

**Danby Town Board
Minutes of Regular Meeting
May 13, 2019, 7pm, Danby Town Hall**

Present:

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

Others Present:

Town Clerk Pamela Goddard
Bookkeeper Laura Shawley
Legislator Dan Klein
Public Ted Crane, Ronda Roaring, Pat Woodworth, Garry Huddle.

Meeting Opened at 7:04 pm

Haefele internet/cable Franchise

Lee Haefele owner/manager of Haefele TV, made a short presentation about the proposed cable/internet service buildout for South Danby. Haefele informed the Board that he has been awarded a grant for buildout in a small section of the census block in the area bordering on Candor and Spencer. There will be less than ten miles of buildout, primarily on South Danby, Peter Road, and Fisher Settlement Roads. Some service already exists on Fisher Settlement Road.

There was general Q&A regarding this project. There was a short discussion of poles, which are old (WWII era) and far apart. This project, in conjunction with a project underway by Clarity Connect, should help increase internet coverage in Danby. The Haefele project should be complete in Danby by the end of the calendar year.

Privilege of the Floor

Ted Crane announced upcoming events sponsored by the Danby Community Council, including workshops in organic gardening taking place on Wednesday evenings May 22 and 29.

Legislator's Report

Dan Klein reported on a few matters. Klein reported that budget planning has begun in the County Legislature. The goal for 2020 is a 2.7% tax levy increase. Klein framed this as an approximately \$10 increase on the average property in Tompkins County. The average home assessment in Tompkins County is \$190,000 at this time.

The first quarter sales tax report for 2019 shows an increase of 3% compared to the similar period in 2018. This is good, as 2018 was a record year for sales tax in Tompkins County.

Klein has been appointed to the advisory board for the County Office for the Aging. Klein asked whether Danby has a representative to this board? Yes, Jim Holahan has been attending some meetings.

Klein reported the road work schedule set by County Highway for summer 2019: West Miller and Jersey Hill Roads to be repaved; Coddington Road, culvert replacement; Station Road, culvert replacement and stream restoration. There was a question as to whether South Danby Road will have top coat paving?

Highway Equipment Proposal

A resolution for the purchase of a compact excavator was presented by Shawley. Supervisor Dietrich stated that he saw no reason not to support this purchase. Shawley provided financial information to show why it was prudent to fund this purchase from the Highway Department Fund Balance. The purchase cost is \$94,286 for a used excavator. In regard to the Highway equipment multiyear purchase plan, this piece of equipment would be the last expected purchase for the next several years.

Shawley prepared a budget sheet with Highway Department accounts and status. This was distributed to the Board. The Highway Fund Balance contained \$484,713.00 at the end of 2018. This does not include any of the funds in the various reserve accounts. The 2019 revenue (from taxes, CHIPS, and other sources) of \$1,191,991 less expenditures of \$685,762 leaves a Fund Balance addition of \$506,229 and a current cash balance of \$990,942. Shawley let the Board know that expenditures are larger in the first part of the year. She gave the view that savings have been made in the Fund Balance to support the Highway Department equipment replacement and improvement plan. Her determination as bookkeeper was that the cash in the Fund Balance is more than adequate to cover the expense of this excavator.

This purchase will allow two crews to be working on roads, for much needed repair and maintenance. This work can be funded through CHIPS funds remaining from 2018. The vehicle could have an extended warranty, in addition to the standard one year warranty. The estimated cost of the extended warranty is in the range of \$5,000. This can be added at a later date. The equipment is already on site. It has been tested and used for some projects. The manufacturer/model is Volvo ECR88D.

RESOLUTION NO. 42 OF 2019 - APPROVAL FROM THE TOWN BOARD FOR THE HIGHWAY DEPARTMENT TO PURCHASE A MINI EXCAVATOR

Whereas, the Highway Department is in need of a smaller machine to be able to maintain the seasonal roads in the Town, and to be able to work on roads with a limited width; and

Whereas, the need for an extra machine to do ditching in tight areas and accomplish the work needed by crews has become increasingly necessary, now therefor be it

Resolved, that the Town Board of the Town of Danby gives permission to the Highway Superintendent to purchase a Volvo Compact Excavator. The vendor is Vantage Equipment, LLC and the amount of the purchase is \$94,286.00. This amount will be taken from the Fund Balance of the Highway Department.

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

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

Financial Review and Budget Transfers

Shawley reported on new information regarding best practices for financial review, Town Board oversight of bills through the monthly abstract, and the need for periodic budget modifications through the year. This training was received during “financial school” for municipal bookkeepers that Shawley attended earlier in the month. From this point forward, the Board will review a financial abstract/warrant during each Board meeting. This will catch bills that are due at different times and reduce the number of “pre-pay” vouchers in a month.

Shawley presented a resolution authorizing budget transfers in the Highway budget. These cover the cost of a piece of equipment (\$1,500) and higher costs for snow removal during the winter/spring of 2019. The NYS retirement payment was slightly higher than expected. The Worker’s Compensation fund has enough money to cover the smaller expenditure overruns. The Worker’s Compensation and NYS Retirement payments are made one time a year.

RESOLUTION NO. 43 OF 2019 - APPROVAL FROM THE TOWN BOARD TO MAKE BUDGET TRANSFERS

Whereas, it is necessary to modify the budget between accounts when there have been expenditures that exceed the budget in a single line, now therefor be it

Resolved, that the Town Board authorizes the following budget transfers between the following accounts:

HIGHWAY FUND

FROM	TO.....	AMOUNT
DA9040.800.....	DA5130.200.....	\$1,500.00
Worker's Compensation.	Machinery Equip.	
DA5142.400.....	DA5142.400.....	20,000.00
Snow Rem. Pers. Services.....	Snow Rem.I Contractual.	
DA9040.800.....	DA9010.800.....	467.58
Worker's Compensation.	NYS Retirement	

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

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

Speed Limits and Speed Limit Enforcement

Supervisor Dietrich informed the Board that he is scheduling a meeting with a representative from the Tompkins County Sheriff’s office, to discuss speed limit enforcement in Danby and other related matters. The projected, unconfirmed, time for this meeting is Friday afternoon, May 24, at 4:30pm in Danby’s Town Hall. This will be posted as an additional meeting of the Town Board.

Dietrich reported that the Sheriff has already shared information that speeding is endemic across the state. The NYS DoT has recommendations for speed calming measures. The Sheriff may have additional thoughts for discussion.

Draft Trail License Agreement

A draft Trail License Agreement between NYSEG and the Town of Danby, for an extension of the Recreation Way from the Town of Ithaca through Danby, was received from Scott Doyle at County Planning for review by the Town Board. Supervisor Dietrich stated that municipal attorney Guy Krogh has been working on the language for this agreement. He urged the Board to support this initiative. He was under the impression that the agreement needed a vote of authorization and acceptance prior to a joint municipal meeting on this topic at the end of the month. Copies of the draft agreement were distributed to the Board for their review.

Several questions about details in the agreement were raised. Clerk Goddard noted that the agreement, as transmitted, had an effective date of October 2018. She asked whether this was the final draft? This question will be clarified through communication with Scott Doyle.

Connors raised a question regarding mitigation for impacts to property owners along the trail, such as vegetative buffers, fencing, etc. Dietrich stated that these issues would be addressed at a later date. It was confirmed that each municipality will be responsible for the maintenance of its section of the trail. Maintenance costs will fall on the municipalities.

There was discussion of a question of municipal liability and insurance costs, as per section 18 in the agreement stipulating that the “Licensee” (Town of Danby), “shall purchase and maintain in effect at all times a protective liability and property damage insurance policy....” Previous negotiations regarding the trail had liability covered by the County rather than by the municipalities. Bookkeeper Shawley stated that she would consult with NYMIR regarding the cost and coverage for the Town for this need. Clerk Goddard stated that she would get clarification on this from Doyle.

Dietrich expressed concern that action on this agreement not be delayed until the June TB meetings. Indications were that there would be a quorum for that meeting. Further review of the Trail License Agreement, and a possible vote of acceptance, were added to the agenda for the special TB meeting taking place on May 24 at 4:30pm.

Sound System Update

Connors reported on a sound system assessment that had been conducted that morning. A professional sound engineer evaluated the room acoustics and existing sound system. This system is out of date, but still adequate for sound reinforcement at this time. The room, and particular the set up for the Board table and resident chairs, was adjusted for better projection. The sound amplification system was set up in a temporary configuration. This set up is to be used by the various Boards, until a new sound system is approved and purchased.

A full report and set of recommendations, with cost estimates for a new sound system, will be delivered to the Board by the end of May. At that time, the Board will make choices regarding sound system installation and cost.

Warrants

ABSTRACT #6 OF 2019:

GENERAL FUND

#219-229 for a total of \$12,691.68

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

HIGHWAY FUND

#147-159 for a total \$24,451.68

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

Timber Harvest Workshop Report

Members of the TB reported on a Timber Harvest training session provided by from Tompkins County Soil and Water. Five representatives from Danby attended the workshop along with representatives of other agencies. Foresters and members of the timber harvest business gave extensive information about current forestry practices. The workshop included a tour of two sites in the Danby State Forest. A draft timber harvest ordinance was provided as a handout.

Ulinski had a concern about a response to a question regarding “fly by night” operations. Representatives of the timber business basically responded, “we buy their lumber.” Ulinski found this an unsatisfactory response, while recognizing that this is a supply chain business.

There was a detailed discussion of permitting processes as a way to address concerns regarding timber harvesting. Permitting processes were supported by foresters and timber companies. Permit enforcement will fall, to a great extent, on the Highway Department. This may not catch all problematic timber harvesting, but is an important element for control and enforcement.

Connors suggested methods to educate land owners as to best practices. This education may include directing land owners to resources for evaluating loggers, without directly recommending specific companies.

The information received at this training will be used to draft a Danby Timber Harvest Ordinance and permitting process. The permitting process will be drafted to work in conjunction with the Road Use and Preservation Law. The Road Use and Preservation Law includes weight limits for heavy trucks, and can be used to close down operations which are destructive to roads.

Justice's Report

Justice's reports and financial sheets for April were distributed to the Board.

There was a short discussion of a "Lock Down", due to a potential shooter, that took place earlier during the day. A person had threatened the court, describing weapons she would bring to the building. She arrived at Town Hall, but did not enter the building. The Sheriff and State Police both arrived. No shooting took place. The person was encouraged to leave without further incident.

Clerk Goddard raised a question of training in active shooter and lock down situations, for staff and boards. She expressed particular concern about how to protect residents and visitors who arrive on the property during a building lock down. This happened during the lock down that morning, and could have been hazardous if the person of concern had carried out their threat to shoot. Goddard advocated for training to include all staff and members of various Boards. Ideally, this focused training would take place in the next few months.

Supervisor Dietrich stated that the Town's insurance company has been contacted about potential compensation, should a person be injured in a shooter situation. This topic will be included in general emergency management planning.

Adjournment

The meeting adjourned at 8:30 pm.

Pamela Goddard, Town Clerk