

**Danby Town Board  
Minutes of Organizational Meeting  
January 3, 2011**

**Present:**

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

**Others Present:**

Town Clerk Pamela Goddard  
Bookkeeper Laura Shawley  
Code Enforcement Sue Beeners  
Public Ronda Roaring, Joel Gagnon

**The meeting was called to order at 7:07pm.**

**The following fifteen (15) Resolutions were introduced and voted on as a group:**

**RESOLUTION NO.1 OF 2011 - APPROVAL TO INVEST IDLE FUNDS**

**Resolved**, that the Town Board of the Town of Danby authorize the Supervisor to invest idle funds.

**RESOLUTION NO. 2A AND 2B OF 2011 - APPROVAL OF YEAR 2011 SALARIES**

Town Board, councilpersons, total	9,457.	(4x 2,364)
Town Supervisor	20,000.	
Deputy Town Supervisor	52.	
Assistant to Supervisor	10,000.	
Bookkeeper	20,944.82	
Town Justice	25,844.	(2x 12,922)
Court Clerk	13,525.	
Highway Superintendent	51,673.	
Highway Secretary	26,410.02	
Zoning / Code / Fire Enforcement Officer	45,446.	
Town Clerk	27,846.	
Water Plant Operator (West Danby)	8,271.	
Water Plant Operator Assistant (West Danby)	6,311.	(2x 3,155)
Water Clerk (West Danby)	4,066.	
Swimming Area Director	1,000.	
Total	270,845.	

**Resolved**, That the Town Board of the Town of Danby authorizes the Supervisor to pay the above salaries. The salaries shall be paid prior to the first Town Board meeting of each month, and December payrolls will be adjusted to meet all budget requirements.

Resolution No. 3 of 2011 - Payment of Bills

**Resolved**, That the Town Board of the Town of Danby approves a blanket resolution to authorize the Town Supervisor to pay utility bills, freight, postage, contracts, and to conduct other normal proceedings, such as payroll, in advance of audit in order to keep affairs moving on a timely basis, and be it further

**Resolved**, That a contract is not a bid award.

**RESOLUTION NO. 4 OF 2011 - 2009 FINANCIAL REPORT**

**Resolved**, that the Town of Danby Town Supervisor, in lieu of preparing a financial report under NYS Town Law Article 3, §29.10, shall submit to the Town Clerk by March 1, 2011 a copy of the report submitted to the State Comptroller required by Section 30 of Municipal Law.

**RESOLUTION NO. 5 OF 2011 - TOWN OF DANBY OFFICIAL NEWSPAPER AND BANK DEPOSITORY**

**Resolved**, That the Town Board of the Town of Danby names the Ithaca Journal as its Official Newspaper and HSBC as bank for the depository of Town Funds.

**RESOLUTION NO. 6 OF 2011 - TOWN OF DANBY ATTORNEYS**

**Resolved**, That the Town Board of the Town of Danby names the firms of Miller Mayer, LLP and Thaler and Thaler as law firms to represent the Town of Danby in all Zoning, Planning Board, and General Town of Danby business. The Town Board reserves the right to seek other legal aid if it deems necessary.

**RESOLUTION NO. 7 OF 2011 - MILEAGE REIMBURSEMENT FOR TOWN MILEAGE**

**Resolved**, That the Town Board of the Town of Danby authorizes reimbursements for private automobile mileage incurred on Town Business to be paid at the rate of fifty cents (\$0.50) per mile.

**RESOLUTION NO. 8 OF 2011 - DOG LICENSE FEES**

**Resolved**, That the Town Board of the Town of Danby authorizes the Town Clerk to collect license fees for dogs in the amount of \$12 for altered (spay/neutered) dogs and \$20 for unaltered dogs.

**RESOLUTION NO. 9 OF 2011 - REAFFIRMATION OF TOWN OF DANBY PROCUREMENT POLICIES AND PROCEDURES (AS APPROVED IN RESOLUTION NO. 24 OF 1993)**

**Resolved**, That the Town Board of the Town of Danby reaffirms the Town of Danby Procurement Policies and Procedures as established in Resolution No. 24 of 1993.

**RESOLUTION NO. 10 OF 2011 - AUTHORIZATION FOR PURCHASE OF TOOLS, EQUIPMENT, ETC.**

**Resolved**, That the Town Board of the Town of Danby authorizes the of Danby Highway Superintendent to purchase tools, equipment (other than motorized equipment), small implements, tires and tubes, etc. in the amount not to exceed \$2,500 at any given time without prior approval of the Town Board.

**RESOLUTION NO. 11 OF 2011 - HIGHWAY IMPROVEMENTS REIMBURSEMENT**

**Resolved**, That the Town Board of the Town of Danby be authorized to sign an agreement that monies collected for repairs and improvements of Town Highways in the amount of \$111,200 (State Aid DA3501) be expended upon 71.98 miles of Town of Danby highways.

**RESOLUTION NO. 12 OF 2011 - TOWN BOARD MEETINGS**

**RESOLVED**, THAT THE TOWN BOARD OF THE TOWN OF DANBY REGULAR MONTHLY BOARD MEETINGS BE SCHEDULED AT 7PM ON THE FIRST AND SECOND MONDAY OF EACH MONTH FOR THE YEAR 2011.

**RESOLUTION NO. 13 OF 2011 - APPOINTMENT OF DEPUTY SUPERVISOR**

**Resolved**, That the Town Board of the Town of Danby appoints Daniel Klein as Danby Deputy Supervisor.

**RESOLUTION NO. 14 OF 2011 - APPOINTMENT OF TOWN WEBMASTER**

**RESOLVED**, THAT THE TOWN BOARD OF THE TOWN OF DANBY REAPPOINTS TED CRANE AS THE DANBY WEBMASTER.

**RESOLUTION NO. 15 OF 2011 - APPOINTMENT OF WATER COMMISSIONER**

**Resolved**, That the Town Board of the Town of Danby appoints Tod Sukontarak as Water Commissioner for the West Danby Water District for a five year term, as recommended by the Board of Danby Water Commissioners. Term of office begins January 1, 2011 and expires December 31, 2015.

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

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

**Two More Resolutions were introduced and voted on individually.**

**RESOLUTION NO. 16 OF 2011 - AUTHORIZATION TO ESTABLISH A RETIREMENT RESERVE IN THE GENERAL FUND AND THE HIGHWAY FUND**

**Whereas**, the anticipated costs for retirement to the State of New York will be rising in future years causing an increased challenge in budgeting, therefore be it

**Resolved**, That the Town Board of the Town of Danby hereby authorizes the formation of two Retirement Reserve Accounts, A825 and DA825, to be created for 2011 and in future years. The initial deposit will be \$3,500 in the General Fund and \$6,500 in the Highway Fund.

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

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

**RESOLUTION NO. 17 OF 2011 - AGREEMENT TO SPEND TOWN HIGHWAY FUNDS - 2011**

**Pursuant to** the provisions of Section 284 of the Highway Law, the Town Board of the Town of Danby agrees that money levied and collected for the repair and improvement of highways, and received from the state for repair and improvement of highways, shall be expended as follows:

1. General Repairs. The sum of \$332,348 may be expended for general repairs upon 73.39 miles of town highways, including roads, culverts, and bridges.
2. Improvements. The following sum shall be set aside or be expended for the improvements of town highways: \$111,200 in CHIPS money to be spent on projects to be determined by the Highway Superintendent at a later date.

No money set aside for such improvements shall be expended, nor shall any work be undertaken on such improvements, until the Town of Danby approves the specifications and estimates for such construction.

**Moved by Klein, Second by Halton. The motion passed.**

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

A copy of Resolution No. 17 was signed by all members of the Town Board.

**Town Clerk's Reports:**

Reports were distributed from November, December, and the Annual Report for 2010.

Acceptance of the reports was moved by Klein, Connors seconded the motion.

**The motion passed by acclamation.**

**Association of Towns Annual Meeting:**

Clerk Goddard presented information from the NY Association of Towns. Klein reported that he intends to attend and represent Danby during the 2011 Annual Meeting of the Association of Towns, to be held in NYC February 20-23. A Certificate of Designation needs to be prepared by February 4, 2011. There was a short discussion about possible resolutions of interest to Danby.

**Delta Engineering Update:**

Halton and Shawley gave an update. The firm is finishing its survey of Danby roads. A meeting will be scheduled for early January. Goals and permits/fee structures will be discussed.

**Board and Committee Appointments:**

There was a discussion about appointments to County-wide Councils, such as the Water Resource Council and Cell Tower Council, needing Danby representation. Dietrich reported on conversations with Planning Board members. Some of these may be represented by Planning Board members. Dietrich will write up a list to give them guidance.

There was further discussion about the Cell Tower committee and what the needs are in this area. A suggestion was made to announce the need of a representative in the Danby Area News. Klein will submit a short article.

### **Planning Board Interview:**

Gary Bercow was interviewed for a vacancy on the Planning Board. Bercow described some of his personal and professional background. Two questions were asked, regarding Bercow's participation in previous meetings and his vision of Danby in five years. There are three applicants for one vacancy. The other applicants, Joel Gagnon and Ted Crane, will also be interviewed.

Sue Beeners led a general discussion regarding how to encourage more resident participation and how to develop a positive vision of Danby rather than being reactive to problems and complaints. Connors expressed concern about expanding or redefining the Town Board charge to the Planning Board. Beeners suggested that building community support could be a foundation for what the PB is working on and that such efforts could be concurrent with their existing efforts.

### **Community Park Update:**

Klein reported on the financial situation of the Danby Community Park. The Park has quite a bit of debt. There is a small group of people working on this project, and a lack of community support. Should the Park fail, there is some question as to what will happen with the property. The Park is privately owned and has a current gas lease. Beeners reported that the original resolution in 1998 implied that the Town was "lead agency" in establishing the Park and indicated that the Park would become Town property in the event of default by the Community Park Association. In this event, the Town could be responsible for the Park's debt.

### **Conservation Advisory Council:**

Dan Klein reported on a preliminary meeting of the Danby Conservation Advisory Council. There was a discussion of the potential implications of the CAC acting as a "land trust." This would mean that the Town would own conservation easements on some properties in Danby. Halton expressed some serious concerns about the Town owning land. Gagnon explained potential responsibilities in creating and monitoring easements. Costs related to these easements might be covered by fundraising and grants.

### **Critical Environmental Areas Committee:**

Sue Beeners gave an update regarding activities of this group. She described mapping work which could be collaborated on between the CEA and CAC. The Board asked for a future presentation on the mapping project underway.

### **Gas Drilling Task Force:**

Halton gave an update regarding activities of this group. The current goal of this group is public education. They are planning a series of forums and speakers focusing on the resources of Danby for 2011. It was suggested that a public forum on mapping critical environmental areas and potential protected parcels of land might be a good collaboration of the DGDT, CEA, and CAC.

### **Adjournment**

A motion to adjourn the Meeting was made at 8:39pm.

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Pamela S Goddard, Town Clerk