

**Danby Town Board
Minutes of Regular Meeting
September 9, 2019, 7pm, Danby Town Hall**

Present:

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

Others Present:

Town Clerk	Pamela Goddard
Justice	Garry Huddle
Planner	John Czamanske
Highway	Carl Seamon
Bookkeeper	Laura Shawley
Public	Ted Crane, Ronda Roaring, Sarah Schnabel, Pat Woodworth, Alex Pfeifer, Bruce Richards, Joel Gagnon, John Van de Mark.

Meeting Opened at 7:05 pm

Privilege of the Floor

John Van de Mark spoke regarding his assessment of the poor condition of roads in Danby. His concerns were addressed by the Highway Superintendent and the Town Board. Danby has a large number of roads with an insufficient base construction. Van de Mark was informed of the existence of a five-year plan to improve Danby roads. Additionally, grant processes for culvert and bridge replacement can be slow and take time. He was invited to have a further discussion with the Highway Superintendent, and to drive the roads with him.

Ronda Roaring spoke regarding target shooting in the old quarry in the Danby State Forest, off Travor Road. She noted, following a discussion with Joan Oldroyd (DEC forest ranger), that those who are shooting are not being ticketed. She asked the Supervisor to direct the ranger to issue tickets for these violations. Dietrich responded that he had contacted the State Police regarding the sound of automatic rifle fire coming from that area of the State Forest.

Ted Crane asked about the timeline for the Town Board to make a decision on whether there would be a need to override the NYS tax cap. This subject was discussed later in the meeting.

Warrants

ABSTRACT #13 OF 2019:

GENERAL FUND

#377-419 for a total of \$22,617.60

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

HIGHWAY FUND

#254-270 for a total \$35,335.26

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

WEST DANBY WATER DISTRICT FUND

#26-27 for a total \$344.25

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

Approve Minutes

MOTION - APPROVE MINUTES

Moved, That the Town Board of the Town of Danby approves the minutes of August 5 and 12, 2019.

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

Resolution to Authorize Supervisor to carry out CDBG Housing Survey

Planner Czamanske presented a resolution for consideration. Its passage is needed for documentation and compliance with the grant procedures. The resolution notes that one proposal, for conducting the housing conditions survey, has been received. Holahan, Dietrich, and Czamanske will interview a representative of this firm on September 10. Czamanske reported that this firm has more than 20 years of experience in this type of work. Their references are good and Czamanske has confidence in their ability to conduct this survey.

RESOLUTION NO. 57 OF 2019 - AUTHORIZE TOWN SUPERVISOR TO CARRY OUT CDBG FUNDED HOUSING CONDITIONS SURVEY

Whereas, the Town of Danby has been awarded a Community Development Block Grant (CDBG) in the amount of \$30,000 from the New York State Department of Housing and Community Renewal (HCR), Project Number 300CP129-18, and

Whereas, this CDBG funding has been awarded for the purpose of carrying out a Housing Conditions Survey of the entire town, and

Whereas, the Town has committed a local match of \$1,500 toward this CDBG project, and

Whereas, the Town received a fully-executed copy of the grant agreement by letter from HCR dated April 12, 2019, and

Whereas, the Town issued a Request for Proposals on July 23, 2019 for consultant assistance to undertake the Housing Conditions Survey, with proposals due August 23, 2019, and

Whereas, one proposal was received from a qualified consultant, C.T. Male Associates;

Now Therefore,

Be It Resolved, that the Town Board of the Town of Danby authorizes the Town Supervisor to carry out this CDBG funded housing activity in compliance with all applicable local, state and federal grant regulations and to execute all necessary consultant contracts and agreements.

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

Planning Report

A written report was distributed. The report outlined the Planner's activities for the month of August including responding to many questions related to zoning and subdivision matters, preparation for the August 15 Planning Board meeting, and responding to RFP questions related to the CDBG Housing Conditions Survey project. One proposal was submitted by the August 23 deadline. There will be an interview related to this on September 10.

Czaminske spent some time in discussion with Tompkins County in an attempt to have the Natural Resources Inventory GIS data hosted in their system. He reported that this will not work out. The new Planner will need to figure out how to store this data.

Czaminske reported that there were 18 applicants for the Planner position. He coordinated review of these applications with Dietrich, Ulinski, Laura Shawley, and Joel Gagnon. Eight applicants were selected for interview. These interviews were held on September 4 and 6. Four strong candidates have been identified, from the group of eight.

There was a substantial discussion regarding the next steps in the interview process for new Planner. Joel Gagnon (as the presumptive incoming Town Supervisor for 2020) sent out an Email message to the Planning and Town Boards, informing them of the interview process to this point. The four best candidates for Danby Planner are being invited for a second round of interview presentations. The suggestion is that they give a short presentation (15 minutes) on a topic of their choice with relevance to planning situations in Danby. A half hour of Q&A will follow. The tentative dates for these presentations are Tuesday and Wednesday evening, September 17 and 18.

There was discussion as to whether these presentation interviews are open to the public, with public participation. Clerk Goddard noted that, if there is a quorum of the Town or Planning Board (or both), these meetings are "open meetings" per the NYS Open Meetings law. Both Czaminske and Ulinski were strongly of the opinion that, in fairness to the applicants, these presentations should not be conducted in open meeting. Gagnon was of the opinion that a transparent process, with public participation, would be good and appropriate. There was discussion as to whether the presentation interviews should be conducted before full boards, or with a smaller number of persons selected from the TB and PB thereby avoiding the complication of a quorum of either board.

After extensive discussion, there was agreement to either have the same limited number of people conduct the second interview, or this process open to both boards and to formally enter Executive Session as these will related to the potential employment of particular persons. Dietrich, Czaminske, Connors, and Ulinski favored having a limited number of people conduct the second interview. No Town Board members were in favor of having these in open, public meeting.

Speed Limit Plans

Connors reported on information related to a proposal for a Town-wide speed limit for the Danby. When the Highway Department calls the NYS Department of Transportation with this request, the answer is a strong "no." Connors suggested that the Town ask anyway, and continue to ask.

There was a discussion of possible further steps. Shawley suggested that letters of interest and support come from the Town Board and from the Tompkins County Sheriff (the Sheriff had voiced support for this measure, during a previous meeting with Town officials). It was further suggested to ask State representatives Seward and Lifton to add their support to this request.

A related discussion was held regarding a four-way stop at the intersection of Gunderman and Comfort Roads. This traffic change also requires review and approval by the NYS DoT.

There was a brief discussion of further research needed regarding the cost and effectiveness of electronic speed measuring signs. Highway is gathering data and will return to the Board with additional information. Horse-riding caution signs will soon be installed in the area of Troy and Nelson Roads.

Budget Process update

Bookkeeper Shawley reported on the status of budget planning for 2020. Budget worksheets have been distributed to all departments and involved agencies (such as the Community Council, Community Library, Food Pantry, and Seniors). These are due back in the next week. Once that information is received, Shawley will draft the preliminary budget for TB review and discussion.

The Board discussed the need for passing a Local Law to authorize overriding the NYS Tax Cap, in the event of budget increases due to funding a full time Planner and full time Code/Zoning Officer. Such a LL needs to be passed each year, when a municipality envisions the need to exceed the tax levy limit. A public hearing was set for the first meeting in October.

RESOLUTION NO. 58 OF 2019 -SET PUBLIC HEARING - LOCAL LAW TO OVER-RIDE TAX CAP

Whereas, the Town Board of the Town of Danby is considering adoption of a Local Law "Override the Tax Levy Limit Established in General Municipal Law 3-c for the Fiscal Year 2020",

Now Therefore,

Be It Resolved, that the Town Board of the Town of Danby sets a Public Hearing related to considering adoption of a Local Law to Override the Tax Levy Limit for the Fiscal Year 2020", said Public Hearing to be held Monday October 7, 2019 at 7:00pm in the Danby Town Hall.

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

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

The Board agreed to meet at 6pm on the first meeting in October (October 7) for budget review and planning.

Dietrich asked Bookkeeper Shawley to clarify whether the Danby Community Park Association is expecting the Town to cover insurance costs for the natural playground? The municipal insurance will not cover this need. Shawley and other members of the Board recall an agreement that the Town would cover liability insurance for the TCAT Park and Ride, but not the playground. The DCPA insurance need to cover this need. This will be further clarified at the next meeting, when the DCPA makes a presentation.

Conservation Easement Public Hearing - Conservation Advisory Council

On behalf of the CAC, Matt Ulinski asked that a public hearing be set regarding a conservation easement on a Durfee Hill Road property. The CAC is completing negotiations on this easement. Documentation will be provided prior to the hearing. This easement has been vetted by the Town Attorney.

RESOLUTION NO. 59 OF 2019 - SET PUBLIC HEARING - CONSERVATION EASEMENT

Resolved, that the Town Board of the Town of Danby sets a Public Hearing to consider acceptance of a Conservation Easement on property at 29 Durfee Hill Road, said Public Hearing to take place on Monday October 7, following the previous hearing, at the Danby Town Hall.

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

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

Justices' Report

Written reports from the Town Justices were circulated among the Board. Checks for \$1,023.00 and \$1116.00 were received, primarily from traffic violations. Holahan asked whether more speed limit violation tickets have been issued? Justice Huddle reported that there has not been a change. He further reported that several changes in the criminal justice system, including changes to evictions, arraignments, and bail processes, will be in effect as of January 2020.

Town Clerk's Report

Clerk Goddard reported that \$4,141.45 was received through the Clerk's office for the month of August. This represents one marriage license, ten days of DEC license sales, one dog impoundment fee, 36 dog licenses, and 11 building permits. \$3,366.85 was distributed to the Town Supervisor, with the remainder distributed to NYS DEC, Animal Population Control Program, and Department of Health.

Municipal Obligations and Ongoing Projects

There was continued discussion regarding transition of Town Supervisor in January 2020. Supervisor Dietrich expressed concern about priorities moving forward. An example was the priorities being considered for the new Planner, as expressed in the interview process. Dietrich cautioned that Supervisors should not have a limited agenda for the Town. In addition to an update to the Comprehensive Plan, Dietrich noted the critical need to have an updated Emergency Management Plan.

Dietrich thought that, in addition to long range planning, the Town Planner needs to be aware of the health and safety of Town residents. Specific examples include stormwater management and water safety/supply considerations. Gagnon suggested that some of this discussion might be more appropriate in a one-on-one discussion between himself and Dietrich.

There was a discussion of who is doing what and how does the Town move on from this point. Dietrich noted that decisions regarding activities and organizations in which the Town participates are made by the entire Board. The Supervisor is one vote in five. Ulinski noted that Board members are involved in several matters, and it would be good to list them. He further noted that Dietrich is the principal person involved in several county-wide and regional organizations (such as TCCOG, regional flood control, etc.). These engagements are important for the Town and should continue. Conners agreed that it would be helpful to have a list of organizations and meetings which Dietrich attends. Dietrich agreed to this.

Dietrich would like to see the Planner be involved with highway flood control, activities through the Conservation Advisory Council, and the Fire District. Emergency Management shared services agreements need to be maintained. He is willing to help facilitate these projects.

There was a discussion regarding the staffing levels of the Code Enforcement and Planning offices, and how these salaries will impact the budget. The discussion began to explore the various needs in the Town and what the priorities are for funding. Ulinski suggested that detailed staff level discussions be part of the budget planning process. The discussion included the need to identify supporting grants for comprehensive planning. Dietrich encouraged the Board to apply for a grant to support the multi-year process of revising the Danby Comprehensive Plan. He said to expect that this will be up to a three-year process, with many levels of public engagement. Ulinski and others agreed that such grant support is important for the town.

Adjournment

The meeting adjourned at 8:40 pm.

Pamela Goddard, Town Clerk