

**Danby Town Board
Minutes of Regular Meeting
September 19, 2011**

Present:

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

Others Present:

Town Clerk Pamela Goddard
Code Office Sue Beeners
Bookkeeper Laura Shawley
Public Ronda Roaring, Shawn Lindabury

The Meeting of the Danby Town Board was opened at 7:03pm.

Addition to the Agenda

Dietrich announced an upcoming meeting of Town Supervisors, regarding a possible joint defense of gas drilling prohibition legislation. A suit has been brought against the Town of Dryden.

Beeners presented a draft letter regarding a liquid petroleum storage area proposed for Watkins Glen for discussion and possible approval.

Privilege of the Floor

R Roaring asked whether the details of the Monthly Town Clerk's report could be added into the minutes of Town Board meetings. There was a discussion about the best way to handle this request, as the details are not usually mentioned during the course of the meeting.

Guest Speaker - Shawn Lindabury, Cooperative Extension

Shawn Lindabury from Cooperative Extension made a presentation about energy efficiency education provided by a six-Town energy grant through NYSERDA. The year-long grant was just completed. Programs included energy assessments and creating local jobs through energy upgrades via "Green Jobs/Green NY." Lindabury reported on success with the "Lighten Up Tompkins" door-to-door energy savings packets distribution program, and on various Youth Education initiatives. Over 6,700 residents across the County were reached with these programs through direct contact and 3,000 through media contact. The grant was matched with a total \$185,000 in donations of labor and supplies - more than three times the original grant amount.

These programs will be followed by an "Energy Stewards" volunteer program and "Get your GreenBack" campaign with the goal of inspiring every household to take at least one new energy savings action, to save money on energy use in building (heating and electricity), food, transportation, and waste. A final report on the "six-Town energy grant" will be sent in a few weeks. Lindabury answered questions from the Board, particularly about insulating the Town Hall roof.

Highway Department Report on Flooding

Highway Assistant, Laura Shawley reported on road damage incurred during flooding on September 7/8, 2011. Damage to LaRue, Michigan Hollow, East Miller, and Fisher Settlement Roads. Most of this damage was from failed culverts. Photo documentation of the damage was presented to the Town Clerk for archives. FEMA has made an initial visit and review. The Highway Department has ordered pipe to repair Fisher Settlement. A updated beaver permit is needed to remove a beaver dam that contributed to damage on Steam Mill Road.

There was a related discussion of flood relief needs, especially directed to Owego and Catatonk. Donations are being collected at the Town Hall. There was a discussion about mutual aid for road repairs between Highway Superintendents.

Biomass Boiler Project Update

Beeners gave an update. The lowest bidder has come back with a revised offer that is approximately \$20,000 lower than its original bid. This reflects work, building the feeder shed, foundation slab for the boiler, and foundation tubes, that will be done "in house" by the Highway Department. Shawley explained how this could be financed through the Town Fund Balance. A request for funds to construct a storage shed at a future time.

RESOLUTION NO. 97 OF 2011 AUTHORIZE EXPENDITURE OF FUNDS FOR HIGHWAY DEPARTMENT BIOMASS BOILER PROJECT

RESOLVED, that the Town Board of the Town of Danby authorizes the expenditure of up to \$16,000 from surplus funds in the Town Fund Balance for use in the Highway Department Biomass Boiler Project.

Moved by Klein, Second by Race. The motion passed.
In Favor: Connors, Halton, Klein, Race, Dietrich

Road Use Law Update

Shawley gave an update. She is scheduled to give a presentation to the Planning Board on Thursday, October 22. Delta now has all of the information needed from the Highway Department. The Town is still waiting on an updated draft from the Town Attorney, following his consultation with the Delta Engineering attorneys. Something should be available for Town Board review during its October meetings. It is hoped that a public hearing could be set for November.

Budget Discussion, Set Budget Meeting Dates

There was a preliminary discussion about the 2012 Town budget. Workshop meetings will be held at 6:30pm prior to the regular town board meetings on October 3 and 10 and at 7:00pm on October 17 and 24. There was a discussion about whether there was a need to put something in place, in case the Town needs to go beyond a 2% budget levy increase. On principle, the Town Supervisor would like to keep the budget at or below the 2% tax cap.

Warrants

Highway Fund - #129-146 for a total \$103,465.29

Moved by Race, Second by Connors. The motion passed.
In Favor: Connors, Halton, Klein, Race, Dietrich

General Fund - #352-410 for a total \$68,307.43

Moved by Connors, Second by Halton. The motion passed.
In Favor: Connors, Halton, Klein, Race, Dietrich

Water District - #044-049 for a total \$2,178.75

Moved by Halton, Second by Connors. The motion passed.
In Favor: Connors, Halton, Klein, Race, Dietrich

RESOLUTION NO. 98 OF 2011 - APPROVE MINUTES

Resolved, that the Town Board of the Town of Danby approves the minutes of August 1, 2011, as amended.

Moved by Connors, Second by Race.

Halton voiced an objection about the final paragraph of the Aug. 1, 2011 minutes. The Board expressed concern that the clerk was editorializing by adding language from the May 2 minutes. The Board requested that the minutes be amended by removing the final paragraph. A discussion followed

regarding whether the Town Clerk needed to amend the minutes if she disagrees with the change and whether the Town Board needs to approve minutes.

Motion to table by Klein, Second by Dietrich. The motion passed unanimously

Letter in Opposition to LNG Storage Area

Beeners presented a draft letter, addressed to the NYS DEC Regional Permit Administrator, expressing concern about the potential significant adverse impacts of the proposal to local an Energy LNG storage and distribution facility in the Town of Reading near Watkins Glen. This letter would be sent on behalf of the Danby Town Board. The letter states, in part, “The facility could conceivably have a cumulative adverse impact outside of its immediate area, including but not limited to the Towns near Cayuga Lake. Increased traffic in the Greater Ithaca area, of which Danby is a part, would be likely.”

RESOLUTION NO. 99 OF 2011 AUTHORIZE SUPERVISOR TO SIGN LETTER

RESOLVED, that the Town Board of the Town of Danby authorizes the Town Supervisor to sign a letter on behalf of the Danby Town Board.

**Moved by Klein, Second by Race. The Motion Passed
In Favor: Connors, Halton, Klein, Race, Dietrich**

Announcements of Upcoming Meetings

Goddard provided information about several upcoming events. A presentation regarding the County budget is scheduled to take place at the Danby Town Hall on September 21. The Southern Tier Regional Planning meeting was rescheduled for September 29 at the Women’s Community Building. Tompkins County Area Transit will present route changes and fare increases at the Danby Town Hall on Wednesday October 5. There was a discussion about concerns regarding TCAT changes and methods to publicize the meeting in order increase attendance.

Danby Community Park Request

Clerk Goddard presented a request that she might sell tickets for an upcoming fundraiser for the Danby Community Park from the Town Clerk’s office. This would entail collecting money for a private organization. Goddard advised the Board that she felt it was appropriate to check with them about this usage of the Town Clerk’s office. She would be willing to do this, in order to support the Danby Community Park, if there was a method of assuring that it was clear that this money would be separate from money collected for the Town. It was suggested that only exact change or checks would be accepted. The Board had no objections.

Oasis Update

Dietrich and Beeners presented an update on the situation between the Oasis and nearby neighbors. There is on-going communication. Several agencies are involved at this time. The Town is not able to immediately address all of the levels of enforcement requested by the neighbors. Beeners and Dietrich have met with the Oasis staff, and will make future visits to check on lighting and other problems. Some improvements have been made.

Short Reports

Reports were distributed from the Town Justices, the Youth Program coordinator, and the Fire District. The Clerk also distributed a report of expenditures related to legal fees.

Town Clerk’s Report

Goddard reported on activity in the Town Clerk’s office during August. Monthly Income and activity includes 12 “DECALS” transactions for \$129.54 (income to the Town, most of the fees go to

the DEC), 3 marriage licenses (\$52.50), 1 impoundment fee (\$30), 1 planning fee (\$60), 44 dog licenses (\$502), 5 building permits (\$695.87), and miscellaneous revenue (\$20 donation to the library).

The Clerk reported on the status of the 2010 dog enumeration and the number of dogs currently licensed in Danby. The summer intern is able to continue working in the Town Clerk's office, due to the availability of additional funds. This counts as work-study for her home schooling. She is assisting with records management. In September, three boxes of records past their retention schedule were taken to Challenge Industry for shredding. LL#3 was mailed to the NYS Department of State.

MOTION TO TAKE RES. 98 FROM THE TABLE.

After consideration, Clerk Goddard agreed to remove the final paragraph from the official minutes of August 1, 2011.

Moved by Klein, Second by Connors. Res. 98 passed.

In Favor: Connors, Halton, Race, Dietrich

Abstain: Klein

RESOLUTION NO. 100 OF 2011 - APPROVE MINUTES

Resolved, that the Town Board of the Town of Danby approves the minutes of August 8 and 22, 2011.

Moved by Klein, Second by Connors.

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

Code Enforcement Report

Beeners gave a verbal report. The house on East Miller is scheduled for demolition in September. Written reports will be submitted prior to the next town board meeting.

Adjournment

The Meeting was adjourned at 8:48pm.

Pamela S Goddard, Town Clerk