

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

Present:

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

Others Present:

Town Clerk Pamela Goddard
Bookkeeper Laura Shawley
Code Officer Sue Beeners
Legislator Frank Proto
Public Ted Crane, Ronda Roaring, John Van deMark

The Regular Meeting of the Danby Town Board was opened at 7:02pm.

Privilege of the Floor

John Van deMark addressed the Board regarding four topics. As a war Veteran, he spoke in favor of the proposed Veteran's tax exemption. The Clerk shared the information that a public information meeting, with representatives from County Assessment and the American Legion, will be held during the Town Board meeting on December 17. Van deMark made a suggestion that the Deputy Town Clerk should also be qualified as a Notary Public. Currently, the Town Clerk is qualified as a Notary for Town business and the convenience of the public. Neither the Deputy Clerk nor the Court Clerk are currently qualified as notaries.

Van deMark voiced opposition to the current 40 mph speed limit on Route 96B in the Central Danby Hamlet. In his opinion, this out of line when other rural roads, such as Comfort Road, have a 55 mph speed limit. This led to some discussion of speed limits throughout the Town. Van deMark also expressed concern regarding the newly painted "traffic calming" measures on Route 96B. It was noted that this is a state highway and the Town had no prior notification that the lanes would be re-painted in a new pattern.

Ronda Roaring expressed concern about vehicles parked inappropriately on Town roads, particularly in the area of the State Forest. She cited Danby Town Law #1 of 2008 related to towing vehicles. Roaring suggested that certain areas be posted with "No Parking" signs. She also suggested that the vehicle law be expanded to include the option to ticket vehicles parked in inappropriate locations. She expressed the view that the current situation is a hazard. The current law is designed to provide the Highway Department with the authority to tow vehicles as needed for snow removal. It was also noted that the Town has no jurisdiction on State land.

Approve Minutes

RESOLUTION NO. 100 OF 2012 - APPROVE OCTOBER MINUTES

Resolved, that the Town Board of the Town of Danby approves the minutes of October 8, 15, and 27 2012.

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

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

CSEA Negotiations

Dietrich and Shawley gave a report of CSEA union negotiations. Dietrich confirmed that the percentages for salary increases and employee contributions for health insurance over the next three years are as agreed to by the CSEA negotiator. A confirmation letter is being sent by the Town Attorney. There was discussion regarding what the Board needs to approve.

RESOLUTION NO. 101 OF 2012 - APPROVE CSEA CONTRACT LANGUAGE

Resolved, that the Town Board of the Town of Danby accepts the contract language as outlined in information from the CSEA Union, including the union figures for its counter offer.

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

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

Request for Qualifications - West Danby Water District Improvement Project

Code Officer, Beeners explained a Block Grant granting agency requirement that the Town advertise a "Request for Qualifications" for the consulting engineer on the Water District Improvement Project. This is, for the most part, a formality as the consulting engineer currently on the project is the only engineer completely familiar with the West Danby Water District system. However, the project will not qualify for the grant if this RFQ is not advertised. This is also required for the Rural Development loan program, should the Block Grant not be awarded.

The RFQ will be advertised once in the Ithaca Journal. Statements of Qualifications will be due on December 21 at 2pm.

RESOLUTION NO. 102 OF 2012 - AUTHORIZE ADVERTISEMENT

Resolved, that the Town Board of the Town of Danby authorizes the advertisement for a Request for Qualifications for a consulting engineer for services related to the West Danby Water District Improvements Project.

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

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

Vault Improvements

Clerk Goddard distributed information prepared by Matt Cooper. Two quotes, from Blue Spruce (\$4,270) and from TMS Construction (\$1,800), have been received. There was a discussion regarding the difference in price quote. Beeners explained that some of the cost difference could be related to TMS Construction acting as a sole proprietor and therefore does not need to pay prevailing wage. Matt Cooper recommends TMS Construction.

RESOLUTION NO. 103 OF 2012 - AWARD BID FOR VAULT IMPROVEMENT

Resolved, that the Town Board of the Town of Danby accepts the bid from TMS Construction/Tod Sukontarak, of \$1,800 for construction and painting improvements to the Town Hall archive vault.

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

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

New Pickup Truck for Highway Department

Shawley explained the need for two pickup trucks to cover highway department needs. One of the currently owned trucks (a 1991 model) has a number of problems and will not pass inspection. The Department would like to buy a truck, at State Contract price, from Maguire Ford in Ithaca. The new truck will replace the older one. Funds for this truck can be taken from the Highway Fund Balance account. The truck will be fitted with sideboards, for safety, and a mount for a snow plow.

RESOLUTION NO. 104 OF 2012 - APPROVE OF EXPENDITURE TO PURCHASE A NEW PICKUP TRUCK FOR THE HIGHWAY DEPARTMENT

Whereas, the Town needs to have two working pickup trucks to effectively carry on the business of the Highway Department, and

Whereas, the 2001 pickup currently in use has frame problems and the truck has problems in the inspection process, and

Whereas, maintenance costs would be very expensive to resolve the problems, **therefor be it now**

Resolved, that the Town Board of the Town of Danby authorizes the expenditure of up to \$35,000.00 to purchase a new 2013 Chevrolet Silverado from Maguire Ford in Ithaca on a New York State Bid contract. The funds for this purchase will come directly from the Fund Balance of the Highway Fund.

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

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

Legislator's Report

Proto gave an extensive report of activities. He reported that the County Budget will be voted on, with a 3.7% increase in tax rate (\$25 on a \$160,000 property). The proposed 2013 operating budget is about \$165 million, with \$80 million for local measures. All of the remainder is to meet state mandates. In budget related news, Proto announced that he has proposed additional funding for Hydrilla remediation through the Soil and Water office. Proto intends to propose increasing Youth Funding \$40,000. He is concerned that funds dropped from Ithaca City budget put TCAT replacement buses in doubt. Eighteen buses need to be replaced as they age out. Foodnet is facing a funding shortfall due to reduced donations and increased need. The County has passed a resolution funding Foodnet through 2012. Funding for 2013 is uncertain.

Proto informed the Board that extensions on some gas leases, held by Anschutz and other companies, for gas drilling mineral rights have been cancelled in the past month. Proto announced that a lease on his land has been cancelled, to his pleasure and relief. A list of Tompkins County properties which are freed from their leases (running to nine pages) is on file at the County Court House.

Youth Services Update

Dietrich, Klein, and Crane (on behalf of the Danby Community Council) gave reports of recent meetings of representatives from the "inner ring" of youth services municipalities. There was a discussion of this topic with Proto. Dietrich and Klein stated that "not much progress" was made in developing a new direction for Youth Services in Danby, Caroline, and Enfield. Proto asked to be informed when the next meeting is scheduled. Klein and Dietrich thanked Proto for his effort to restore funds to the Youth Services programs, noting that a moderate amount of money can have a big impact on county youth.

Aquifer Protection Ordinance Update

Sue Beeners gave a report of progress on review and revision of the draft Aquifer Protection Ordinance. There was a successful meeting between the Code Officer and Attorney Cynthia Bowman. Members of the Danby Gas Drilling Task Force are assisting with review of the Ordinance.

Beeners said that the Ordinance is focused on prohibiting industrial type storage of items such as fertilizers, chemicals, petroleum products, etc. The Ordinance also supports the ban on high impact industrial activity by prohibiting gas drilling, exploration, and production in aquifer protection areas. These prohibitions would be Townwide. Water protection zone mapping shows that all of the land in Danby drains into an aquifer or major body of water.

The Task Force is reviewing standards by which chemicals and other substances are regulated, including who regulates them and the quantities which trigger regulation, so that the law is consistent with broader law. Beeners anticipates bringing a request for funding a GIS mapping technician to the Town Board in December or January.

Todd Miller's deadline to have a completed Danby Aquifer Study report is January 3, 2013. Miller will be retiring from the USGS at the end of 2012. He intends to follow the draft study through its peer review acceptance by the USGS. He has offered to do a presentation, sponsored by the Gas Drilling Task Force, on the expanded study sometime between January and March 2013. This will be a useful public informational meeting related to the Aquifer Protection Ordinance.

Association of Towns Meeting Agenda and Resolutions

There was further discussion of a set of resolutions proposed for the annual Association of Town meeting. The Town sends a delegate to vote on those topics. The Board acted to appoint its representative. The Board will continue its discussion of proposed resolutions, with recommendations from the designate, during the December meetings.

RESOLUTION NO. 105 OF 2012 - APPOINT REPRESENTATIVE TO ASSOCIATION OF TOWNS MEETING

Resolved, that the Town Board of the Town of Danby appoints Dan Klein as its primary representative at the 2013 meeting of the New York State Association of Towns, with Leslie Connors as an alternate.

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

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

Short Reports and Correspondence

Reports from the Code Enforcement office, Highway Department, and Town Justice Garry Huddle were circulated.

Goddard read some recent correspondence from the NYS Department of Transportation dated November 14, 2012, regarding *No Parking* signs on Route 96B near South Danby Road. The letter states, "Our traffic engineers have completed their review of this location and determined that restricting parking on both sides of Route 96B north and south of the South Danby Road intersection would be appropriate. The necessary signing will be installed by our maintenance forces as soon as their work schedules permit."

Adjournment

The Meeting was adjourned at 8:45pm.

Pamela S. Goddard, Town Clerk