

**Danby Town Board  
Minutes of Regular Meeting  
April 11, 2011**

**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  
Highway Superintendent Carl Seamon  
County Legislator Frank Proto  
Public Robert Roe, Elizabeth Owens Roe, Garry Huddle, Ted Crane

**The Meeting was called to order at 7:00pm.**

**Vote of Executive Session: 7:01pm**

**RESOLUTION NO. 50 OF 2011 - EXECUTIVE SESSION**

**Resolved**, that the Town Board of the Town of Danby enters into executive session to discuss various personnel matters, in regard particular persons.

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

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

**Executive Session was closed at 7:23pm.**

**The Regular Meeting of the Danby Town Board was re-opened at 7:23pm.**

**Privilege of the Floor**

Liz Roe stated that the April 7 Town Wide meeting went well and that it was a privilege to help with it. It was also reported that members of the community are interested in doing a follow-up meeting. Halton suggested that notes from the meeting be compiled as an overview of activities in Danby. Additional copies of the handout prepared for that evening are available in the Danby Town Hall reading room.

**RESOLUTION NO. 51 OF 2011 - APPROVAL OF MINUTES**

**Resolved**, that the Town Board of the Town of Danby approves the minutes of March 7 and 14, 2011.

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

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

**Warrants: #4 of 2011**

General Fund - #123-167 for a total \$27,340.83

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

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

Water District - #019-023 for a total \$264.30

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

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

Highway Fund - #047-073 for a total \$50,554.47

Voucher #48 was missing from this Warrant. Shawley stated that this was a prepay bill. She will bring the documentation to the next meeting. The discrepancy will be addressed at the May 2 meeting.

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

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

### **Property Owner Hearing - 704 East Miller Road**

The property owner did not appear, neither did he or his agent send any correspondence. Beeners reported that she had contact with the owner. The owner is proceeding with an asbestos survey and compliance (that is, getting the building torn down). Work needs to commence within 30 days from April 4 and to be completed by June 4, unless extended for good cause shown.

The Town Board requested that the Code Officer keep them updated with progress on this matter. A report will be included in the May 2011 regular TB meetings.

### **RESOLUTION NO. 52 OF 2011 - ADJOURN PROPERTY HEARING**

**Resolved**, that the Town Board of the Town of Danby closes the hearing on 704 East Miller Road.

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

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

### **Rapid Waters Unit Management Plan Meeting**

There was an extended discussion about coordinating Danby's response to the Unit Management Plan for the Danby State Forest. Written comments may be submitted through May 14, 2011. Dietrich reported that the Danby Gas Drilling Task Force may take the lead on comments presented at the meeting scheduled for April 14. The Conservation Advisory Council is also preparing comments. The Planning Board's response is unclear.

Connors noted that there other issues with the plan, in addition to gas drilling. Logging and wild-life management issues also need to be addressed. There are also questions regarding road use and maintenance in the state forest boundaries.

The Board will draft a written response to the plan,, after the April 14 meeting. It will build on the statement approved on October 18, 2010. This response will need to be approved during the May TB meetings.

### **Community Foundation Meeting Request**

There was a discussion of a possible meeting with community leaders. A representative has asked for the use of the Town Hall one evening from 5-6pm for a "listening/learning session." The TB would like to meet with a representative of the Community Foundation in order to clarify goals and requests. Klein volunteered to contact the representative and set a meeting.

### **Deputy Clerk Position**

Goddard and Shawley gave a report of the interview process and decision to hire Susan McLellan as part-time Deputy Clerk/Project Assistant. Seven out of sixteen applicants were interviewed for the position. The overall quality of all candidates was very high. Goddard and Shawley were in complete agreement about the hiring decision. McLellan will work one or two days a week in the Town Clerk's office and approximately 15 hours a month in the bookkeeper's office.

### **Legislator's Report**

Frank Proto reported on several matters. He thanked Town Board members for attending a recent contract meeting for the Recreation Partnership. A Public Health Director, Frank Kruppa, has been hired and has started work. A Formal dedication of Health Department building will be held in late April or early May. Proto also informed the board about the possibility that the license for home

health providers may need to be sold, due to a lack of state and county funding for this program. It would take 18 months to wind down this program, should the decision be made to sell the license in the next budget session. Funds have been allocated for the remainder of 2011.

Proto reported on actions taken as chair of the Water Resources Council in regards water quality. He has signed a letter requesting that the comment period on the dSGEIS be extended to at least 90 days. A letter has also been sent to the DEC, taking a position on dredging the Ithaca Inlet. Removed sediments and “spoils” may be deposited either in the Southwest Park area or on the Ithaca golf course. Proto reported on a WRC sponsored aquifer study, currently featuring Newfield. This will give a baseline picture of water quality in Southern Tompkins County, in advance of high impact gas drilling activity. There was a discussion about including West Danby as part of this study, in that a creek system under study borders Newfield/West Danby.

The Civil War Commission had its first presentation in celebration of the 150th anniversary of the Civil War. The Commission is sponsoring a fund, trying to raise \$80,000.00 to fund three scholarships for nursing students. These scholarships honor three women who were Civil War nurses. There was also a discussion about possible funding to replace or restore Civil War veterans’ grave markers.

The 2012 Budget review is progressing. The State budget passed without mandate relief. This results in at least a \$1 Million loss to county agencies. Some of this loss is retroactive to the 2010 budget. Proto shared one piece of good news. Due to an increase in population in Danby, as shown in the 2010 Census, (the second highest increase in the county) county sales tax distribution for Danby will go up 4.63%. This is estimated as \$560,333 for 2011.

### **Mowing Bids**

Dietrich made a request that the mowing contract be renewed with the current provider. The current mower has been working well and is familiar with all of the areas to be mowed. Shawley reported that he has done well in keeping to budget for hours worked. The Board was in agreement to renew this contract. No further action is needed.

### **Town Wide Meeting:**

There was a short wrap up of the meeting held on April 7. Several independent reports are that people came away energized and inspired by the meeting. There have been suggestions of a followup meeting focusing on steps needed for moving into the future and meeting Town goals. This could be a series of informal conversations. There was one request to “hear from the other side,” meaning people in favor of drilling. No member of the Board is aware of such a group in Danby, but it was agreed that, if there were such a group, they were welcome to take part in future meetings.

### **Gas Drilling Survey/Natural Gas Production and Home Rule**

Halton distributed information from Jennifer Tiffany regarding possible sampling methods. Concerns about FOIL request are addressed in Tiffany’s proposal. Halton suggested that any action wait until after an upcoming DGDTF meeting.

There was a discussion about regulating sound, light, and air quality impacts of high volume industrial activity. Dietrich suggested that Danby seriously consider these regulations. Monitoring could be done by volunteer groups, and should be trained to start soon in order to get baseline data. Dryden in preparing to pass its Sound Performance Standards Ordinance. There was interest in following up with such ordinances for Danby.

This moved into a short discussion about Home Rule in relation to Natural Gas Production. Dietrich has asked Cynthia Bowman to make a presentation to the Board.

## **Appointment Procedures**

There was further discussion about proposed Appointment Procedures Policy. Questions and concerns were aired. Halton and Connors will work more on this policy and bring a further draft to the Board.

## **Emergency Management Training**

Training for public officials will be held on May 4. Goddard and Halton intend to attend. Dietrich encouraged Board members to take part in on-line training opportunities as well.

## **Code Enforcement Report**

Beeners reported on several projects underway. She circulated a letter drafted to the County flood hazard mitigation program requesting \$5,000 towards this effort in Danby. This money would fund a study of Buttermilk Creek from Jennings Pond to the Miller Road bridges. Some of this might cover deferred maintenance. There are potential issues at White Hawk village. This might improve flood control and wild life habitat.

There will be a public hearing for a proposal by a Waldorf School, to build a school on Nelson Road. The School is holding an open house on Saturday April 23. Connors posed the question of whether the speed should be reduced on Route 96B in the area of Nelson and Comfort Roads. There was a short discussion of the procedure for doing this. It was suggested that the Clerk direct a letter to the State in regards this question.

An Ithaca College student is interested in the intern project through the CAC. This student may be able to work longer than the 10 weeks initially planned, as part of their IC studies.

## **Road Laws:**

Dietrich and Halton reported on progress being made. Inter-municipal meetings will be held on April 15 and 18. There is still much which is unclear regarding whether Road Use Agreements or Road Use Laws are most effective. The Town is still waiting on information from Delta Engineering.

## **Adjournment**

The Meeting was adjourned at 9:13pm.

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Pamela S Goddard, Town Clerk