

DRAFT

**TOWN OF DANBY
TOWN BOARD MINUTES
MARCH 10, 2008**

PRESENT:

Supervisor Fredric Dietrich

Councilpersons: Eugene Beavers, Leslie Connors, Daniel Klein, Joseph Salino

Others Present:

Guest - Andrew Zepp

Carol Szczepanski - Town Clerk

Susan Beeners - Code Enforcement Officer

Laura Shawley - Bookkeeper

Roy Casterline - West Danby Water District Superintendent

Members of the Public:

Ames Brown, Patti and Jim Meyers, Joel Gagnon and others.

Supervisor Dietrich called the meeting to order at 6:35 p.m. and led all present to the Pledge of Allegiance to the American flag.

Supervisor Dietrich presented information from the TCCOG to the board to review and suggested that if any members wished copies they can request them.

Additions to the Agenda:

Supervisor Dietrich said that for a future communications he would like to have information to review on Veterans Exemption for the Town.

- 1) Request for Special Meeting - April 7, 2008
- 2) Beautification Committee Proposal
- 3) Community Council Agreement Approval
- 4) Agreement to spend highway funds.

Andrew Zepp

Andrew Zepp from the Finger Lakes Land Trust reported on the New York State Conservation Easement Tax Credit. He explained that the easement tax credit is available to all owners of easement-restricted land, regardless of when the easement was created, provided that the easement was wholly or partially donated to a land trust or government agency. He presented the Town Board with a map showing the Finger Lakes Trail and surrounding areas where they are trying to obtain easements. This is an income tax credit and there is no revenue loss to municipalities or school districts. Mr. Zepp answered questions from residents related to how the easement would effect their properties and possible impacts.

Privilege of the Floor

Ames Brown - suggested that the Supervisor Councilperson Beavers be appointed as a second deputy as he is very knowledgeable about town business and that it be addressed at the April meeting of the board.

Liz Roe - reported on a recent accident that totaled her vehicle while it was parked in her driveway and several other recent accidents. She suggested that at the April Meeting address the issue of trying to get the NYS DoT to reduce the speed limit on NYS Rte. 96B through the town.

Supervisor Dietrich said that they would take into consideration submission of the necessary paperwork to the NYS DoT for a request to reduce the speed limit through the Town on NYS Rte. 96B.

Ronda Roaring - reported on problems she has found on the Town of Ithaca's website.

Proposed Ice Cream Stand

Susan Beeners reported that she is not representing the developer (Ted Huizinga and Christine Beebe). The application is for re-zoning their property on the corner of Hornbrook Road and NYS Rte. 96B from Residential to Commercial for a proposed ice cream store.

Comments from the public:

Ames Brown said that the "Scoop" that was at the Danby Store was successful.

Jim Meyers - owns adjacent property and asked if there was other land available that is zoned commercial.

Councilperson Klein read into the record a letter from Shelly Marino of 1792 Danby Road and does not approve of the application. She suggested that an ice cream stand should be where there is already commercially-zoned property.

Bonnie Tyler of Coddington Road - changing zoning when there is other space available in town sets a precedence.

Councilperson Klein said that the point of some body purchasing a home in a residential zone is that they make an investment in a neighborhood that they have reason to believe is zoned residential.

REPORTS:

West Danby Water District Generator

West Danby Water District Superintendent reported that the generator at the West Danby Water facility has been installed and is working.

Highway Report

A written report of February activity of the Highway Department was received and a request for the Board to sign the Agreement to Spend Highway Funds.

Zoning and Code Enforcement Report

The February report from the Zoning and Code Enforcement Department has been received.

Planning Board

Bob Roe Chairperson of the Planning Board reported that the Planning Board received heard a presentation from the Land Trust and from the Danby Community Park Association. They also heard an update on the Danby Store from Susan Beeners.

Recreation Partnership

Supervisor Dietrich reported that the Recreation Partnership Committee is working on formula to determine what portion each municipality should pay. They are working on mix and match funds with area schools.

Community Council

Joel Gagnon reported that they have restructured the provision with Cooperative Extension for youth employment. The Agreement between the Town of Danby and Community Council has been approved.

Supervisor Dietrich reported that the town has hired a youth to work with the bookkeeper at both the highway department and the bookkeeper. They are looking at maybe having a youth to work at Jennings Pond.

Danby Senior Citizens

The Danby Senior Citizens had an Easter Ham luncheon this month. The officers are working on the schedule of activities for the remainder of 2008.

Dog Control

No report for March has been received from the SPCA.

Supervisor Dietrich reported that Tompkins County Council of Governments are working on an affordable agreement that will effect all the towns in Tompkins County. He explained that for some of the outlying towns they think the cost per dog is high. The committee is still researching and negotiating an agreement with the SPCA.

DEMPC COMMITTEE

Supervisor Dietrich reported that DEMPC worked well over the icy weekend He worked with NYSEG and received two hour reports and NYSEG contacted all special needs persons to ensure all special needs persons to determine whether they needed extra assistance. Station Road was temporarily closed down.

COMMUNICATIONS

Ice Cream Stand Proposal

The board has received a re-zoning request for a proposed ice cream stand proposed to be located on the corner of NYS Rte 96B and Hornbrook Road. Supervisor Dietrich said that we have heard from the developers and thinks that there is a valid need for an ice cream stand in the town and likes the aspect of it and thinks it would go very well in our town. He is mindful in terms of having it fit into the community and strongly urges the applicants to look into places that would be less intimidating than the present proposed place. He is in full support of this project.

Councilperson Connors asked if there was any way that the town can help them look at other places. She supposes that the plan for an ice cream store at that location is because they own that piece of property.

Supervisor Dietrich said that they had referred the proposal to the Danby Store group.

Councilperson Beavers said that he assumes that this is something that is going to be an ongoing thing that hopefully going to be brought to some sort of conclusion to hamlet planning. Many residents have the idea that there will be a centralized hamlet. He said that he likes the idea of an ice cream store as it would be a fabulous place for people to meet but does not want to re-zone one little piece without taking an over-all look at the overall picture.

Councilperson Salino said that he used to own a piece of commercial land further down on the north end of town near Danby Motors.

Susan Beeners said that the piece near Hornbrook Road is the only available piece and the one near Danby Motors where there is a number of dirt piles. She explained that a zoning change could be done to meet the commercial area near the danby store.

Councilperson Beavers said that we are have to address a zoning change at some point but does not want to do one little piece at a time.

Complaint Regarding Enforcement in the Town

The Town of Danby has received a complaint regarding the enforcement of our zoning regulations in the town. He said that he has had discussion with the zoning office. The citizen who has filed a complaint has been aware of this situation for at least ten(10) years or fifteen(15) years in the making. It is not a new thing but an involving thing. He suggested that the issue should be tabled.

Councilperson Klein said that a resident of Danby filed a complaint. He does not put any weight in the complaint. The resident does deserve an answer.

Code Enforcement Officer, Susan Beeners that her recommendation is that she go to the Town Attorney.

The board asked the board if the Code Enforcement Officer be granted permission to take the

information surrounding this complaint to the Town Attorney.

Draft for Danby Website

Councilperson Connors and the Town Clerk will meet with three persons who are interested in serving as webmaster. She will come back with a recommendation for the April meeting.

The Board discussed the proposed ideas for a web site.

OLD BUSINESS

RESOLUTION NO 31 OF 2008

APPOINTMENT OF PLANNING BOARD CHAIRPERSON

By Councilperson Beavers : Seconded by Councilperson Salino

RESOLVED, that the Town Board of the Town of Danby appoints Robert Roe as chairperson of the Danby Planning Board.

A roll call vote on the resolution resulted as follows:

Beavers	Aye
Connors	Aye
Klein	Aye
Salino	Aye
Dietrich	Aye

Carried Unanimously

RESOLUTION NO. 32 OF 2008

APPROVAL FOR INCREASE IN PHONE REIMBURSEMENT FOR TOWN SUPERVISOR

By Councilperson Salino: Seconded by Councilperson Klein

WHEREAS, the Town of Danby Town Supervisor uses his cell phone for town business and has requested an increase in monthly reimbursement, now be it

RESOLVED, that the Town Board of the Town of Danby approves of \$100 per month for the Supervisors cell phone reimbursement.

A roll call vote on the resolution resulted as follows:

Beavers	Abstained
Connors	Aye
Klein	Aye
Salino	Aye

Carried

RESOLUTION NO 33 OF 2008

AUTHORIZATION FOR TOWN SUPERVISOR TO SIGN YOUTH SERVICES

AGREEMENT

By Councilperson Klein: Seconded by Councilperson Connors

RESOLVED, that the Town Board of the Town of Danby authorizes the Town Supervisor to sign the Youth Services Agreement for 2008 between Tompkins County and the Town of Danby.

A roll call vote on the resolution resulted as follows:

Beavers	Aye
Connors	Aye
Klein	Aye
Salino	Aye
Dietrich	Aye

Carried Unanimously

RESOLUTION NO. 34 OF 2008

APPROVAL OF FUNDING FOR DEMPC OUTREACH AND FUN DAY

By Supervisor Dietrich: Seconded by Councilperson

RESOLVED, that the Town Board of the Town of Danby authorizes the expenditure of up to \$1000 for emergency information folders and other materials related to public outreach and the 2008 Danby Fun Day Emergency Preparedness Tent, with the source of said funding to be from Account A 1990.400.

A roll call vote on the motion resulted as follows:

Beavers	Aye
Connors	Aye
Klein	Aye
Salino	Aye
Dietrich	Aye

Carried Unanimously

Motion to Extend Meeting

A motion was made by Supervisor Dietrich and seconded by Councilperson Beavers that the Town Board extend the meeting to 8:50 p.m.

A roll call vote on the motion resulted as follows:

Beavers	Aye
Connors	Aye
Klein	Aye
Salino	Aye
Dietrich	Aye

Carried Unanimously

Motion for a Request for Special Meeting on April 7, 2008

A motion was made by Supervisor Dietrich and seconded by Councilperson Salino that the Town Board hold a Special Meeting of the Board following the Agenda Meeting on April 7, 2008

A roll call vote on the motion resulted as follows:

Beavers	Aye
Connors	Aye
Klein	Aye
Salino	Aye
Dietrich	Aye

Carried Unanimously

Beautification Committee Contract

A motion was made by Councilperson Klein and seconded by Councilperson Salino that the Town Board of the Town of Danby authorize Supervisor Dietrich to sign a contract with Cooperative Extension for the Beautification Committee Grant.

A roll call vote on the motion resulted as follows:

Beavers	Aye
Connors	Aye
Klein	Aye
Salino	Aye
Dietrich	Aye

Carried Unanimously

Motion to Approve Community Council Agreement with the Town;

A motion was made by Councilperson Klein and seconded by Supervisor Dietrich that the Town Board of the Town of Danby approves the 2008 Agreement between the Town of Danby and Danby Community Council and authorizes the Town Supervisor to sign the agreement.

A roll call vote on the motion resulted as follows:

Beavers	Aye
Connors	Aye
Klein	Aye
Salino	Aye
Dietrich	Aye

Carried Unanimously

Motion to Sign Agreement to Spend Highway Funds

A motion was made by Councilperson Beavers and seconded by Councilperson; Salino that the Town Board of the Town of Danby approves the "Agreement to Spend Highway Funds". The agreement was signed by the Town Board.

A roll call vote on the motion resulted as follows:

Beavers	Aye
Connors	Aye

Klein	Aye
Salino	Aye
Dietrich	Aye

Carried Unanimously

Approval of Town Supervisors January and 2008 Report

A motion was made by Councilperson Salino and seconded by Councilperson Beavers that the Town Board of the Town of Danby approves the Town Supervisors January and February report as submitted.

A roll call vote on the motion resulted as follows.

Beavers	Aye
Connors	Aye
Klein	Aye
Salino	Aye
Dietrich	Aye

Carried Unanimously

Approval of Town Clerk February 2008 Report

A motion was made by Councilperson Beavers and seconded by Supervisor Dietrich that the Town Board of the Town of Danby approves the Town Clerks March 2008 report as submitted.

A roll call vote on the motion resulted as follows:

Beavers	Aye
Connors	Aye
Klein	Aye
Salino	Aye
Dietrich	Aye

Carried Unanimously

APPROVAL OF WARRANTS

General Fund Warrant No. 3 of 2008

A motion was made by Councilperson Salino and seconded by Supervisor Dietrich that the Town Board of the Town of Danby approves the General Fund Warrant No. 3 of 2008 in the amount of \$16,890.91 voucher numbers 87- 123.

A roll call vote on the motion resulted as follows:

Beavers	Aye
Connors	Aye
Klein	Aye

Salino Aye
Dietrich Aye

Carried Unanimously

Approval of Highway Fund Warrant No. 3 of 2008

A motion was made by Councilperson Beavers and seconded by Councilperson Salino that the Town Board of the Town of Danby approves the Highway Fund Warrant No. 3 of 2008 in the amount of \$ 24,736.89 voucher numbers 25-32.

A roll call vote on the motion resulted as follows:

Beavers Aye
Connors Aye
Klein Aye
Salino Aye
Dietrich Aye

Carried Unanimously

Approval of the West Danby Water District Fund Warrant No. 3 of 2008

A motion was made by Councilperson Beavers and seconded by Councilperson Connors that the Town Board of the Town of Danby approves the West Danby Water District Fund Warrant No. 3 of 2008 in the amount of \$901.39 voucher numbers 11-15.

A roll call vote on the motion resulted as follows:

Beavers Aye
Connors Aye
Klein Aye
Salino Aye
Dietrich Aye

Carried Unanimously

ADJOURNMENT

On a motion the meeting adjourned at 8:50 p.m.

Carol W. Szczepanski, Town Clerk