

**Danby Town Board  
Minutes of Regular Meeting  
September 9, 2013  
Draft**

**Present:**

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

**Others Present:**

Town Clerk Pamela Goddard  
Code Office Susan Beeners, Matt Cooper  
Justice Garry Huddle  
Public Ronda Roaring, Jim Holahan, Robert Roe

**The Danby Town Board meeting was opened at 7:05pm**

**Justice Office Amended Resolution**

Garry Huddle explained the need to slightly amend resolution #80. The Court Grant program needs authorization wording in a specific format.

Huddle gave an update on securing estimates for the project. At this time, there is only one estimate. It is hoped that at least two estimates will be received prior to the deadline for submitting the grant application on September 15.

**RESOLUTION NO. 85 OF 2013 - AUTHORIZATION TOWN COURT GRANT APPLICATION**

**Whereas**, the Danby Town Court is eligible to submit a grant application to the New York State Office of Court Administration for funding from the 2013 Justice Court Assistance Program (JCAP) for the purchase of court related items, and

**Whereas**, Town of Danby Justice Theresa Klinger and Town of Danby Justice Garry Huddle are requesting authorization from the Town Board for the Town of Danby Court to submit a grant application to the New York State Court Administration for funding from the 2013 Justice Court Assistance Program (JCAP) in the amount not to exceed \$30,000, and **Now therefore, it is**

**Resolved**, that the Town Board of Town of Danby approves the request from the Danby Town Court to submit a grant application to the New York State Court Administration for funding from the 2013 Justice Court Assistance Program (JCAP) in the amount not to exceed \$30,000.

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

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

**Approve Minutes**

**RESOLUTION NO. 86 OF 2013 - APPROVE MINUTES**

**Resolved**, that the Town Board of the Town of Danby approves the minutes of August 12 and 19, 2013.

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

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

**Connors arrived at 7:20pm**

## **Floor Repair Schedule and Window Treatments/Curtains**

Cooper reported on progress and delays with refinishing the Town Hall meeting room and library floor. The old part of the floor is finished. It is estimated that the furniture and library shelves will be moved back into the room in the next week. There is a concern about the area in the entryway where the floor was repaired with new pine. The contractor was unable to match the color of the old floor with stain. Cooper's concern is that it's not even close and that the floor sanding was not well done.

The contractor has submitted an invoice for the completed work with an estimate for re-sanding and staining the repaired section of floor for \$900. Cooper's opinion, based on his carpentry experience, is that this was part of the original bid for the job and should be included in that original fee. Race supported Cooper on this position. Cooper suggests that the job be considered generally "finished" and deal with follow up on the entrance area at a slightly later date. There was discussion about how to proceed. Cooper suggested that the contractor re-sand the floor, Cooper will stain it, and then contractor will then put the sealant/finish on the new wood in the entryway. The Board asked Cooper to negotiate with the contractor about any additional cost. There was support for this plan.

Cooper reported on a cost estimate for replacing the meeting hall/library curtains. The meeting room drapes were removed for the project in order to protect them from sanding dust. There was a discussion about re-hanging the drapes or replacing them with new material. Cooper and Beeners have been in touch with a specialist for an estimate. The lowest estimate for new drapes is over \$7,000.

Beeners reported that the Building Code requires that draperies in a meeting space be flame retardant. There is concern that the 30 year old drapes would not survive the process of making them fire retardant. There was a general discussion about alternative methods of bringing the old drapes into compliance. Additional research will be made and the Code Office will report on this in October.

## **Request for use of Town Hall Meeting Room - Ithaca Talent Education Recital**

Dylan Race brought a request from Ithaca Talent Education to hold a student violin, viola, and cello recital in the Town Hall on September 28. They will want to use the piano and set up chairs for the audience. In order to accommodate set up, concert, and clean up time they requested use of the room from 1-4 pm. Dylan Race will take responsibility for opening and closing the Town Hall. The public is welcome to attend.

### **RESOLUTION NO. 87 OF 2013 - APPROVE USE OF TOWN HALL**

**Resolved**, that the Town Board of the Town of Danby gives approval for an Ithaca Talent Education student recital in the Town Hall on Saturday, September 28 at 2:00pm.

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

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

## **Board of Zoning Appeals Vacancy and Hearings**

Clerk Goddard informed the board that BZA Chair Al Wagner has needed to resign his position with the Danby Board of Zoning Appeals due to intense course work for an MBA. She also informed the Board that the BZA has two hearings scheduled for Tuesday September 24. Members of the BZA have requested expediency in filling this vacancy, on the chance of having a full Board for those hearings. In his letter of resignation, Al Wagner recommended that Russell Klinger be considered for this appointment.

There was a brief discussion as to whether this is an urgent need. Code Officer Beeners gave the opinion that the BZA will have a quorum for that meeting and that there is not a need to fill the vacancy immediately. The Board did not see this as an urgent need.

There was a discussion of different methods of advertising the vacancy. Clerk Goddard will send information to Gay Huddle for "Danby Town Talk" column, to Ithaca Times and Tompkins Weekly, and a call for applications will be placed in the October Danby Area News. Deadline for applications will be October 10/11.

There was a short discussion of other vacancies to fill, eg: representative to the Environmental Management Council. Other Town Boards, such as the Conservation Advisory Council and Planning Boards. Notices for these boards should go in the October, November, and December issues of the Danby Area News.

### **Wind Tower Legislation**

There was a short discussion of draft Residential Wind Tower Legislation being worked on by Dan Klein and Matt Cooper. Klein reported that Code Officer Beeners had made some corrections and suggestions based on a draft emailed to Town Board members in early September. This will need additional work prior to a full consideration.

Halton asked about the purpose of the proposed legislation. Klein clarified that this ordinance would deal with residential wind towers, not commercial scale wind farms. The purpose would be to encourage wind tower construction while addressing concerns from neighbors. There is currently nothing in the Danby Zoning Code which guides or regulates wind tower installations. Klein's draft ordinance is based on those from other municipalities.

There was a general discussion of different types of wind power machines and their relative noise issues.

### **Short Reports**

Dietrich alerted Town Board members to a Cornell University survey of municipal activities related to high impact industrial activity. The Clerk will forward an Email with a link to the survey to all Town and Planning Board members. He also informed the Board about upcoming conflict resolution workshops being offered by the Community Dispute Resolution Center.

Monthly reports from the Town Clerk and Town Justices were circulated among the Board. The Clerk's report included fees collected for sporting license sales, building permits, zoning appeals hearings, and 40 dog licenses (7 of which are new dogs). There was a report of further disposal of documents which are not to be retained.

Beeners gave a short Code Enforcement report. Building permits for several new constructions were issued or are in process. The Code Officers attended a "Codes Class" in the last week and will attend an "extreme weather and climate change mitigation" workshop on September 13. They are researching and involved with countywide energy planning initiatives including a proposal which will go to TCCOG for review.

T.G.Miller has given an estimate of approximately \$1,000 to survey the Town property on Deputron Hollow Road and to begin preliminary deed work to research the adjacent property, which may be in dispute. The property in question is on a seasonal road and unbuildable. Beeners gave the opinion that fees for a full title search might be better spent in other ways. There was a short discussion about this property.

Dietrich will attend a workshop on cemetery preservation. He hopes that this workshop will lead to community projects in historical research and restoration.

### **Privilege of the Floor**

Roaring requested that fines related to dog control matters be reviewed for a possible increase. The average \$25 fine has not been increased in many years. Judge Huddle noted that the Town has very little recourse in collecting those fines if the dog owner in question does not comply. The Board will consider this and relevant dog licensing fees during the upcoming budget process in October.

### **Adjournment**

The Meeting was adjourned at 8:19 pm.

---

Pamela Goddard, Town Clerk