

**Danby Town Board
Minutes of Public Hearing and Regular Meeting
February 10, 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
Public Ted Crane, Ronda Roaring, Deanne DeMark, Erick Palmer, Steve Selin,
Mary Woodsen, Dan Klein, Garry Huddle, Al Becker.

Public Hearing on Deed of Conservation Easement was opened at 7:05pm

PUBLIC HEARING to consider acceptance of a Deed of Conservation Easement and its conditions from Arthur H. and Donna Hanson to the Town of Danby, where said Easement would establish an Agricultural and Forest Management Zone on 23.48+/- acres and a Residential and Active Use Zone on 2.5+/- acres of Town of Danby Tax Parcel 1.-1-3.32, 25.98 +/- acres total located on the south side of Sand Bank Road, as such Zones are described in said Easement.

Written comments, in general support of the hearing matter, were received from Ronda Roaring and circulated via Email to the TB prior to the hearing.

Dan Klein spoke in favor of acceptance of the Deed of Conservation Easement. He stated that this is one of the best solutions to protect open space as it is voluntary, does not take land off the tax rolls, should not cost the Town anything, and benefits land owners.

Steve Selin, neighboring property owner and Planning Board member, spoke in favor of acceptance of the Deed of Conservation Easement. As a PB member he has seen a need to readdress subdivision zoning regulations and preserving rural character of the Town. He supports this as a voluntary, non-regulatory way to preserve open space. As an adjacent land owner, he would like to see this field preserved as one piece and not be split into smaller lots.

Supervisor Dietrich spoke in favor of the program to put land into Danby Conservation Easements. He applauded the efforts of the Conservation Advisory Council in putting this in place.

Code Officer Beeners spoke regarding the fact 23+ acres are being put into an agricultural and forest zone and a 2.5 acre piece into a residential zone, allowing some mixed use. She spoke about permitted agricultural uses, and recommended that future easements include voluntary restrictions to prohibit CAFO and large scale farming not appropriate to the Town of Danby. State Right to Farm provisions outweigh Town restrictions.

The Public Hearing was Closed at 7:13pm

The Danby Town Board Meeting was opened at 7:13pm

Privilege of the Floor

Erick Palmer spoke about a letter of intent regarding his plan for improvements on Marsh Road. This information was previously circulated to the TB via Email. He asked the Board to contact him if they have questions or have feedback about this proposal.

Ronda Roaring made a room use request for distributing free books on “World Book Night,” April 23. Roaring has preliminary arrangements to distribute *The Zoo Keeper’s Wife*. This request was added to the agenda as an action item.

Warrant

ABSTRACT #2 OF 2014: GENERAL FUND

#033-82 for a total of \$82,241.81

Moved by Connors, Second by Holahan. The motion passed.
In Favor: Brenner, Connors, Holahan, Miller, Dietrich

WATER DISTRICT

#001-007 for a total of \$7,060.24

Moved by Connors, Second by Brenner. The motion passed.
In Favor: Brenner, Connors, Holahan, Miller, Dietrich

HIGHWAY FUND

#011-041 for a total \$228,761.35

Moved by Connors, Second by Brenner. The motion passed.
In Favor: Brenner, Connors, Holahan, Miller, Dietrich

Consider Conservation Easement Hearing Matter

RESOLUTION NO. 32 OF 2014 - CONSIDER ACCEPTANCE OF A DEED OF CONSERVATION EASEMENT FROM ARTHUR H. AND DONNA HANSON - DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE

Whereas, this action is to consider acceptance of a Deed of Conservation Easement and its conditions from Arthur H. and Donna Hanson to the Town of Danby, where said Easement would establish an Agricultural and Forest Management Zone on 23.48+/- acres and a Residential and Active Use Zone on 2.5+/- acres of Town of Danby Tax Parcel 1.-1-3.32, 25.98 +/- acres total located on the south side of Sand Bank Road, as such Zones are described in said Easement; and

Whereas, the purposes of said Easement are to limit the loss of open space and rural character by limiting residential development, while allowing for the continuance of activities that are compatible with conservation such as the pursuit of agriculture and forestry best practices, wildlife management activities, the pursuit of low-impact recreation, and similar activities that do not impair the Conservation Values of the property, which include but are not limited to its value as a watershed recharge area, as important open space, including vistas and view sheds, important agricultural soils, and adjacency to lands of the Finger Lakes Land Trust; and

Whereas, this is an Unlisted Action under the State Environmental Quality Review Act and under Town of Danby Local Law 2 of 1991, for which action the Town Board of the Town of Danby is acting as Lead Agency in environmental review, with no other involved agencies identified; and

Whereas, the Town Board has reviewed the draft Short Environmental Assessment Form for this action and the recommendation that a negative determination of environmental significance be made;

Now, Therefore, it is

Resolved, that the Town Board of the Town of Danby, acting as Lead Agency in the environmental review of this Unlisted action, makes a negative determination of environmental significance.

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

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

RESOLUTION NO. 33 OF 2014 - CONSIDER ACCEPTANCE OF A DEED OF CONSERVATION EASEMENT FROM ARTHUR H. AND DONNA HANSON

Whereas, this action is to consider acceptance of a Deed of Conservation Easement and its conditions from Arthur H. and Donna Hanson to the Town of Danby, where said Easement would establish an Agricultural and Forest Management Zone on 23.48+/- acres and a Residential and Active Use Zone on 2.5+/- acres of Town of Danby Tax Parcel 1.-1-3.32, 25.98 +/- acres total located on the south side of Sand Bank Road, as such Zones are described in said Easement; and

Whereas, the purposes of said Easement are to limit the loss of open space and rural character by limiting residential development, while allowing for the continuance of activities that are compatible with conservation such as the pursuit of agriculture and forestry best practices, wildlife management activities, the pursuit of low-impact recreation, and similar activities that do not impair the Conservation Values of the property, which include but are not limited to its value as a watershed recharge area, as important open space, including vistas and view sheds, important agricultural soils, and adjacency to lands of the Finger Lakes Land Trust; and

Whereas, this is an Unlisted Action under the State Environmental Quality Review Act and under Town of Danby Local Law 2 of 1991, for which action the Town Board of the Town of Danby, acting as Lead Agency in environmental review, has on February 10, 2014 made a negative determination of environmental significance; and

Whereas, the Town Board on February 10, 2014 has held a public hearing to hear all interested persons on this matter; **Now, Therefore, it is**

Resolved that the Town Board of the Town of Danby determines that the acceptance of this Conservation Easement is consistent with the goals and objectives of the Town's Comprehensive Plan, and, further, that it is in the public interest to limit the development and use of said property in order to protect and maintain its Conservation Values; and it is

Further Resolved, that the Town Board hereby accepts the Deed of Conservation Easement and its conditions from Arthur H. and Donna Hanson to the Town of Danby where said easement would establish an Agricultural and Forest Management Zone on 23.48+/- acres and a Residential and Active Use Zone, as such Zones are

described in said easement, on 2.5+/- acres of Town of Danby Tax Parcel 1.-1-3.32, 25.98 +/- acres total, located on the south side of Sand Bank Road; and it is

Further Resolved, that the Town Board authorizes the Town Supervisor to so sign the easement, subject to title review and approval of the document of closing by the Town Attorney.

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

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

The Board had a short discussion of congratulations for the first Conservation Easement.

Request for Room Use

There was a discussion of Roaring's request. The room is available on the date in question. There was a question regarding whether there was any insurance issue for this use. There is none. It was suggested that a library volunteer be contacted, to assist with opening and closing the building.

RESOLUTION NO. 34 OF 2014 - APPROVE ROOM USE

Resolved, That the Town Board of the Town of Danby grants use of the Town Hall meeting room for the distribution of free books on "World Book Night" April 23, 2014.

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

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

Consider Appointments to Conservation Advisory Council

There was a discussion regarding appointments to the Conservation Advisory Council. Messages of support for Kate O'Neil and Matt Ulinski were received from CAC board members Dan Klein and Joel Gagnon. Both candidates had attended and participated in the January CAC meeting.

There was a discussion regarding whether the candidates had been officially interviewed. This included a general discussion of appointment/application procedure. After discussion, the Board directed the CAC to more formally interview the candidates during its Feb. 24 meeting. Action on these appointments will proceed in March.

Association of Towns Resolutions

Connors provided a synopsis of the resolutions being considered at the 2014 meeting of the NYS Association of Towns. There was brief discussion about specific resolutions.

RESOLUTION NO. 35 OF 2014 - ASSOCIATION OF TOWNS MEETING

Resolved, That the Town Board of the Town of Danby authorizes Leslie Connors to represent the Town's interest at the 2014 Association of Towns meeting.

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

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

Consider Other Appointments

There was a discussion regarding appointments to County Boards and Committees. The Local Advisory Board of Assessment Review needs to be appointed by April 11, 2014. The Clerk will contact previous appointees to see whether they are willing/able to serve again.

Library Request for Computer

On behalf of the Danby Library volunteers, the Clerk presented a request for funds for a new computer. The library group drafted a proposal for a computer that will run the library catalogue and patron system, to replace the computer they have been using. This is an urgent need, as their current computer is non-functioning. This request is above the already budgeted funds for library materials.

There was a suggestion that the library investigate a refurbished computer through local sources.

RESOLUTION NO. 36 OF 2014 - AUTHORIZE EXPENDITURE OF FUNDS

Resolved, That the Town Board of the Town of Danby authorizes the expenditure of Town funds of not more than \$750.00 for a library catalogue computer.

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

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

Marsh Road Extension Request

Supervisor Dietrich acknowledged the information received in a letter from Erick Palmer and DeAnna DeMark. He recommended that the question continue to be tabled, that the Board review this material, talk to residents, and consider the matter further. Dietrich suggested that the action be considered during the first TB meeting in March.

Legislator's Report

Dan Klein made a short report, including information about his committee assignments. Klein has been assigned to the Health and Human Services, Planning/Energy/Environmental Quality, and Government Operations Committees.

He reported on preliminary discussions with the Tompkins County Assessment Office regarding increased assessments on land values and its impact on protecting open space. Increased land value assessments work against the objective stated in the Town's Comprehensive Plan, to protect open space, in that they encourage landowners to sell land through subdivision.

Recognition of Robert Roe

Brenner suggested that the Board adopt a formal resolution of recognition for Robert Roe's many years of service to the Town. There was a brief discussion of the various ways he has served the Town. Brenner suggested that a certificate of appreciation be presented to Roe at a March Town Board meeting. Dietrich supported this suggestion. It was also suggested that something be published in the Danby Area News.

RESOLUTION NO. 37 OF 2014 - RECOGNITION OF SERVICE

Resolved, That the Town Board of the Town of Danby recognizes Robert Roe for his more than 20 years of service to the Town of Danby in various capacities.

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

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

Town Priorities/Joint Meeting

There was an extensive discussion regarding whether and when to schedule joint meeting of the Town and Planning Boards. There was a suggestion to have an extra meeting, over a dish-to-pass. The Board discussed what the agenda might be for such a meeting. Reviewing and updating the Comprehensive Plan was mentioned as a priority. Training for new board members (Town, Planning, Board of Zoning Appeals) was also mentioned as a priority. This might include special training for chairpersons.

There was further discussion about prioritizing projects and tasks before the boards and departments. This included a related discussion regarding work lists from various town departments.

Beeners and others suggested ways in which Public Participation could be encouraged through public meetings (such as the Comprehensive Plan scoping meeting) and through publishing a "help wanted" list for volunteers on the Town web site and in the Danby Area News. Tasks on the public participant list should have clear guidelines as to expectations and time commitment.

The TB and Frank Kruppa, Planning Board Chairperson, discussed the priority of updating the Comprehensive Plan. There was a discussion of setting a scoping meeting for sometime in March. The Boards will be polled regarding three or four dates. Connors will additionally report on this topic at the next Planning Board meeting.

Other Appointments

There was further discussion about appointments to County advisory boards and job descriptions for all appointments, Town and County. There was a discussion about vacancies and which appointments are priorities. Brenner expressed an interest in Youth Services. Holahan expressed a willingness to serve on the Environmental Management Council. Dietrich encouraged the Board to investigate citizen participation as well. There was a general "brainstorming" discussion about finding volunteers.

Town Communications Group

Connors distributed a 2009 outline of a Town web site advisory committee. This was marked "draft" and included a list of responsibilities/job description for the webmaster. An updated job description may be needed. This opened a discussion regarding how a "communications" group might be organized at this time. No decisions were made at this time.

A suggestion was made to have an initial meeting with a small group including the webmaster, Town Clerk, one or more Board members for the purpose of drafting a plan regarding whether and how to develop a committee regarding the web site and communications. This might be an informal dinner meeting. This meeting would take place prior to inviting public participation. Connors offered to schedule and organize this meeting.

There was a brief discussion about the appointment to Town Historian. Connors reported on a discussion with the current historian. Grant is willing to meet with the Board. She had some suggestions about changes to the term and pay.

There was a brief discussion about appointing a Pond Supervisor. Dietrich encouraged the Board to contact the current Pond Supervisors, as they need to begin making arrangements for the 2014 summer season. Brenner volunteered to make that contact. Dietrich will get the contact information to Brenner.

Short Reports

Justices reports circulated were circulated among the Board.

The Town Clerk made a Report for the month of January. There was one marriage license, one BZA appeal fee, three Planning fees, 69 dog licenses processed, and one impoundment fee. The Clerk gave a progress report on tax collection. She also distributed an article about FOIL and Email by Robert Freeman, the Executive Director of the NYS DOS Committee on Open Government. This will be distributed to all appointed Boards. The Clerk also distributed the 2013 Annual Records Management Report.

The Code Office report was distributed to the Board. The Board was informed that the new alarm system is being installed, including “panic buttons” for the Town Hall offices.

The County Highway Department sent correspondence regarding a request for a reduced speed/school zone on Nelson Road in the area of the Waldorf School. Review of the request is in process.

Marsh Road Extension Request

Holahan asked for further discussion/clarification regarding the Marsh Road request. Dietrich and Beeners gave their perspectives on the status of this request. In Beeners view, this is not yet a defined project and so no SEQR review has been initiated. She outlined long-term impacts that would need to be addressed in SEQR, should this be moved forward as a defined project.

Holahan asked whether the proposal put forward by the applicants was possible or feasible: to leave the seasonal section of Marsh Road as it is with the exception of creating a turnaround? As there are aspects of road improvement required in any case, Dietrich responded with an affirmative. Beeners added information to that response. Additional review will be made with the Highway Department.

Adjournment

The Meeting was adjourned at 9:13pm.

Pamela Goddard, Town Clerk