

**Danby Town Board  
Minutes of Regular Meeting  
March 7, 2011**

**Present:**

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

**Excused:**

Councilpersons: Leslie Connors

**Others Present:**

Town Clerk Pamela Goddard  
Code Enforcement Sue Beeners  
Public Ronda Roaring, Ted Crane, Liz Owens Roe

**The meeting was called to order at 7:06pm.**

**Local Law #2 of 2007 Revisions**

Goddard distributed paperwork related to revisions to this local law. Beeners explained the numbering inconsistencies that will be addressed, in addition to the one word change of “shall” to “may” regarding the appointment of Planning Board alternates.

**RESOLUTION NO. 38 OF 2011 - PROPOSED LOCAL LAW AMENDING ZONING ORDINANCE RELATED TO ENFORCEMENT, BUILDING PERMITS, CERTIFICATE OF OCCUPANCY, TEMPORARY CERTIFICATE, OPERATING PERMIT, PLANNING BOARD, AND VIOLATIONS AND PENALTIES – ESTABLISH LEAD AGENCY AND SET PUBLIC HEARING DATE**

**WHEREAS**, the Town Board of the Town of Danby is considering adoption of a Local Law Amending the Zoning Ordinance of the Town of Danby Related to Enforcement, Building Permits, Certificate of Occupancy, Temporary Certificate, Operating Permit, Planning Board, and Violations and Penalties;

**NOW, THEREFORE, IT IS**

**RESOLVED**, that such consideration of adoption is being treated as an Unlisted action under 6NYCRR Part 617.6 of the implementing regulations for the New York State Environmental Quality Review Act (Environmental Conservation Law Article 8); with the Town Board of the Town of Danby acting as lead agency, and with the Town of Danby Planning Board and the Tompkins County Department of Planning acting as involved agencies which are being notified of this action; and it is

**FURTHER RESOLVED**, that the Town Board of the Town of Danby schedules a public hearing to consider adoption of the aforesaid Local Law for April 4, 2011 at 7:00pm.

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

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

**Town Wide Meeting:**

Halton distributed a sample of the invitation letter that will be sent to key people involved with Danby-related activities. Email invitations were sent out on March 4. There was discussion about how to reach out to the Coddington Road neighborhood. Halton, Beeners, and Goddard scheduled a meeting to discuss details of the meeting.

Dietrich suggested that a facilitator be engaged from outside the town. This would allow all people involved in Town activities to participate in the process. If a non-involved party is not available, Goddard volunteered to act as facilitator and Halton volunteered to take notes. There was a short discussion about what groups would have priority for speaking and the order in which they might speak.

## **Public Access to Computers**

Ted Crane distributed a slightly revised written proposal for a “wireless hot spot” public computer facility in Town Hall. The Board expressed its general support for this proposal. This could provide a computer access “link” not available in some parts of the Town. Questions were raised regarding the impact on the network of Town Hall computer systems, levels of access and security, and public education for computer needs, hours of access, and staffing/oversight of the computer center.

There is a possible second, free, internet line in use by the Danby Community Library, and it might be used for a public access system. There are questions about the “ownership” of that line. There was discussion regarding the potential interaction between the Town and the library in this project. Members of the Board will contact the library to discuss this proposal. The County library will be contacted regarding its computer access guidelines and procedures.

There was a further discussion about possible “loaner” computers and a possible “loaner” program for wireless access “dongles” (devices to connect computers to the Internet through the cell-phone data network) on a “try before you buy” basis for town residents. It was suggested that a request for interest be put in the Danby Area News before the Town invests in this second program. Setting up a “wireless hot spot” is a good first step.

## **East Miller Road Code Action**

Beeners gave an update. A resolution and order determining that the building is unsafe, and setting a date for hearing with the owner, should be ready for the March 14 TB meeting. The owner will have 30 days to commence and 60 days to complete demolition, from the date when the notice is served. That hearing will possibly be set for April 11.

## **Youth Services**

Dietrich gave a brief update. Meetings are being conducted to outline strategies to assess needs and design a program for the Town. A progress report of findings will be published in the Danby Area News.

## **Emergency Management**

Goddard gave a brief update, reporting on a meeting with Beth Harrington and the release of a municipal Emergency Planning Toolkit. This can provide a framework for Danby’s specific plan. There was a brief discussion regarding Danby’s level of readiness during an emergency.

## **GIS Mapping Project**

Beeners gave an update. The Town had previously approved \$2,500 for mapping through the CEA project. Most of that has been spent, with the remainder to be put towards preparing final maps when the boundaries of Danby’s proposed Critical Environmental Areas are determined. Beeners requested authorization to spend an additional \$700-900, to be used for training and additional maps. She made suggestions for two possible budget lines from which this money could be taken. Beeners also suggested that the CEA committee engage a good college intern to help with this project.

## **RESOLUTION NO. 39 OF 2011 - ADDITIONAL FUNDS**

**RESOLVED**, that up to \$1,000 be transferred from the Comprehensive Plan account (8020.401) into account 8010.400 to be used for additional CEA mapping and training.

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

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

## **Road Use Laws**

Halton and Dietrich gave updates on the progress of local road use laws. They reported on meetings of the County road law committee. The County is revising its draft law, and hopes to vote on this during its April meeting.

The attorney contract with Delta Engineering has been signed and delivered. There was a discussion about different approaches employed by Delta and the County's Road Use proposal. Currently, laws among the Towns and County are not unified. There was a short discussion as to whether there was any conflict of interest in having the Town attorney review the Delta Law, since he is working on a different law for the Town and County. Assurances were made that there is no conflict.

There was a related discussion about the Slottje proposal to ban "High Impact Industrial Activity." Halton expressed the opinion that Danby is prudent to look at a variety of methods to deal with the impacts of industrial activity, rather than "putting all eggs in one basket" in the form of a ban. Other lawyers are reviewing this proposal.

## **Association of Towns Meeting**

Klein gave report, particularly in the area of Town Rights related to industrial activity. It was advised that regulations in line with the town Comprehensive Plan have increased substance. Given that some of the technologies of concern did not exist when the Comprehensive Plan was written, it is acceptable to revise the Plan for those specific concerns. It would be possible to add wording to the effect that Danby is not suitable to high impact industrial activity. This would not be seen as arbitrary, and would be perfectly defensible.

There was a discussion about different options, including enacting conservation zoning which bans industrial activity in Critical Environmental Areas based on the Comprehensive Plan.

## **Written Reports:**

Goddard distributed some correspondence and reports. Additional reports will be distributed on March 14.

## **Adjournment**

The Meeting was adjourned at 9:15pm.

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Pamela S Goddard, Town Clerk