

**Danby Town Board
Minutes of Meeting
December 13, 2010**

Present:

Supervisor: Ric Dietrich
Councilpersons: Leslie Connors, Kathy Halton, Dan Klein, Dylan Race

Others Present:

Town Clerk Pamela Goddard
Code Enforcement Sue Beeners
Bookkeeper Laura Shawley
Frank Proto, Ted Crane, Joel Gagnon, Ronda Roaring,
William Keokosky, Sean A. Way, David Weiss

The meeting was called to order at 7:04 pm.

Privilege of the Floor:

Ronda Roaring distributed a letter to the board regarding concerns about activities in residential zoning, such as fireworks, target shooting, dirt bike racing, and concerts with amplified music. She asked the Board to consider a sample ordinance, based on one from the Town of Ithaca, requiring permits for the outlined activities.

William Keokosky presented a petition from 40 residents of East Miller Road, expressing concern about the condition of a vacant property at 704 East Miller Road. They feel that the property poses a health and safety threat to the community. Concerns were expressed about vagrants, illegal trespass, and illegal activities in this building. Recent burglaries in Danby have amplified concerns. Keokosky applauded the recent posting of the building as condemned and unfit for human occupancy, and asked that the building be demolished as quickly as possible. The building was condemned on November 17, 2010. Keokosky stated that Mr. Taft, the owner, may not be aware of the problems as he lives in Florida.

Keokosky also expressed concerns about what he perceived as a lack of respect when dealing with the Code Enforcement Office.

Sean Way expressed his concerns as a neighbor adjacent to this property. He also asked questions about the required acreage and frontage for subdivisions, whether there was a five acre requirement for building a house? A building lot depends on acreage and road frontage. Way expressed concern that more apartment buildings may be built on the lot in question.

Board of Zoning Appeals Interview:

Joe Schwartz was interviewed as an applicant for a current vacancy on the Danby Board of Zoning Appeals. Schwartz expressed his opinion about variances, setbacks, and other topics.

RESOLUTION NO. 133 OF 2010 – BZA APPOINTMENT.

RESOLVED that the Town Board of the Town of Danby appoints Joe Schwartz to fill the remainder of Christine Decker's term on the Danby Board of Zoning Appeals through December 31, 2013.

Moved by Klein, Second by Race. The motion passed.

In Favor: Connors, Halton, Klein, Race, Dietrich

Warrants:

Water District - #65-68 for a total \$542.66

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

In Favor: Connors, Halton, Klein, Race, Dietrich

Highway Fund - #162-171 for a total \$16,410.55

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

In Favor: Connors, Halton, Klein, Race, Dietrich

General Fund - #486-529 for a total \$17,293.27

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

In Favor: Connors, Halton, Klein, Race, Dietrich

Approval of Minutes:

RESOLUTION NO. 134 OF 2010 – APPROVE MINUTES.

RESOLVED that the Town Board of the Town of Danby approves the minutes of November 1.

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

In Favor: Connors, Halton, Klein, Race, Dietrich

Connors requested some minor corrections to the minutes of November 8. Clerk Goddard requested that, when possible, corrections be presented prior to meetings so that she can make any changes and the Board can move on the corrected minutes.

RESOLUTION NO. 135 OF 2010 – APPROVE MINUTES.

RESOLVED that the Town Board of the Town of Danby approves the minutes of November 8 and 15.

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

In Favor: Connors, Halton, Klein, Race, Dietrich

East Miller Road Discussion:

Code Officer Beeners responded to the concerns presented by Keokosky and Way. She apologized for any lack of understanding leading to unintended rudeness. She informed Mr. Way that the property in question could, legally, accommodate three lots but acknowledged that, realistically, due to slopes, etc., it would not.

Halton asked about the standard procedure for a building to be condemned and demolished in the case of an absentee owner. Beeners outlined the usual steps taken. Conversations and correspondence in an attempt to bring this property in compliance have been in process for over a year. The property is on the market. The realtor has been ordered to secure the property against unauthorized entry and remedy the situation by February 16, 2011. There is an expectation that the property will be purchased by another party. An asbestos survey has been suggested. If there is no abatement, and no good cause shown, then after the February 16 deadline the CO may come to the Board (probably at its March meeting) for notice of remedy under the unsafe buildings law. The owner would then have to demolish the building in 60 days, or the Town would have to do so.

Legislative Report:

Proto reported on activities of the County Legislature, particularly the budget process and concerns for the future. The Legislature is planning to begin work on its 2012 budget in January. State mandates account for up to 80% of this budget. The largest mandate is the pension fund. There will be less discretionary money to work with. This is of particular concern with discretionary and unfunded mandated social services programs. Funding for transit is also expected to be hit in the next 2011-2012 at the same time that fuel prices are increasing. Current routes will be maintained.

Funds were restored to support some level of youth services for 2011. Funding for the Recreation Partnership is secure for 2011, and negotiations have begun to draft the next five-year contract for this program. Towns need to indicate by May 2011 whether they are in or out of this partnership.

Proto reported on a County-level local law that would restrict temporary truck traffic on County roads (aimed specifically at traffic generated by heavy industry, such as water transportation and heavy equipment for gas drilling operations) and a resolution in support of Towns' ability to control their own roads, being considered by the Legislature. These will go to vote on Tuesday, December 21.

Youth Services Report and Discussion:

Dan Klein distributed data (the 2010 Population Profile prepared by the Tompkins County Youth Bureau and the 2009 Annual Report for Danby Youth Services prepared by program manager Laura Smith). Updated information should be available in Spring 2011, based on the 2010 census. An additional document should be available from the Recreation Partnership.

Asher Hockett spoke about his activities and experiences as the Danby representative to the Youth Services Department. The focus of the County youth services program is youth development. Hockett explained some of the complications of administering services to Danby youth. He suggested that an updated needs and satisfaction survey might be timely, given the possible need for municipalities to devise a replacement model for county youth services. He stated that he would like to remain the Danby representative to the Youth Services Advisory Board.

Hockett reported that unspent youth services funding remaining from 2010 (due to Laura Smith not working until the end of the year) will be rolled over to 2011. He asked whether it would be possible to increase \$1,000 in order to keep services at the 2010 level for 2011. This would enable the hiring of a half time youth services coordinator.

RESOLUTION NO. 136 OF 2010 – YOUTH SERVICES FUNDING.

RESOLVED that the Town Board of the Town of Danby moves \$1,000 from the contingency fund to add to the Danby Community Council youth programming.

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

In Favor: Connors, Halton, Klein, Race, Dietrich

This money would be added to funds to hire a half time person to run youth development programs. A strong candidate, who is a Danby resident, has already been identified. The position will be advertised in the new year.

Highway Report:

Shawley reported that three vehicles will be put to sale. One snow plow (which needs a lot of work) and two pick up trucks (one of which would be only useful for parts). Shawley cleared the method of sale of these vehicles with the state comptroller's office.

RESOLUTION NO. 137 OF 2010 – AUTHORIZATION TO SELL HIGHWAY VEHICLES.

RESOLVED that the Town Board of the Town of Danby authorizes the Highway Superintendent to sell three vehicles.

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

In Favor: Connors, Halton, Klein, Race, Dietrich

Board Vacancies:

Letters of interest regarding a vacancy on the Planning Board from Joel Gagnon and Ted Crane were distributed to the Board. One regular seat and two alternate seats are open to be filled in 2011.

Adjournment

A motion to adjourn the Meeting was made at 9:20pm.

Pamela S Goddard, Town Clerk