

**Danby Town Board  
Minutes of Regular Meeting  
March 12, 2012**

**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  
Justice Garry Huddle  
Public Ronda Roaring, Ted Crane, Anne Klingensmith, Frank Kruppa

**The Meeting of the Danby Town Board was opened at 7:04pm.**

**Privilege of the Floor**

Ronda Roaring provided information about bill to permit rifle hunting in Tompkins County. Roaring requested that the TB consider writing a letter to the Tompkins County Board of Representatives, prior to its meeting on March 20, asking them to vote in opposition to this bill.

Ted Crane made a request for \$300 to cover the cost of an insert to the Danby Area News to help publicize an upcoming "Green Homes Tour" sponsored by the Danby Energy Group for April 21. Crane thought that some of this cost might be returned to the Town through donations during the Homes Tour.

Garry Huddle reported that the Town Court was awarded \$2,868 through a grant for updated software and computer networking court records. Bookkeeper Shawley reported that the money has already been received. The software and networking update has been installed.

**Warrants**

**HIGHWAY FUND**

#026-040 for a total \$36,426.87

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

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

**WATER DISTRICT FUND**

#010-014 for a total \$919.60

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

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

**GENERAL FUND**

#085-131 for a total \$21,245.84

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

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

## Approval of Minutes

### RESOLUTION NO. 36 OF 2012 - APPROVE MINUTES

**Resolved**, that the Town Board of the Town of Danby approves the minutes of February 13 and 20, 2012.

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

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

**Abstain: Klein**

### Local Government Efficiency Grant

Dietrich introduced a sample resolution regarding a grant application to study shared services between municipalities. Shawley reported that Carl Seamon supports the concept of this grant. Other highway superintendents are not in favor of the proposed study. The study does not commit Danby to any actions.

The Board had several questions, including what sorts of cost saving measures are under the study, who will conduct the study, and what the level of shared costs would be. Shawley reported that there are no specific cost saving measures currently on the table and that a "Request for Proposal" query will go out for an agency to conduct the study.

### RESOLUTION NO. 37 OF 2012— SUPPORTING A NYS DOS LOCAL GOVERNMENT EFFICIENCY GRANT APPLICATION TO STUDY THE FEASIBILITY OF SHARED SERVICES OF TOMPKINS COUNTY AND LOCAL ROADS FOR COST SAVINGS AND EFFICIENCY MEASURES

**Whereas**, the New York State Department of State has available funds for the 2011-2012 Local Government Efficiency Grant Program, and

**Whereas**, this grant program can assist the Town of Danby in identifying opportunities to cooperate with other local governments in the area to reduce the cost of providing services, and

**Whereas**, the cost to maintain local roadways and bridges represents a large share of all municipal and county budgets and property tax levies, and

**Whereas**, at a time when the cost to maintain highway infrastructure is growing rapidly and local budgets are tightly constrained, it is increasingly difficult to maintain basic highway infrastructure at a cost that can be supported by local budgets, and

**Whereas**, the Town of Danby and its Local Municipal Highway Department would benefit from reducing the cost of adequately repairing and maintaining these roadways, and

**Whereas**, a study to evaluate the County and Local Road System and identify areas where inter-municipal cooperation, shared services, or redistributions of responsibilities could result in a more efficient system of providing quality highway services and lower costs for the repair and maintenance of existing roads, and

**Whereas**, the Town of Danby, on behalf of its citizens, supports this effort and grant application for approximately \$100,000, with a required local cash match of 10% that shall be allocated among the participating municipalities.

**Now, Therefore, be it**

**Resolved**, That the Town of Danby supports the County and Local Road Local Government Efficiency Grant Program application, and

**Further Resolved**, that the the Town of Danby agrees, if awarded, to participate and assist in all phases of the County and Local Road Shared Service Local Government Efficiency Grant Study, and

**Further Resolved**, that the the Town of Danby's portion of the match shall not be more than \$1,000.

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

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

## **Appoint Planning Board Chair**

The Town Board acted on a recommendation from the Planning Board.

### **RESOLUTION NO. 38 OF 2012 - APPOINT PLANNING BOARD CHAIR**

**Resolved**, that the Town Board of the Town of Danby reappoints Robert Roe as Planning Board Chair for the year 2012.

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

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

## **Energy Audit and Town Hall Repairs Report**

Beeners presented a status report regarding repairs and general maintenance needed for Town Hall building. A report on the energy audit was emailed to the Town Board. The Halco report includes an estimate for insulation and related measures in the range of \$15,800 with a return on investment of 25 years based on current energy costs. In addition the Code Office has compiled a list of repairs that should be considered, including replacing rotted sills and bathroom repairs. The Code Office also suggested installing a safety rail on the library room mezzanine.

The Code Office made a request for authorization to seek estimates for the cost of the proposed work. Priority will be given to the insulation and sill repair work.

### **RESOLUTION NO. 39 OF 2012 - AUTHORIZE ESTIMATES FOR WORK**

**Resolved**, that the Town Board of the Town of Danby authorizes the Code Office to seek bids or estimates on insulation and construction work to be done on the Town Hall building.

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

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

## **Time Warner Negotiations**

Dietrich introduced and explained a resolution presented by the Tompkins County Council of Governments regarding a possible negotiating consortium to deal with Time Warner Cable. This resolution is considered a measure of assessing interest among municipalities.

### **RESOLUTION NO. 40 OF 2012— EXPRESSING INTEREST IN EXPLORING THE POSSIBILITY OF FORMING A CONSORTIUM OF MUNICIPALITIES FOR THE PURPOSE OF NEGOTIATING WITH TIME-WARNER CABLE.**

**Whereas**, the Town of Danby is provided cable service by Time Warner Cable; and

**Whereas**, the Town of Danby recognizes the advantage of cooperation with other municipalities with regard to cable franchise issues; and

**Whereas**, the Town of Danby is interested in exploring, through the Tompkins County Council of Governments, the possibility of entering into an agreement with other municipalities to form a Consortium to negotiate, on behalf of the Town of Danby, a renewal franchise agreement with Time Warner Cable; and

**Whereas**, the intent would be to form a Consortium with the authority to conduct public hearings, conduct surveys, and engage in all activity, within the limits of applicable State and Federal Law, that is necessary and appropriate to negotiating a renewal franchise agreement for its member municipalities; and

**Whereas**, the Consortium may be charged with analyzing the financial, technical, and legal issues related to cable television regulation to enable the member municipalities to reach sound judgments in exercising their regulatory authority with regard to such matters as cable television rates, franchise fees, and nature and quality of service; and

**Whereas**, all member municipalities may, pursuant to the final consortium agreement, be required to contribute to the expenses related to negotiating a renewal franchise agreement with Time Warner Cable, including hiring consultants with expertise in cable franchise auditing and negotiation; and

**Whereas**, all members of the Consortium would individually reserve the right to approve, disapprove, or amend the franchise agreement so negotiated on their behalf,

**Now, Therefore, be it**

**Resolved**, that the Town of Danby does hereby express interest in exploring the possibility of forming a consortium of municipalities to negotiate on its behalf for the renewal of its franchise agreement with Time Warner Cable; and it is

**Further Resolved**, that the Town of Danby does hereby reserve the right to refrain from joining the consortium should the terms and conditions of joining the consortium prove to be unacceptable to the Town Board of the Town of Danby.

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

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

### **Veterans' Property Tax Exemption**

There was a preliminary discussion about reviving consideration of extending a property tax break to Veterans of active service. Residents have been asking about the exemption. The Supervisor and Bookkeeper are collecting data on the impact this would have on average tax rates. Danby is the only Town in Tompkins County which has not passed legislation extending this tax break. The Town has been strongly encouraged to do so by the County Assessment Office.

Shawley gave a preliminary report on the numbers of households that may be affected by this. Veterans of active war duty would receive some level of a tax break. Spouses and parents of such veterans would be included. There are currently 80 households in Danby that might qualify. This number includes 12 disabled veterans who might qualify for a higher level of exemption. Additional, more detailed information will be presented at the March 19 TB meeting.

### **Resolution Request from the Planning Board**

There was a discussion regarding a resolution from the Planning Board requesting that the Town Board take action in opposition to certain aspects of the National Defense Authorization Act. Members of the Town Board expressed uncertainty as to whether the action requested will effect the change desired. There was also uncertainty as to whom this action should be directed. The Board deferred action until the next meeting, following additional research.

### **Appoint Assessment Review Board**

Notice has been received from the Department of Assessment that a panel for Danby's Local Advisory Board of Assessment Review needs to be in place by April 11, 2012. Training for this panel is scheduled for May 2, 2012. Klein reported that Tom Seaney is willing to serve again. The Board made a provisional appointment, assuming that both persons are able to serve.

### **RESOLUTION NO. 41 OF 2012 - APPOINT ASSESSMENT REVIEW BOARD**

**Resolved**, that the Town Board of the Town of Danby appoints Tom Seaney and Joe Schwartz to the Local Assessment Review Board.

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

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

### **Request for Insert in the Danby Area News**

There was a discussion about Crane's request for funds to cover the cost of an Energy Group insert in the Danby Area News. This will be the first Danby Green buildings tour. There was some question as to whether this was a cost-effective use of funds. Members of the board expressed support for the DAN as a useful public information tool and for the Green Homes Tour insert as a useful educational and community building measure. This is seen as a useful way to publicize the large numbers of sustainable energy efforts already underway in Danby.

There was an ancillary discussion of printing and mailing costs of the DAN, the level of usefulness of providing electronic copy (as a cost saving measure), and related questions regarding the Community Council budget.

## **RESOLUTION NO. 42 OF 2012 - APPROVE FUNDS FOR AREA NEWS INSERT**

**Resolved**, that the Town Board of the Town of Danby authorizes \$300 to cover the printing cost of an insert publicizing a Green Homes Tour in the Danby Area News.

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

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

## **Youth Services and Recreation Partnership**

Dietrich reported on the complex discussions happening at the County level regarding the future for Youth Services. Five or six meetings will be held in several Towns in the next year.

Race reported on the status of the Recreation Partnership. This is the year for renewing that contract. The new contract would start in July 2012. Some uncertainty was expressed as to who is currently representing Danby Youth Services. Asher Hockett may still be a representative. Klein will report on that status at the next meeting.

## **Year End Fiscal Report**

The 2011 Fiscal Report has been filed with the Town Clerk and the State. This was accomplished earlier than in other years. Shawley provided some information. Around \$11,000 was added to the General Fund Balance. Funds were added to the Water District Fund Balance as well. The Highway fund was able to keep in budget. Money from the equipment reserve was used to purchase new equipment. Shawley will present some needed 2012 budget transfers at the next meeting.

## **Town Board work scoping**

The TB continued its discussion regarding setting its own priorities for 2012. Dietrich raised several issues for consideration, including CSEA negotiations and a Noise Ordinance, in addition to the pending Aquifer Protection Ordinance, CEA designations, and review of the Comprehensive Plan.

Board members expressed interest in some work goals for 2012. Halton expressed interest in working on agricultural issues related to new views of farming and land use. She would like to work on the Agricultural section of the Comprehensive Plan. This would involve a broad survey of people in Danby involved in agricultural practices. She would like the Conservation Advisory Council involved in this process.

Klein is interested in following up with the Liberty Solar installations. The company is doing 18 municipal solar installations this year. He will engage in research as to the viability of this for Danby's municipal buildings. Connors has offered to help coordinate educational/informational sessions related to passage of Critical Environmental Areas designations.

Dietrich reported that the Biomass Boiler at the Highway barns should be installed by the first week of April. Beeners reported that Todd Miller will be dedicating the next two to three months on finalizing the Danby Aquifer Study. She also reported that intern Zachary Patton will have an outline of a "Climate/Energy Action Plan" for the next TB meeting. This should help inform projects for the Energy Group and Planning Board.

## **Adjournment**

The Meeting was adjourned at 8:53pm.

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Pamela S. Goddard, Town Clerk