

**Danby Town Board
Minutes of Regular Meeting
February 11, 2013**

Present:

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

Others Present:

Town Clerk Pamela Goddard
Bookkeeper Laura Shawley
Public Ted Crane, Danny Eastman, Robert Roe, Toby Dean, Paul Maccarone

The Danby Town Board meeting was opened at 7:04 pm

Privilege of the Floor

Ted Crane and Danny Eastman spoke in favor of lowering the speed limit on Comfort Road. Crane asked that the speed limit be reduced on other Town roads to the extent possible.

Paul Maccarone presented a petition from residents of Yaple Road, requesting that the speed limit on Yaple be reduced to 40mph. Signatures were gathered from 12 out of 13 residences on Yaple Road (the 13th residence is still under construction). Maccarone reported that the residents there have very strong feelings about the amount and speed of traffic currently being experienced. A large percentage of this traffic is from Stork employees. There are additional concerns due to the expansion at Stork. He characterized this as a bad situation and only a matter of time before there is a major accident.

There was a brief discussion about the procedure for requesting a lowered speed limit.

Dan Klein reminded the TB that he and Leslie Connors will miss the next Town Board meeting, as they will be attending the annual meeting of the Association of Towns. Dylan Race informed the Board that he will also need to be absent from the February 18 meeting, due to travel. Therefore, there will not be a quorum for the Feb. 18 meeting. Klein expressed his regrets that he has a family commitment on March 11, and so will miss that meeting as well. He does not anticipate missing any other TB meetings in 2013.

Halton reminded those in attendance that the Fire District is holding a Bond Vote on Tuesday, February 12. The Bond will be for \$453,000 to cover the cost of two new fire trucks. The Fire District is contributing \$300,000 of its funds to the purchase cost of these trucks.

West Danby Water District Grant

Dietrich explained the need for a dedicated bank account related to the Block Grant award for the West Danby Water District improvement project. The bank provided a sample resolution. Bookkeeper Shawley clarified that the account will be used for direct deposits and the distribution of funds. A resolution is required to open a new account at the bank.

The TB considered a resolution prepared by grant project manager, Matt Cooper, authorizing the advertisement of a Request for Proposal for legal services related to the grant. This is an additional requirement of the grant.

RESOLUTION NO. 27 OF 2013 – AUTHORIZE BANK ACCOUNT FOR WATER DISTRICT GRANT

Resolved, that the Town Board of the Town of Danby designates First Niagara Bank, N.A. as the authorized depository for funds related to the Block Grant award to the West Danby Water District, and it is

Further Resolved, that all drafts, checks, or other instruments or orders for the payment of the money drawn against the account shall be signed by Fredric Dietrich, Town Supervisor.

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

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

RESOLUTION NO. 28 OF 2013 – CONSIDER AUTHORIZING ADVERTISEMENT FOR REQUEST FOR PROPOSALS FOR LEGAL SERVICES RELATED TO THE WEST DANBY WATER DISTRICT IMPROVEMENTS PROJECT

Resolved, that the Town Board of the Town of Danby authorizes the advertisement for a Request for Proposals for legal 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

Appoint Water Commissioner

Connors asked that this action be deferred until one of the March TB meetings. She would like to gather some input from current Water District Commissioners on the application received.

Support for NYS Assembly Foreclosure Bill

Dietrich presented information, as received from Assemblyman Michael P. Kearns (145th District, Western NY). The Bills in question require lending institutions to provide accurate information for the owners of vacant structures. The Board held a brief discussion about this action.

RESOLUTION NO. 29 OF 2013 - SUPPORT FOR NYS-CONTACT INFORMATION FOR VACANT STRUCTURES

Whereas, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

Whereas, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

Whereas, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

Whereas, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide the contact information of responsible parties regarding vacant structures, and require good faith in obtaining a foreclosure; and

Whereas, the Town Board of the Town of Danby supports the passage of said Bills;

Now, Therefore, It Is

Resolved, that the Town Board of the Town of Danby hereby supports the passage of said Bills and respectfully requests that the State Representatives who represent constituents in the Town of Danby support the passage of said Bills.

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

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

Comfort Road Speed Limit

Connors presented a draft resolution, requesting that the speed limit on Comfort Road be reduced. There was a discussion regarding what speed would be appropriate for this road and how much of the road to include.

RESOLUTION NO. 30 OF 2013 - RECOMMENDATION TO REDUCE COMFORT ROAD SPEED LIMIT

Whereas, much of Comfort Road is a narrow, winding country road with many homes and farms and with occasional slow moving machinery; and

Whereas, part of Comfort Road is a narrow, unpaved road through forest land; and

Whereas, residents on Comfort Road are subjected to fluctuations in traffic due to a thriving local business with three work shift changes per day; and

Whereas, the business site is expanding and adding at least 50 employees to the Comfort Road site; and

Whereas, residents and the manager of the expanding business have requested, at meetings and by written correspondence, a posted/reduced speed limit be enforced

Now, Therefore, It Is

Resolved, that the Town Board of the Town of Danby recommends to the County of Tompkins that the Speed Limit be reduced for the entire length of Comfort Road from unposted 55 mph to posted 40 mph.

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

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

There was a discussion of possible lower speed limits on other Town roads, particularly Yaple Road. Residents on several other roads have requested that the Town consider lowering the speed limit. A suggestion was made to invite Sheriff Ken Lansing to the first March TB meeting, to talk about traffic speed enforcement on Town and County side roads in Danby. There was a concern that reducing speed limits one road at a time might only shift the problem to other side roads.

Laura Shawley told the Board that the Highway Superintendent, Carl Seamon, has thought that the speed limit on Yaple Road should be lowered. Heavy traffic and high speeds have created ongoing maintenance challenges over the years. This creates a safety issue. This is a Town road and a decision could be made at the local level.

While there was agreement that Danby needs to research appropriate speed levels for several side roads (particularly those leading to Stork H&E), it was suggested that the TB could move on reducing the speed limit on Yaple Road at this time. The evidence of the near unanimous petition from Yaple Road residents shows that there is a problem which needs addressing. The resolution drafted for Comfort Road could serve as a template for a resolution regarding Yaple Road.

RESOLUTION NO. 31 OF 2013 - RECOMMENDATION TO REDUCE YAPLE ROAD SPEED LIMIT

Whereas, residents of Yaple Road have submitted a petition asking that the speed limit on Yaple Road be reduced to 40 mph and stating that, *Yaple Road is not safe or suitable for automobiles or trucks traveling at highway speeds. However, with no currently posted speed limit, many individuals still choose to drive at unsafe speeds*; and

Whereas, residents on Yaple Road are subjected to fluctuations in traffic due to a thriving local business with three work shift changes per day; and

Whereas, the business site is expanding and adding at least 50 employees to the Comfort Road site; and

Whereas, there is a "blind spot" in the middle of Yaple Road and a sharp, steep turn at the intersection with Comfort Road; and

Whereas, this road has a tendency to deteriorate from heavy traffic, causing maintenance challenges and creating unsafe driving patterns,

Now, Therefore, It Is

Resolved, that the Town Board of the Town of Danby recommends that the Speed Limit be reduced on Yaple Road from unposted 55 mph to posted 40 mph.

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

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

Warrants

ABSTRACT #2 OF 2013: GENERAL FUND

#031-073 for a total of \$27,141.52

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

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

HIGHWAY FUND

#005-024 for a total \$71,168.67

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

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

WATER DISTRICT FUND

#003-004 for a total \$746.98

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

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

ADDITIONAL VOUCHER - ANNUAL PAYMENT TO FIRE DISTRICT: GENERAL FUND

#074 for a total of \$381,998.00

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

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

Approve Minutes

RESOLUTION NO. 32 OF 2013 - APPROVE MINUTES

Resolved, that the Town Board of the Town of Danby approves the minutes of January 14, 2013.

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

In Favor: Connors, Halton, Race, Dietrich

Abstain: Klein

Connors requested some changes/additions to the minutes of January 21, 2013. The Clerk had no objection.

RESOLUTION NO. 33 OF 2013 - APPROVE MINUTES

Resolved, that the Town Board of the Town of Danby approves the amended minutes of January 21, 2013.

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

In Favor: Connors, Halton, Race, Dietrich

Abstain: Klein

Planning Board Appointments

Klein opened a conversation about Planning Board appointments. He moved for reappointments based on Planning Board recommendations. Connors reported that the Planning Board voted on these recommendations in November 2012 and reaffirmed the recommendations (without a vote) at the January 2013 meeting. These recommendations are related to ongoing work with the Comprehensive Plan. They would like to finish the project with the same team.

The TB thanked Danny Eastman for his application and encouraged him to apply for other boards which still have vacancies. There was a brief discussion about past attendance problems with some PB members.

RESOLUTION NO. 34 OF 2013 – APPOINT PLANNING BOARD MEMBER AND CHAIR

Resolved, that the Town Board of the Town of Danby appoints Naomi Strichartz to a seven year term on the Planning Board. The term of office begins January 1, 2013 and expires December 31, 2019; and

Further Resolved, that the Town Board of the Town of Danby reappoints Robert Roe as Planning Board Chair for the year 2013.

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

In Favor: Connors, Halton, Klein, Race

Abstain: Dietrich

Aquifer Study Report

Halton expressed her hope that the TB and PB will use the opportunity of the Todd Miller presentation on the completed Danby Aquifer study to meet to discuss future goals and initiatives. She would like these boards and the Gas Drilling Task Force to think about how this affects decisions for future development. This might be combined with a resident survey of water problems in Danby.

Association of Towns - Home Rule Issue

Klein and Connors reported on a questions about changes in procedures and bylaws for the Association of Towns. There are concerns about a lack of transparency and lack of input from municipalities in these issues. Municipal members were also left out of the process of choosing a new executive director for the NY Association of Towns. Regional local officials met to discuss these problems and to draft a plan for addressing these concerns.

Of particular concern is the removal of a resolution related to land use and home rule from the annual meeting agenda. Klein and Connors will be attending the annual Association of Towns meeting and will act on behalf of the Town of Danby. They will report on this meeting on their return.

Report on Possible Gas Drilling Task Force Intern

Halton gave a report about a possible use of an intern for the Gas Drilling Task Force. Halton will present the possibility of sponsoring an intern to the Task Force group. This would be for 20 hours a week for several weeks through the summer. Halton expressed the view that any intern project should be very specific for it to be worthwhile. If the GDTF decides that there is a useful project for an intern, and members wish to follow up on interviews and supervision of an intern, the TB may be approached to pass a resolution to fund this project. The cost to Danby would be \$1,900 and the payment from Cornell would also be \$1,900.

Town Clerk's Report

Clerk Goddard presented the January Town Clerk's report. The Clerk's office received fees for one building permit, two fishing license sales, and 60 dog license renewals. Tax collection has gone smoothly, with the entire Town portion of the tax warrant collected prior to January 31, 2013. Progress continues on Records Management and improved records storage.

Possible TCAT Reroute on South Danby Road

Halton gave a report about a possible need for the TCAT bus route/turn around to be changed in the area of the South Danby Road trailer park. There's a problem related to the trailer park owner. TCAT is looking at different options.

Adjournment

The Meeting was adjourned at 8:22pm.

Pamela Goddard, Town Clerk