

**Danby Town Board  
Minutes of Regular Meeting  
March 19, 2012**

**Present:**

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

**Excused:**

Councilperson: Kathy Halton

**Others Present:**

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

**The Meeting of the Danby Town Board was opened at 7:05pm.**

**Privilege of the Floor**

Ronda Roaring commented on the process of granting easements through the Conservation Advisory Council. She expressed the opinion that land stewardship should involve a cost to the Town. She is opposed to the Town paying anything for title searches and land surveys related to conservation easements, except in extreme cases.

Klein reported that the current intention is for the land owner to pay for costs related to property transfers.

**Legislator's Report**

Frank Proto reported on several topics. The County has passed a resolution in support of TCCOG's proposed Local Government Efficiency Grant application. Proto reported that several highway superintendents voiced strong opposition to the grant. It was decided to table the grant application for this year. The County also passed a resolution hiring a firm to continue work on implementing permit processes in the County's Highway Law.

Tompkins County was selected to be part of a larger study regarding providing better medical treatment and oversight to its residents. This is part of the Federal Health Care program. Proto described this as a potential job creator for the county. The County is set to pass a resolution accepting the first \$72,000 in this grant/study. This could be worth between \$1-5 million for the county. Proto stated that he will write something on this story for the Danby Area News.

Proto reported that a legislative visit to Albany has been set up for the West Danby water district. Locally involved persons will meet with representatives from the USDA, the Office of Community Services, DEC, Department of Health, Environmental Facilities, Empire State Division, and a representative from Seward's office.

Proto stated his position on a proposal to permit rifle hunting in Tompkins County. While he said that he has not fully made up his mind, he is leaning toward not supporting the proposal. Proto reported a large amount of correspondence on this issue, most opposed to permitting rifle hunting. Even if the County passes this, it will not go into effect for two years.

## **Assessment Review Board**

There was additional discussion about appointments to the Local Advisory Board to Assessment for the May grievance day. Connors will check with Joe Schwartz as to whether he is able/willing to serve. If he is not able to serve, the Clerk will contact Gould Colman to ask whether he is able to serve again this year. The date for the hearing will be set in consultation with those who will serve.

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

There was a continued 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. Bob Roe explained the intent of the Planning Board resolution requesting that the Town Board vote to oppose some sections of the National Defense Authorization Act.

The Board discussed whether this would be an effective or appropriate action, in keeping with past resolutions passed opposing the Patriot Act. An argument was made that there are no negative repercussions to making a moral statement in opposition to elements of the act which seem to be unconstitutional. It was further argued that the Board would be inconsistent if it did not take such action, as it had previously moved to oppose passage of the Patriot Act.

The proposal was moved in order to further discussion. The Clerk asked for specific language for the resolution. The TB proposed that its resolution be based on that of the Planning Board. The motion was tabled in order to fully draft what will be considered at the next meeting.

### **RESOLUTION NO. 43 OF 2012 - OPPOSE PORTIONS OF THE NATIONAL DEFENSE AUTHORIZATION ACT**

**Moved by Dietrich, Second by Connors. The motion was tabled.**

## **Bids for Mowing**

There was discussion about whether there was a need to advertise for bids for mowing Town properties. Dietrich has contacted the current mowing contractor, and has advised him to contact the Clerk with his contract requests for this year. There were no changes in his bid from 2010 to 2011. The Board expressed satisfaction with his work. If there is no change in his terms, the contract would be returned to the current contractor.

## **Noise Ordinance**

Dietrich gave some background the impetus for pursuing a Noise Ordinance, especially in regards an ongoing situation between the Oasis Dance Club and its neighbors. He reported that the Sheriff's office has recommended a Noise Ordinance (in the style of the Town of Ithaca) that would support enforcement action against the complaint. Beeners added that an industrial noise ordinance has been an intended part of the "Round II" industrial regulation measures. A Noise Ordinance has been discussed for many years in Danby. Beeners reported that law enforcement and the state liquor authority are surprised that Danby does not have an Noise Ordinance standard. (Enforcement has been made more accurate with technology such as a decibel "app" for smart phones.) There are concerns about both sound levels and the time of day/week when noise occurs.

Beeners made a request to direct this to the Town Attorney, rather than waiting for the TANG committee of TCCOG to work on this.. There was discussion regarding getting an estimate from the Attorney for the time/cost of such a measure or whether this should be first reviewed by members of the Town Board and staff. Klein suggested getting some materials and opinion from the Association of Towns. The intent is that this will cover industrial and residential noise. Connors volunteered to review what information she has and will consult with the Code Officer about existing regulations from other Towns.

## **Veterans' Property Tax Exemption**

There was a continued discussion about reviving consideration of extending a property tax break to Veterans of active service. Shawley distributed information from the County Assessment Office, presenting alternative options for Veterans Exemptions. Currently, Danby is the only Town within Tompkins County that has not opted to grant an exemption. If the Town of Danby were to grant one of the alternative Veterans Exemptions, there would be an increase of between \$5.27 and \$6.17 in taxes on a median-value-assessed house. This level of tax increase is based on an estimate of every eligible veteran taking advantage of the exemption benefit. There is also new legislation adopted to allow local municipalities to opt into a Cold War Veterans exemption. Two options (a 10% or 15% exemption) were outlined in the information from the Assessment Office.

The Town would have to adopt this by March 1, 2013 to have it applicable for the 2014 taxes. Adoption would be by local law and would require a public hearing. Supervisor Dietrich asked for a show of general support in order to proceed. The Board expressed its support to proceed with the process to adopt.

## **Draft Climate/Energy Action Plan**

Beeners distributed a draft document, prepared by energy intern Zachary Patton. Beeners hopes that this document could encourage brain-storming sessions in the Danby Energy Group and Planning Board Comp. Plan review process. The Planning Board and DEG will review the document at their meetings in the next week.

Patton explained what is included in the Action Plan outline, should the Town wish to adopt such a document. He encouraged the Town to undertake a green-house gas inventory and stated that such a survey could be accomplished by a group of volunteers (such as members of the Danby Energy Group.) The green-house gas inventory and public outreach discussions would be the logical next steps in order to prioritize other initiatives.

## **CSEA Negotiations**

Ric reported on the upcoming negotiations between the Town and the employees union. The Supervisor and Bookkeeper are researching the extent of lawyer services that the Town will require. Dietrich is proposing to offer the union a flat 2% increase with the understanding that the union will figure out how it will allocate this.

## **FEMA Payment**

Bookkeeper Shawley reported that the Town has received an initial \$30,000 reimbursement from FEMA for the work done by the Highway Department following the September flooding. Danby should expect to receive an additional \$60,000 in FEMA payments.

## **Emergency Communications**

Ric floated an idea to use social media for emergency/quick notice communications between the town and Danby residents. This would be an "opt in" service, which could be useful in some situations. The Board expressed some interest. Questions would need to be addressed regarding how this would be set up, publicized, and who would maintain the site.

## **Youth Services**

There was a continued discussion about Youth Services and the Recreation Partnership. The new contract (to be signed this summer) is available. Race will forward this to the Board for further discussion during the next TB meeting.

Dietrich stated that he would attend meetings in other towns, to see what they are planning for restructuring Youth Services. Klein confirmed that Asher Hockett is still a representative of Danby on the Youth Services board, through 2013.

### **Town Board work scoping**

The TB continued its discussion regarding setting its own priorities for 2012. Several projects were mentioned, including a Noise Ordinance, Aquifer Protection Ordinance, Critical Environmental Areas designations, union negotiations, and “house keeping” minor revisions to the Road Protection, zoning update, and Stormwater Protection Laws. While the Board agreed on the various projects upcoming for 2012, it declined setting any priorities. Each project will be handled as it arises. Members of the Board expressed satisfaction with the amount of work before it, and how these things are moving forward.

Connors advocated for another joint Town and Planning Board meeting in order to review and discuss the list of everything which is being worked on. Dietrich asked her to check with the PB on this topic at its next meeting. Beeners added the option of “Let’s Talk About...” public forums on topics such as agriculture, natural resources, energy independence. As an example, Connors reported that she and Klingensmith are working towards educational public forums on what Critical Environmental Areas are about and their importance and impact on the community.

### **Adjournment**

The Meeting was adjourned at 9:08 pm.

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Pamela S. Goddard, Town Clerk