

**Danby Town Board
Minutes of Regular Meeting
February 20, 2012**

Present:

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

Excused:

Councilperson: Dan Klein

Others Present:

Town Clerk Pamela Goddard
Code Office Sue Beeners
County Legislator Frank Proto
Public Ronda Roaring, Ted Crane, Robert Roe

The Meeting of the Danby Town Board was opened at 7:08pm.

Legislative Report

Frank Proto reported on activities and concerns at the County level. He reported on efforts to control and reduce the infestation of Hydrilla in Cayuga Lake. The County is seeking assistance from state and federal agencies. The County may be seeking letters of support from municipalities.

Proto gave an update on the issues facing health care services. The County may need to petition the State regarding closing the County-run Community Home Health Agency. Patients receiving care through this system will be cared for by Visiting Nurse Service or CHHAs in neighboring counties. An application has also been submitted for a VNS VNS that would address patients at risk of over medicating.

Proto shared the information that the Assessment office is seeking applicants for paid volunteer to assist with a temporary hearing panel which hears challenges to property assessments. Volunteers receive a \$250 stipend for training and a few days of work in May. Proto asked the board to remind Danby residents that Ag Assessment applications are due on April 1.

Transportation Bill

Proto gave the Board some background on a proposed resolution. The resolution asks that the Federal transit bill be amended. The bill differs from past practice in that the amount set aside for rural upstate NY transit is quite low, and the funding is only guaranteed for two years. Approximately one-third of the TCAT budget comes from Federal transit money. The transportation bill also affects trails, bike lanes, hiking paths, etc.

Halton pointed out that the request for a resolution of support also encourages TB members to call Representatives Hanna (Vice-Chair for the Transportation committee) and Hinchey. Accurate contact information was provided. Certified copies of the resolution are to be sent to (Senators) Schumer, Gillibrand, (Representatives) Hanna, Hinchey, (Assemblypersons) Lifton, Nozzolio, (State Senator Seward, (County Legislator) Martha Robertson, and Fernando de Aragón, Executive Director of the Ithaca/Tompkins County Transportation Council.

RESOLUTION NO. 35 OF 2012—IN SUPPORT OF MAINTAINING DEDICATED FUNDING FOR PUBLIC TRANSPORTATION FUNDING IN THE SURFACE TRANSPORTATION LEGISLATION

Whereas, the provisions in the recently unveiled House bill H.R. 3864, the federal American Energy and Infrastructure Jobs Financing Act, would eliminate dedicated federal fuels taxes for public transit and create long-term uncertainty for public transportation funding for the first time in three decades, and

Whereas, since 1983, nearly half of all public transportation funding has been provided from the federal motor fuels tax dedicated to the Highway Trust Fund, and

Whereas, this funding structure has successfully provided highway and transit programs with secure, dedicated revenues and has allowed Tompkins Consolidated Area Transit, Inc. (TCAT, Inc.) and public transit systems across the country to create jobs, including those for the bus manufacturing industry in New York State, and

Whereas, under the proposed change, public transit funding would receive a one-time appropriation with no funding for public transportation after 2016 and would create uncertainty for TCAT, and

Whereas, as TCAT looks to expand capacity during record ridership of nearly 4 million annual trips, this change will have dire consequences for the thousands of people in Tompkins County who rely on public transit, **Now, Therefore, be it**

Resolved that the Town of Danby, NY strongly opposes H.R. 3864 and asks members of Congress to reject it in their final vote.

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

In Favor: Connors, Halton, Race, Dietrich

Use of Town Hall for Film Projects

Clerk Goddard informed the Board about occasional requests from Ithaca College students to use Town property (specifically, rooms in the Town Hall) as a setting for film projects. Most are small and for short duration. She expressed concern regarding a request involving a full 12-hour day, requiring extra staffing and security. The request was not clear as to exactly how the room would be used. Such an extended request seemed to require review and approval from the TB. Did the Board want to set limits on use for such projects?

Members of the Board thought there should be additional information required. Beeners stated that there could be an insurance issue. The Clerk was directed to approve or deny requests on a case by case basis.

Request for letter regarding Non-Agricultural Land in Ag District

The Board continued its discussion of a request by Ronda Roaring. She had requested that the Town Board write a letter asking that non-agricultural land be removed from the Agricultural District in Danby currently under review.

Halton reported on information she gathered from multiple sources. She characterized the purpose of Ag. Districts as a method to preserve viable farm land. There are many benefits to this sort of preservation for the community. Halton suggested that issues of concern be reviewed and addressed during the upcoming review of the Comprehensive Plan.

Roaring expressed strong disagreement with Halton's characterization of the purpose of Ag. Districts. A discussion of the impact of Ag. Districts on property values followed.

The Board recommended that no action be taken at this time. This issue should be part of the general Comp. Plan review.

Update on Joint Defense Fund

Dietrich gave an update on the status of setting up a municipal joint defense fund. A structure has been proposed for an oversight committee, including three Town Supervisors and three people “at large.” This will go before the Council of Governments soon. Information about this fund will appear in the March DAN. Three participating municipalities (Ulysses, Dryden, and Danby) have agreed that a joint defense fund could be used by any of the Towns for legal issues related to industrialization. Additional information will be presented during the TB meetings in March.

Water District Update

Dietrich and Beeners gave a further update on the status of the project to replace the West Danby Water District water tank. Beeners has sent a letter to the Department of Health (in Troy, NY), as a pre-application for the Water District to be included in the Drinking Water State Revolving Fund. Copies of this letter have been sent to Hinchey, Seward, Frank Proto, Barbara Lifton, and Health Director Frank Kruppa. Beeners outlined the various parts of the request. The next step is to appear on State Intended Use Plan.

Beeners informed the Board that the project may be eligible for direct assistance under the Disadvantaged Community Program. The median income for West Danby is \$37,904 as compared with approximately \$46,000 in Central Danby and less than the Statewide MHI of \$43,393. Therefore, grant money could be available for this project. Dave Herrick (of TG Miller Engineers) is volunteering his time to assist with the project.

Dietrich outlined the political process of moving this application forward. He advocated for a multiyear, multilayered application process. This proposed strategy is based on the need to replace and maintain gathering lines as well as the tank and the reality of where and when funds will be available. Dietrich described this as one of the more important actions of 2012.

Code Enforcement Report

Beeners made a report of recent activity in the Code office and pending actions. The Roe house is dealing with a complex inventory process with the insurance company. The Code office is dealing with an additional property on Danby Road in cooperation with Adult Protective Services.

The draft leasing agreements for Solar Leasing have been transmitted to the Town Clerk. It was confirmed that the TB has given general approval for investigating the feasibility of solar leasing for the Town Hall and/or highway barns. Other firms, more local to Danby, will also be researched.

Beeners also reported that the Energy Resources Intern is working on an Energy Action Plan which could serve as a framework for efforts by the Danby Planning Board and Energy Group. Beeners asked for general approval to submit an application for a Cornell Graduate Student Intern in the City and Regional Planning school to work on either the Comprehensive Plan review or the Critical Environmental Areas designations. The application, due February 29, 2012, would be contingent on interest from the Planning Board.

Energy Group Report

Dietrich and Beeners gave an update on the recent program and meeting of the Danby Energy Group. Dietrich reported on an effort to raise awareness of funding for household energy audits through neighborhood “block parties.” He encouraged the TB to consider holding such an event with their neighbors and announced his intention to coordinate an information gathering on South Danby Road. Those who are interested could contact Cooperative Extension for assistance in setting up a small neighborhood meeting.

The Town Hall has undergone an energy audit. The report should be available soon.

Warrants - Addendum to Accrued Abstract #16 of 2011

GENERAL FUND

#581-583 for a total \$18,893.50

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

HIGHWAY FUND

#207 for a total \$17,006.40

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

CEA Report

The Board continued its discussion of the Critical Environmental Areas designation process, particularly as related to the impact of owning land within a designated CEA. Beeners provided information related to CEAs from local and state SEQRA law. Beeners suggested that the Town might want to make some minor “tweaks” to the 1991 LL #2 regarding environmental review. Suggested revisions to that law would clarify which projects would require “type 1 action” and which would not.

There was a discussion about potentially useful public education/information sessions regarding what CEAs are, why they are important, what the implications are for property owners within designated areas, and what SEQRA review entails. Such short town meetings might be modeled on the informational session offered before the adoption of the Road Use Law. The educational aspect of the Danby Gas Drilling Task Force, perhaps in collaboration with the Conservation Advisory Council, might be an appropriate method of presenting this information. Articles could also be published in the Danby Area News.

There was no Board action needed at this time. Mapping information is still pending from the USGS Aquifer Study. This mapping will help nail down boundaries of some potential CEAs.

Town Board work scoping

The TB held a preliminary discussion regarding setting its own priorities for 2012. Dietrich raised several issues for consideration, including a Noise Ordinance, in addition to the pending Aquifer Protection Ordinance, CEA designations, and review of the Comprehensive Plan. The Board expressed willingness to have “scoping priorities” on the agenda for the first meeting in March.

Correspondence

The Board was informed about a letter from neighbors of the Oasis Dance Club regarding the ongoing noise and nuisance situation. Beeners gave a brief update on the enforcement efforts to address the concerns.

Adjournment

The Meeting was adjourned at 9:02pm.

Pamela S. Goddard, Town Clerk