservation efforts such as the reduction of plastic manufacturing and reduction of disposal of single-use products,

Now Therefore, be it

Resolved, that the Town Board of the Town of Danby recommends that the Tompkins County Legislature enact a local law with their legal authority pursuant to New York State Municipal Home Rule Law (Sec.10(1)(ii)(a)(11)), banning the distribution of single-use carry-out plastic bags in retail stores as an efficient and cost effective measure to address the issues of plastic litter, soil and water pollution, and microplastic contamination; and it is

Further Resolved, that the EMC recommends that retailers be required to charge a \$0.10 fee, which they may retain, for recyclable paper bags provided for carry-out purposes; and it is

Further Resolved, that a copy of this resolution be sent to the members of the Tompkins County Legislature.

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

In Favor: Connors Miller, Ulinski, Dietrich

Code of Ethics

Matt Ulinski brought the most recent draft of a revised Code of Ethics to the Board for discussion. The draft was to be sent electronically, for Board review and comments. This draft is substantially based on the model Code of Ethics from the NYS Department of State and a model from the NYS Association of Towns. The municipal CoE is subordinate to the Ethics Code in NYS law. The current draft Danby CoE revisions have been reviewed by the Town Attorney, with comments. The Town Attorney suggests that, rather than having a local board of appeals related to ethics violations, the Town use the County Ethics Board as an impartial arbitrator. It was also recommended that this be a policy and not a local law.

Matt asked the Board to review the document and be prepared with comments for further discussion at the next TB meeting. The draft will be posted on the Town Board page of the Danby web site. After all comments have been received, and corrections made to the document, it will be sent to the Town Attorney for final review. Ulinski hoped that the Code of Ethics could be approved early in 2019.

Code Office Report

Information was presented by Code Officer Paul Hansen, regarding work being done on the bus stop park and ride at Dotson Park, across the highway from the Town Hall. The concrete pad has been poured. The shelter may be installed by the end of 2018. The location is already an active bus stop.

Hansen reported on the status of a County Beautification grant. \$1,500 has been received to cover costs related to the planting areas at the entrance to Town Hall. This will cover the cost of the stone used for the planters. A second grant, for 2019, will cover more of the costs of the actual shrubs and flowers. These are matching grants. Labor provided by the Town can be used as the match.

Solar energy billing for other municipal buildings (such as the Fire Station), has been in place for the past year. Hansen reported that the Town is beginning to see credits for solar energy produced. Close to \$12,000 in credits have been accrued.

Hansen reported on a meeting attended, related to replacing current street lights with LED fixtures. The New York State Power Authority is stepping in with an offer to, "do all the work" and to help pay for LED lights. This work is to include installation of the fixtures and a financial loan (1.5%) for the infrastructure. It is estimated that the cost of street lighting will be one tenth of the current cost. The program through NYPA will take the place of a previous plan to buy through a City of Ithaca contract. Hansen hopes that the agreements will be in place sometime over the winter or early spring, with installation to take place in the summer of 2019. These fixtures will be "dark sky" compliant.

There was a brief discussion regarding the maintenance of the LED fixtures and lights. Hansen reported that the maintenance should be low, as the lights are rated as "25 year" lights. Resident Bruce Richards reported problems with maintenance of this type of fixtures in his work place (saw mills), noting that the bulbs have not been as reliable as advertised. This question will be researched, as part of the agreement process.

Resident Crane wondered why the Town would want to take out a loan (with its interest cost) rather than pay for the lamps outright. Supervisor Dietrich noted that the Board had previously discussed and approved only a purchase option.

Hansen reported that he is gathering quotes for replacement doors for the entrance to the Town Hall, facing the main road. The cost should be less than \$7,000 for both door, including hardware. The cost for these will come from the building reserve fund. The Board gave a verbal ok for this expenditure.

Short Reports - Justices, Town Clerk

Copies of both Justices' monthly reports were circulated to the TB.

The November Town Clerk's Report; \$1,275.80 was received in the month of October reflecting seven days of DECALS license sales, 36 dog licenses, two building permits, one planning fee, and one Board of Zoning Appeals variance request. \$901.76 was disbursed to the Town Supervisor, \$308.04 to NY DEC, and \$66 to the NYS Animal Population Control Program.

Adjournment

The meeting adjourned at 7:55 pm.

Pamela Goddard, Town Clerk