

DRAFT

**TOWN OF DANBY
TOWN BOARD MINUTES
MAY 12, 2008**

PRESENT:

Supervisor Fredric Dietrich

Councilpersons: Eugene Beavers, Leslie Connors, Daniel Klein

ABSENT:

Councilperson Joseph Salino(excused)

Others Present:

Carol Szczepanski - Town Clerk

Susan Beeners - Code Enforcement Officer

Carl Seamon - Highway Superintendent

Laura Shawley - Bookkeeper

Roy Casterline - Water District Superintendent

Members of the Public

Joel Gagnon, Esther Dotson

Supervisor Dietrich called the meeting to order at 6:36 p.m. and led all present to the Pledge of Allegiance to the American flag.

ADDITIONS TO THE AGENDA

1. Two resolutions from the Task Force

REPORTS:

EMC - The Town Board made a recommendation to the Tompkins County Legislature for Lisa Skalar but has not received confirmation of her appointment at this time.

Highway Department

The Highway Department report was submitted and Superintendent Carl Seamon reported that the department is working on regular maintenance on the roads, cut back downed tree limbs and brush and put in culverts on Brown Road and Bruce Hill. There has been the usual routine equipment maintenance and other miscellaneous maintenance on the highway building. He reported that the department is in need of new equipment such as maybe a one(1) ton truck with a plow. The 1984 mower tractor is very outdated.

County Report

Representative Proto reported:

Budget - the County is working on a budget and is trying to cut out \$2,000,000 (two million) dollars.

WIC Program - It is not up to the County as to whether or not they want to provide the service. The State of New York reacts to which ever entity submits an application. The County has been the only applicant for 28 (twenty-eight) years.

Local Assessment Board of Review - scheduled for Danby on May 21, 2008 from 3-6 p.m. here at the Town Hall.

Zoning

The Code Enforcement Office has submitted their April 2008 report.

Susan Beeners reported that the installation of the emergency fire alarm system is in progress. Requests for RFQ's for the Small Cities Grant project have been advertized for and the deadline for submission is May 15th. She is set up an advisory or steering committee soon.

Planning Board

The Planning Board has a scheduled public hearing at their May meeting for a subdivision of a property located on the corner of East Miller Road and NYS Rte. 96B.

Beautification Committee

The Beautification Committee has received signs for Danby. Locations for the signs will be addressed soon and it is proposed that they will be near Michigan Hollow and Miller Road. Our signs will not be as elaborate as Enfield's.

Recreation Partnership

Supervisor Dietrich reported that the Recreation Partnership are looking for funding activities that are not tax dollars.

Community Council

Supervisor Dietrich reported that the Town Board does not have representation to the County Youth Board and would like Community Council to provide a representative. We have had a vacant slot for over two(2) years.

Senior Citizens

Carol Sczepanski reported that the Senior Citizens held their May dish-to-pass dinner and meeting on May 1st at 6:00 p.m. In June the meeting will be on June 5th and entertainment will be the Cayuga Chimes. On June 17th the senior trip will be to the Merry-go-round Theater to see "All Shook Up"

Supervisor Dietrich reported that he is going to meet with the Tompkins County Town Clerks Association. Purpose of the meeting will be to review the SPCA contracts with the clerks.

DEMPC

Councilperson Beavers reported that they held a meeting two(2) weeks ago and finalized the Fund Day Tent. He has set up a meeting for Wednesday, May 13, 2008 with some of the fire department personnel to look at what the two departments (Town and Fire Districts) can do to work together.

Supervisor Dietrich said that there needs to be a follow-up with the highway department on the issue of out-of-title work to get feedback from CSEA on some potentialities.

Danby Community Park Association

Esther Dotson presented the town board with a draft of a document from the Danby Community Park Association that is to be sent to the Application Regional Planning Commission with their concerns for economic revitalization and for youth programs to create a desirable community effect.

There are references to possibilities of cooperating with towns in Tioga County as well as in this town. material that the Danby Community Park Association needs to apply for a new grant. One of the important elements is the possibility of general jobs and youth participation. They will be applying to the New York State Office of Parks for work on the infrastructure of grading, utilities and the parking lot in the park. They have a feeling that they can make community grade playing fields and then upgrade them to competition grade if it seems desirable.

Esther Dotson asked the town board to pass a resolution of an endorsement for the Danby Community Park Association to apply for a grant under the Environmental Protection Fund and/or Clean Water/Clean Air Bond Act for a park project. A resolution is required from the town board to be submitted with the application. The application is due on June 30, 2008.

RESOLUTION NO 42 OF 2008**TOWN OF DANBY MUNICIPAL ENDORSEMENT OF GRANT APPLICATION FOR THE DANBY COMMUNITY PARK ASSOCIATION**

By Councilperson Klein: Seconded by Councilperson Beavers

WHEREAS, the Danby Community Park Association is applying to the New York State Office of Parks, Recreation and Historic Preservation for a grant under the Environmental Protection Fund and/or Clean Water/Clean Air Bond Act for a park project to be located in the Hamlet of Danby, a site within the territorial jurisdiction of this Board; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the approval and endorsement of the governing body of the municipality in which the project is located;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Danby, State of New York, that the Board hereby does approve and endorse the application of the Danby Community Park Association for a grant

under the Environmental Protection Fund for the project of Danby Park located within this community, and

FURTHER, IT IS RESOLVED, that should the Danby Community Park Association be unable to do so, said property shall be forever maintained by the Town of Danby as a municipal park in this community consistent with the rules promulgated by OPHRP.

A roll call vote on the resolution resulted as follows:

(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

Possible Appointment and Agreement for Webmaster

The possible appointment and agreement for Webmaster was deferred.

RESOLUTION NO 43 OF 2008

ENDORSINMENT OF SMSI HEALTH BENEFITS GRANT - LEGAL COUNSEL FOR TCCOG

By Councilperson Beavers: Seconded by Councilperson Connors

WHEREAS, the Tompkins County Council of Governments (TCCOG) recognizes the due diligence performed by the Health Insurance Steering committee in recommending Hancock and Estabrook as the legal counsel consultant for the SMSI Health Benefits grant project, now, therefore be it

RESOLVED, that the Town of Danby approves of the Tompkins Council Council of Governments (TCCOG) selection of Hancock and Estabrook as legal counsel consultant, and

RESOLVED, further that the Town of Danby supports the Tompkins County Council of Governments (TCCOG) request that Tompkins County enter into a contract on behalf of TCCOG, with Hancock and Estabrook for legal counsel consulting services for TCCOG for the SMSI Health Benefits grant project.

A roll call vote on the resolution resulted as follows:

(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

RESOLUTION NO 44 OF 2008

APPOINTMENTS TO LOCAL ASSESSMENT BOARD OF REVIEW

By Councilperson Klein: Seconded by Supervisor Dietrich

RESOLVED, that the Town Board of the Town of Danby appoints George Blanchard and Joel Gagnon to the Local Assessment Board of Review scheduled for Wednesday, May 21, 2008 from 3:00 to 6:00 p.m.

A roll call vote on the resolution resulted as follows:

(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

RESOLUTION NO. 45 OF 2008

REAPPOINTMENT OF TOWN DEPUTY SUPERVISOR

By Supervisor Dietrich: Seconded by Councilperson Klein

RESOLVED, That the Town Board of the Town of Danby re-appoints Theodore I. Jones as Deputy Town Supervisor.

A roll call vote on the resolution resulted as follows:

(Councilperson Salino absent)

Beavers	Nay
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

RESOLUTION NO. 46 of 2008

AUTHORIZE TOWN SUPERVISOR TO ENTER INTO AGREEMENT - MOWING OF TOWN PROPERTIES AND CEMETERIES

By Supervisor Dietrich: Seconded by Councilperson Klein

RESOLVED, that the Town board of the Town of Danby authorizes the Town Supervisor to enter into an agreement with Tony Catlin for the mowing of Town properties and cemeteries.

A roll call vote on the resolution resulted as follows:

(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

RESOLUTION NO. 47 of 2008

AUTHORIZATION FOR NEW BANK ACCOUNT

By Supervisor Dietrich: Seconded by Councilperson Connors

RESOLVED, that the Town Board of the Town of Danby authorizes the Town Supervisor to open a new interest bearing account for the Small Cities Grant.

A roll call vote on the resolution resulted as follows:

(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

Dog Enumeration Discussion

The Town Clerk has requested permission to conduct a dog enumeration beginning this summer and to consider raising the local fee for dog license. She requested the local fee for unspayed/unneutered dogs to \$9.50 and spayed/neutered dogs. She asked the board to consider approval for a dog enumeration for this year.

Supervisor Dietrich said that TCCOG is working on an agreement with the SPCA for possibly performing an enumeration as part of their agreement.

RESOLUTION NO 48 OF 2008

RE-ESTABLISHING THE DANBY COMPREHENSIVE PLAN IMPLEMENTATION TASK FORCE

By Councilperson Klein: Seconded by Councilperson Connors

WHEREAS, the Town Board of the Town of Danby wishes to continue to receive advice and guidance from the Comprehensive Plan Implementation Task Force, now be it

RESOLVED, that the Comprehensive Plan Implementation Task Force be re-established as a committee of the Danby Town Board to explore mechanisms for implementing the goals, objectives and strategies of the Comprehensive Plan, especially but not only those related to land use, and be it further

RESOLVED, that the Comprehensive Plan Implementation Task force pursues questions and policies as directed by the Danby Town Board, and gives feedback to the Town Board about other questions and policies that the Task Force feel should be pursued; and be it further

RESOLVED, that the Task Force will be charred by a member elected by the membership by the members and by the Town Board and will also appoint a note taker, and be it further

RESOLVED, that the Task Force be structured as follows:

Membership

Membership of the committee will decide on its own voting members. Volunteer residents of the Town of Danby who have attended at least one of the last two meetings of the Task Force (not counting subcommittee meetings) will be entitled to vote at the next meeting. Other residents and non-residents of the Town of Danby are welcome as non-voting members.

Subcommittees

All meetings of the Task force and its subcommittees shall be open to the public and posted on the Town Calendar kept by the Town Clerk, and it is further

RESOLVED, that staff support be made available from the Code Enforcement Officer and such other paid assistance as the Town Board agrees to make available. No paid help are voting members of the Task force and any member who transitions to paid help forfeits their voting membership.

After lengthily discussion on the draft resolution it was amended.

Councilperson Beavers said that there is a lot of re-writing to do on unfinished documents.

A roll call vote on the resolution as amended resulted as follows:

(Councilperson Salino absent)

Beavers	Nay
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

Motion to Extend Meeting

By Councilperson Klein: Seconded by Councilperson Connors

A motion was made by Councilperson Klein and seconded by Councilperson Connors that the Town Board of the Town of Danby extend their meeting to 9:20 p.m.

A roll call vote on the motion resulted as follows:

(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

RESOLUTION NO. 49 OF 2008

AUTHORIZATION TO HAVE SEPTIC TANK PUMPED ANNUALLY

By Councilperson Beavers: Seconded by Supervisor Dietrich

RESOLVED, that the Town Board of the Town of Danby authorizes the Town Clerk to schedule the pumping of the town hall septic tank annually.

A roll call vote on the motion resulted as follows:
(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

Approval of Supervisor's Reports

A motion was made by Councilperson Klein and seconded by Councilperson Connors that the Town Board of the Town of Danby approves the Supervisor's reports for February, March and April 2008 as submitted.

A roll call vote on the motion resulted as follows:
(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye

Carried

Approval of the Town Clerk's Report - April 2008

A motion was made by Councilperson Beavers and Seconded by Supervisor Dietrich that the Town Board of the Town of Danby approves the Town Clerk's April 2008 report as submitted.

A roll call vote on the motion resulted as follows:
(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

APPROVAL OF WARRANTS

General Fund Report No. 5 of 2008

A motion was made by Supervisor Dietrich and seconded by Councilperson Klein that the Town Board of the Town of Danby approve the General Fund Warrant No. 5 of 2008 in the amount of \$19,261.62 vouchers numbered 178-215.

A roll call vote on the motion resulted as follows:
(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

Highway Fund Warrant No. 5 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 Highway Department Fund Warrant in the amount of \$22,996.93 vouchers numbered 53-70.

A roll call vote on the motion resulted as follows:

(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

West Danby Water District Fund Warrant No. 5 of 2008

A motion was made by Councilperson Beavers and seconded by Supervisor Dietrich that the Town Board of the Town of Danby approves the West Danby Water District Fund Warrant No. 5 of 2008 in the amount of \$973.11 vouchers numbered 23-28.

A roll call vote on the motion resulted as follows:

(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

CD Account - Fun Day Parade

A motion was made by Councilperson Beavers and seconded by Councilperson Klein that the Town Board of the Town of Danby approves the expenditure for the CD Account in the amount of \$127.80.

A roll call vote on the motion resulted as follows:

(Councilperson Salino absent)

Beavers	Aye
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

RESOLUTION NO. 50 OF 2008**REQUESTING INFORMATION OF THE DANBY COMPREHENSIVE PLAN IMPLEMENTATION TASK FORCE**

By Councilperson Klein: Seconded by Councilperson Connors

WHEREAS, the Town Board of the Town of Danby is interested in following up on documents that the Comprehensive Plan Implementation Task force has produced by has questions concerning those documents, now be it

RESOLVED, that the Town Board of the Town of Danby requests the Task Force to do the following:

1. Address the concerns raised by the Tompkins County Department of Planning in a letter to the Town dated October 3, 2006 regarding the proposed local law entitled “A LOCAL LAW RELATED TO THE RIGHT TO ENGAGE I N AGRICULTURAL ACTIVITY IN THE TOWN OF DANBY” and give the Town Board options regarding these concerns.
2. Analyze the content of the “ PROPOSED AMENDMENT TO ZONING 9ORDINANCE RELATED TO FLAG LOTS” as recommended by the Planning Board on October 25, 2007 to answer the following questions:
 - a. What effect could this proposal have on the number of allowable building lots on a given parent parcel?
 - b. What effect could this proposal have on the number of allowable building lots on a given parent parcel that would be along road frontage?
3. Prepare an update of a document entitled “CONCEPTUAL FRAMEWORK FOR PROPOSED ‘ROUND TWO’ LEGISLATIVE REVISIONS” from August 11, 2005 indicating what has already been enacted and what has been modified.
4. Provide recommendation of other subjects the Task Force would like to work on.

A roll call vote on the resolution resulted as follows:

(Councilperson Salino absent)

Beavers	Nay
Connors	Aye
Klein	Aye
Dietrich	Aye

Carried

ADJOURNMENT:

On a motion the meeting adjourned at 9:25 p.m.

Carol W. Szczepanski, Town Clerk