

**Danby Town Board
Minutes of Regular Meeting
February 3, 2014**

DRAFT

Present:

Supervisor: Ric Dietrich
Councilpersons: Rebecca Brenner, Leslie Connors, Jim Holahan, Jack Miller

Others Present:

Town Clerk Pamela Goddard
Code Officer Sue Beeners
Bookkeeper Laura Shawley
Public Ted Crane, Ronda Roaring, Deanna DeMark, Erick Palmer, Ted Melchen,
Frank Kruppa, Garry Huddle.

The Danby Town Board Meeting was opened at 7:35pm

Privilege of the Floor

Garry Huddle raised a concern about of dog license fine tickets currently being issued for owners whose dog's registrations are more than six months overdue. The court currently has between 15-18 such warrants for court appearance. Huddle noted that there are many repeat offenders in this batch. He is concerned that the Court has no legal power to penalize and enforce these tickets.

He asked the Town to consider enacting legislation that would put more legal "muscle" to these warrants. Huddle mentioned a local law in Dryden that allows its Court to serve a warrant on delinquent dog owners. Huddle suggested that the Town ask the Town Attorney to investigate what methods other Towns use to enforce such tickets. Clerk Goddard noted that the receipt of a ticket does "wake up" some dog owners to the need to relicense their animals.

Roaring again asked the Town Board to consider increasing the fines on delinquent dog licenses.

West Danby Water District Grant Vouchers

Clerk Goddard presented three vouchers related to the West Danby Water District grant project. Two were from SCT Computing for a laptop computer and printer. The third was a time sheet from Tod Sukontarak for hours related to installing new water meters. There was a brief discussion about the status of installing new meters.

RESOLUTION NO. 29 OF 2014 - AUTHORIZATION TO PAY - WATER DISTRICT GRANT

Resolved, that the Town Board of Town of Danby approves special payment of three invoices related to the OCR WDWD Improvement Grant: 47 hours of work from Tod Sukontarak at \$25 per hour for \$1,175.00, and two vouchers to SCT Computers in the amounts of \$955.00 for an ASUS laptop computer and related hardware and \$165.00 for a Lexmark Laser Printer, to be paid out of a dedicated checking account for this purpose.

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

In Favor: Brenner, Connors, Holahan, Miller, Dietrich

Approve Minutes

RESOLUTION NO. 30 OF 2014 - APPROVE MINUTES

Resolved, that the Town Board of Town of Danby approves the minutes of December 9, 16, and 30, 2013.

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

In Favor: Brenner, Connors, Holahan, Miller, Dietrich

Consider Appointments to Conservation Advisory Council

Supervisor Dietrich informed the Board that members of the Conservation Advisory Council intended to submit individual recommendations regarding the possible appointment of two additional representatives to the CAC. Matt Ulinski and Kate O'Neal each attended the January 27 CAC meeting. Those recommendations should be on hand for the Feb. 10 TB meeting, for possible action.

Executive Session

Rebecca Brenner moved that the Town Board enter executive session to discuss the personnel matter of appointing a Planning Board member to the current vacancy. The Motion to Enter Executive Session was seconded by Jim Holahan and was voted AYE unanimously.

The Town Board entered Executive Session at 7:49pm. Executive session was closed at 8:03pm.

Appoint to Planning Board Vacancy

RESOLUTION NO. 31 OF 2013 - APPOINTMENT OF PLANNING BOARD VACANCY

Resolved, That the Town Board of the Town of Danby appoints Jim Rundle to a seven year term on the Danby Planning Board, effective January 2014 through December 31, 2020.

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

In Favor: Brenner, Connors, Holahan, Miller, Dietrich

Members of the Board commended Robert Roe on his many years of service to the town with the hope that he would be able to assist the Town in other ways. It was thought that Rundle's experience would be helpful at this time.

Association of Towns Resolutions

There was a brief discussion of resolutions pending at the 2014 meeting of the NYS Association of Towns. Connors will provide a one page synopsis of these for the next meeting. The Board will further consider this during its next meeting.

Marsh Road Extension Request

There was a lengthy discussion between the Town Board and the applicant regarding how to proceed with the Marsh Road expansion request. Erick Palmer expressed his intention to put some of his land into a conservation easement. He repeated that he is not interested in widening the road, but would prefer to keep the road as it is with a turnaround by his existing driveway.

Code Officer Beeners recommended that a traffic and safety study be done for the northern piece of Marsh Road. The existing year round section of the road needs attention. She also advised that there is not more than one potential house site on the Norkus property, if that. This is a limited area.

Supervisor Dietrich outlined possible options for the Palmers at this time: to take back the proposal and work with the Town over time, to go to the Board of Zoning Appeals for a flag lot variance, or to let the Town Board to proceed with the request. If the matter was to go to a vote and be denied, there would be no further consideration of this request for at least two years. In Dietrich's opinion, the main issue before the Board was the the need to expend public funds only for the greater good.

Palmer stated that he was willing to pay for some costs incurred by conversion of the road from seasonal to year-round use. He questioned whether he should pay for an adequate fire turnaround if this is already required for existing houses in the area. Would the Town meet him halfway?

There was a discussion about the steps which would be needed to proceed. There would need to be a more detailed plan regarding the road design. There could be the need for a wetlands delineation study. A local law changing the road designation would need to be adopted, requiring an additional public hearing. All of this would take several months.

Beeners described the ability of the applicant to apply for frontage variance, creating a flag lot for the proposed pole barn/house site. This would still require SEQR review, but not as extensive as the SEQR review for extending the year round section of road. There was a lengthy discussion about the need for Environmental Quality Review, what this is, and how it might impact the proposed project. There was discussion about potential growth inducement and how conservation easements would mitigate some of that potential growth. Beeners suggested that the proposal be withdrawn, without prejudice, and presented to the BZA for a variance.

The Board expressed concern about setting a precedent of using Town funds to improve a road with minimal public usage. This becomes a long term commitment. They expressed a need to see more details about a potential Conservation Easement on the land. At this time, the proposal is too undefined.

The Board decided to table this item until a future meeting, with receipt of additional information. The applicants were asked to present their plan, in writing, prior to the Feb. 10 TB meeting.

There was a general discussion about the condition of Marsh Road, both the year round and seasonal sections of this road. The Fire Department has said that the adjacent year round section “presents challenges” for rescue service. This area needs review and attention, regardless of what happens on the seasonal section of the road.

Hanson Conservation Easement Hearing

Final versions of the proposed easement proposal and Deed of Conservation Easement were distributed to the Town Board. Short form SEQR review was included. Clerk Goddard informed the Board that all legal notice for the Feb. 10 public hearing has been published.

Beeners answered questions from the Board regarding this process in relation to the Town’s zoning. There was a brief discussion regarding additional potential conservation easements, including on Wimsett property in Deputron Hollow.

Town Priorities/Work Lists

There was a preliminary discussion regarding compiling work lists from various Town departments. This need will be discussed at a staff meeting in the next week and provided to the Town Board at the next TB meeting.

There was a preliminary discussion about prioritizing projects and tasks before the boards and departments. The Board discussed setting a joint meeting with the Town and Planning Boards.

The TB and Frank Kruppa discussed the priority of updating the Comprehensive Plan. There was a preliminary discussion of setting a scoping meeting for sometime in March.

Adjournment

The Meeting was adjourned at 9:30pm.

Pamela Goddard, Town Clerk