

**Danby Town Board  
Minutes of Regular Meeting  
June 9, 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, Deanne DeMark, Erick Palmer, Dan Klein.

**The Danby Town Board Meeting was opened at 7:03pm**

**Privilege of the Floor**

Roaring urged the Board to create a long-range plan and management study for the Marsh Road/ Deputron Hollow Road area. She related this to the current consideration of reclassification of a section of Marsh Road. She suggested that a management study (eg: for recreational uses such as hiking, cross-country skiing, etc.) should be undertaken prior to other action.

**Warrants**

**ABSTRACT #5 OF 2014: GENERAL FUND**

#241-279 for a total of \$31,120.83

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

**WATER DISTRICT**

#030 for a total of \$261.67

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

**HIGHWAY FUND**

#105-121 for a total \$49,627.78

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

**Approve Minutes**

Connors asked that approval of the May 12 minutes be postponed a week as she had potential changes to request but needed more time for review.

**RESOLUTION NO. 61 OF 2014 - APPROVE MINUTES**

**Resolved**, that the Town Board of Town of Danby approves the minutes of May 19, 2014.

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

## **Close NYS Route 96B for Fun Day Parade**

The Board took action on the annual request to close a section of Route 96B for the Danby Fun Day parade.

### **RESOLUTION NO. 62 OF 2014 - CLOSING OF NY STATE ROUTE 96B FOR PARADE ON JULY 12, 2014**

**Resolved**, that the Town Board of the Town of Danby, in compliance with Section 1604, Paragraph 2, of the Vehicle and Traffic Law, which authorizes a Town to close a road for a parade, is officially closing New York State Route 96B on Saturday July 12, 2014 from 10:30am to 11:55am, from the intersection of East Miller and West Miller Roads to the intersection of Bald Hill Road; and it is

**Further Resolved**, that the Town Board approves the extension of this time period, from 10:15am to 12:15pm, if the Danby Fire Department deems such extension necessary to facilitate the safe movement of the Parade participants; and it is

**Further Resolved**, that there will be a detour route from the West Miller Road intersection with Route 96B to Comfort Road, to Lieb Road, to the Bald Hill Road intersection with Route 96B.

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

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

## **Approval of Interim Code Enforcement Contractual Services**

Beeners informed the Board that the intention of this resolution is to cover time between June 12 and June 20 related to building inspections when Matt is away on vacation. Steven Cortright is active in the building trades, a member of the West Danby Fire Department, and has certification for code inspections.

### **RESOLUTION NO. 63 OF 2014 - APPROVAL OF INTERIM CODE ENFORCEMENT CONTRACTUAL SERVICES**

**Resolved**, that the Town Board of the Town of Danby approves the retention of N.Y.S. Certified Code Enforcement Officer Steven Cortright for code enforcement contractual services between June 12 and June 20, 2014 at an estimated maximum cost of \$300 for services and for mileage expenses, to be paid from Zoning Office Account A8010.400.

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

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

## **Marsh Road Lead Agency**

Code Officer Beeners explained the purpose and intent of this resolution. Additional comments about the draft SEQR form were to be discussed later in the meeting.

### **RESOLUTION NO. 64 OF 2014 - PROPOSED LOCAL LAW DISCONTINUING THE DESIGNATION OF A PORTION OF MARSH ROAD AS MINIMUM MAINTENANCE (SEASONAL), AND AMENDING LOCAL LAW NO. 3 OF 2002 BY CHANGING THE LENGTH OF THE MINIMUM MAINTENANCE (SEASONAL) PORTION OF MARSH ROAD—SEQRA CLASSIFICATION AND LEAD AGENCY ESTABLISHMENT**

**Whereas**, the Town Board of the Town of Danby is considering adoption of a Local Law “Discontinuing the Designation of a Portion of Marsh Road as Minimum Maintenance (Seasonal), and Amending Local Law No. 3 of 2002 by Changing the Length of the Minimum Maintenance (Seasonal) Portion of Marsh Road”;

**Now, Therefore, it is**

**Resolved**, that such consideration of adoption is being treated as an Unlisted action under 6NYCRR Part 617.6 of the implementing regulations for the New York State Environmental Quality Review Act (Environmental Conservation Law Article 8); with the Town Board of the Town of Danby acting as lead agency, and with no involved agencies having been identified.

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

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

## **Legislator's Report**

Legislator Klein made short reports on several items. The County is asking local municipalities to provide information regarding shared services in response to a request of reporting from the Governor's office at the State. Klein and the Board made a preliminary list of shared services. These included various aspects of youth services, providing inter-agency and inter-municipal publicity through the Danby Area News, providing community library space to the Finger Lakes Library System, participation in the Health Insurance Consortium, Broadband build-out initiatives, the Danby highway and fire departments sharing a fueling station, inter-municipal agreements to share highway equipment when needed, the electronic records management (TSSERR) project, animal control and enumeration, and more. Klein asked the Board to provide additional items as they came to mind. Clarification will be sought as to the level of detail, and level of financial information required regarding this information.

Klein reported that not much has changed regarding public transportation/bus service in the region. A group has gone to Albany to advocate for support of regional bus service. Tioga Transit has doubled its fares to Ithaca and Cornell.

There is no new information regarding Youth Programming in the county. Klein reported that efforts are just beginning to review youth program services with an eye towards holding down administrative costs and increase direct services.

## **Hill Road Renumbering**

Supervisor Dietrich reported, made brief explanation of a situation on Hill Road regarding an address numbering anomaly. Code Officer Beeners distributed a map which shows the current address numbering, which is badly out of sequence. This is of particular concern for emergency services. There is a new house being added, which will cause at least three addresses to be changed.

Additional discussion, with one of the residents on Hill Road, is scheduled for the June 16 Town Board meeting.

## **Marsh Road Extension Request - Next Steps**

Code Officer Beeners provided additional information and an update the Board related to a discussion of draft SEQR review conducted during a special meeting on June 4. There was an extensive discussion regarding Conditional Negative Declaration for the SEQR review. Beeners informed the Board that "CNDs" may not be used for an action when the applicant and the lead agency are the same. This is stated with in the SEQR handbook. When there is a change in any local law, the Town Board is both applicant and lead agency. Councilperson Brenner had a different understanding, based on her experience with large project SEQR review. Brenner and Beeners discussed how to make the SEQR review work within the Town's requirements for mitigating factors limiting growth inducement.

There was a discussion of documentation for mitigating impacts of the proposed road reclassification, eg: conservation easements and a letter from the highway department that there will be no ditching along the section of reclassified road. SEQR review should be completed only after these other actions have taken place.

There was an extensive discussion of the timing for reviewing/accepting Conservation Easements on Marsh Road properties and public hearing and consideration of the Road Reclassification law. The Board requires that the conservation easements be "in hand" prior to reclassifying the section of March Road in question. Palmer wanted assurance that the road reclassification project will be approved prior to his completing negotiations on putting land into an easement. Beeners reported that the chair of the Conservation Advisory Council is aware of these needs and that the two actions (easements and road classification) are intended to part of a unified package. Negotiations are already underway for conservation easements on Marsh Road.

There was a discussion regarding whether a public hearing is required for consideration of acceptance of any conservation easement. Palmer expressed concern that details of a draft easement should

be confidential. Proposed easements are confidential, as pending real estate transactions, until the time of closing and filing in the County Clerk's office. As such, they believed that the details of a pending easement should not be opened for public review. This question will be clarified through the Town Attorney. A public hearing was held for the first easement accepted by the Town, as a public relations matter to inform residents that this program is underway.

### **Email Research Report**

Brenner made a report on ongoing research into Town Email addresses/archiving/service. She provided information about services available through three providers - Fusemail, Office.gov, and Office small business. She outlined different services and fees for these providers.

Clerk Goddard asked for clarification on these proposals, in light of resolution #60 adopted on May 19, authorizing the expenditure of up to \$1,500 for up to 30 municipal Email addresses (at \$4/user/month) and \$520 up to eight hours of set up time by SCT Computers. Holahan clarified that the approval was for setting up an Email system, but that the specific provider has not been determined. Holahan suggested that the Board have a recommendation, at its next meeting, choosing which service will be engaged, how many municipal Email addresses will be established, and whether there will be a change in address from "town.danby.ny.us" to a different domain. He offered to meet with staff prior to the next TB meeting to answer any questions they might have.

Holahan presented some preliminary research on providers for a new web site. No decisions were made. Research will be on-going.

### **Danby Community Park Request**

Dietrich made a short report of a meeting with a representative of the Danby Community Park Association. They are requesting a closer relationship with the Town and financial or in-kind assistance. The DCPA is trying to remove its burden of debt. The park is an independent, private non-profit organization. The DCPA Board suggested in-kind assistance with summer mowing walking paths, and play areas and also with snow plowing the access road in the winter. Building this relationship could be seen as a form of shared services. A representative of the Park Association will make a presentation to the Board later this summer.

There was a related discussion of whether and to what extent the youth program uses the Danby Community Park. If the youth programs are using the park, in-kind assistance from the Town could be considered support for those programs. The current level of use is unknown. Additional information will be requested from the Youth Program manager.

There was a second related discussion about the status of testing the water in the Danby Community Park aquifer study well. The testing of the water quality of this well is still pending. Beeners advised that a full spectrum test may be more expensive than originally thought.

### **Short Reports**

Goddard presented Town Clerk's Report for May. \$3,175.28 was paid to the Supervisor, the bulk of which (\$2,587.50) was income from building permits. 44 dog licenses were processed, with seven new dogs welcomed to Danby. Records Management destruction of documents past their retention date is ongoing.

Bench reports from Justices Klinger and Huddle were circulated among the Board.

The May Code Enforcement Office report was circulated among the Board.

## **Correspondence**

Shawley shared information regarding correspondence from the Health Insurance Consortium related to free flu shot clinics available to persons insured by the Town. The Consortium is working to save costs of member flu shots by providing no cost flu shots for consortium members. Danby is seeking to collaborate with several municipalities to find a date for an employee flu shot clinic. Shawley clarified that this would be for people who are covered by health insurance through the town.

The Tompkins County Planning Department is holding a series of public input sessions for the County Comprehensive Plan. Meetings will be held in June at various locations.

The NYS Department of Ag and Markets wrote in request for proposals for farmland protection projects. This information will be shared with the Planning Board and the Conservation Advisory Council. There was a brief discussion of whether local farmland protection projects are in place in Tompkins County.

Clerk Goddard made a report of a records management trip to archive bunkers at Seneca Army Depot being used by the Tompkins County Shared Services Electronic Record Repository (TSSERR) group. Goddard explained how old missile silos are being refitted for safe and secure off site document storage. Both paper and electronic records are being stored at this location. This service is available to the town, at no cost, as part of the shared services records management program established through the County Clerk's office. The records storage areas are super secure, climate controlled, and physically secure under ground.

## **Adjourn**

The meeting was adjourned at 8:38 pm.

---

Pamela Goddard, Town Clerk