

**Danby Town Board
Minutes of Regular Meeting
July 21, 2014
DRAFT**

Present:

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

Others Present:

Town Clerk Pamela Goddard
Code Officer Matt Cooper
Bookkeeper Laura Shawley
Justice Garry Huddle, Theresa Klinger
Planning Board Chair Frank Kruppa
Public Dan Klein, Joel Gagnon, Naomi Strichartz, Dee Bowles, Ted Crane, Ronda Roaring, William and Eva Siegard, Katharine Hunter, Bill Kuhns.

Email/Archives Training

6:00pm training with Kent Stuetz from the New York State Archives and Records Administration. Attended by Town Board members and chairs of the Planning Board, Board of Zoning Appeals, and Conservation Advisory Council.

The Danby Town Board Meeting was opened at 7:11pm

Privilege of the Floor

Joel Gagnon asked about the current status for a Town of Danby municipal Email system. Information on this topic was added as a discussion item to the agenda.

Joan Grant made a presentation about her work as Danby Town Historian. Grant has been Town Historian since 2001. She provided new Town Board members with details about projects she's worked on during the past several years. Current projects include "house history cards" (a voluntary system by which homeowners may leave historical information about their house for future owners) and updating the "Destination Danby" tourism and local history brochure. A project to restore and preserve historical cemeteries is in the early stages.

Grant said that she very much enjoys being involved in local history. She expressed some concern about the continuity of historical work due the fact that the Town Historian term must be renewed every year. This hampers some projects, due to uncertainty about reappointment.

Grant made two requests; that the Town Board consider extending the Historian's term and that the Board consider raising the historian's honorarium. The Danby Historian has been paid \$300, to cover supplies. This rate of pay has not changed since 2001. This is the lowest honorarium/pay in the area. Grant informed the Board that she averages 24-30 hours per month on Danby history projects, including responding to local history and genealogy questions.

Danby Community Park Presentation

Kenny Makosch, President of the Danby Community Park Association, made a presentation about the Danby Community Park, named for Arch and Esther Dotson. He provided a sheet with some general information about the Dotson Park, located on 92 acres across from Town Hall. The park currently includes a 12-hole disc golf course, a marked trail system over one mile long, a sledding hill, and a pavilion, table, and benches for picnics and recreation. The DPCA currently receives no funding from the Town of Danby and relies on donations to cover annual bills for insurance and maintenance

such as mowing. The park has a solid foundation of local volunteerism for small to moderate sized projects and ongoing maintenance and bookkeeping. Even so, Makosch and other members of the Board know that they can do better.

Makosch outlined the DCPA's vision for the future of the Park, including the creation of a natural playground, community garden, new trails, and new signage and landscaping. These and other improvements will not be possible without increased community support. Dotson Park is attracting an increased level of interest and use. Makosch characterized the Park as being at a "critical point." Makosch sees the Park as an enormous potential resource for Danby, yet recognizes that this resource will not be realized without help. With support, donations can be put toward improvements.

Makosch made a request of increased general support from the Town and community, particularly in the area of overhead expenses. Previously, the Town Highway Department has helped with such things as winter snow plowing of the park road and the delivery of mulch for various projects. The Park would like to be on a more regular schedule of mowing. Makosch asked whether this is something the Town can provide? The Park Board is particularly concerned about liability and director's insurance costs and asked whether there is an option for this to be carried through the Town of Danby insurance package?

Makosch answered several questions from the Town Board, particularly in the area of costs for plowing and mowing. Mowing is currently being done with volunteer equipment and labor. Mowing the disk golf course takes 6-8 hours. The course is more utilized with better maintenance.

Residents asked questions about the level of Danby resident participation in the park. Brenner and Makosch reported a high level of local usage for the sledding hill. Additionally, most of the hikers signing in on the guest book appear to come from within a five mile radius of the park. Makosch pointed out that this is a resource for residents and destination for visitors.

Supervisor Dietrich clarified that the DCPA is asking for something in the range of \$2,000 to be added to the Town budget to support the park. Makosch said that either direct or in-kind support would be welcome. Dietrich spoke about budget considerations/implications related to this request. Dietrich and bookkeeper Shawley will research the insurance question with the Town's carrier.

Shawley spoke on behalf of the Danby Highway Department about plowing and mowing. Assistance with plowing can continue. Assistance with mowing is probably not possible. Makosch reported that the DCPA is researching other options as well.

Dan Klein spoke in favor of the Town supporting the DCPA. He made suggestions for a closer relationship with the Danby Community Council, particularly in the area of liability and director's insurance. He was not bothered by the idea that out-of-town residents would use the park. Other towns in the county have parks that are supported by Town government. He supported similar support for this park. He predicted that the Dotson Park will be seen as a local treasure in the future.

Joel Gagnon spoke in favor of the Town supporting the DCPA. He noted that the point was made when the park was established that, "It would not cost the Town anything." Gagnon stated that he never thought that was a viable plan. He sees the park as a community resource and a primary asset for the town. He appreciated the realistic assessment of what can be done at this time.

Dietrich suggested that the DCPA draft a formal and specific financial request in time for budget considerations this fall.

Warrants

ABSTRACT #6 OF 2014: GENERAL FUND

#280-286 for a total of \$12,505.11

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

HIGHWAY FUND

#122 for a total \$296.27

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

Hill Road Renumbering

Supervisor Dietrich asked the Siegards, as residents on Hill Road, about their preference for a road renumbering system. They expressed a preference for numbering plan "Option 3," changing current numbers 14, 28, 34, 32, and 27. #34 is a new house and numbers 14 and 28 are properties in ownership transition. Therefore, they believe that the additional disruption for these addresses would be minimal on actual property owners. Dietrich asked whether the majority of owners would support this preference. The residents expressed their belief that the other neighbors would support this plan. Their main concern is that, even as new homes are built in the future, this renumbering not be done again.

Additional discussion on this topic took place later in the meeting, after the arrival of Code Officer Matt Cooper.

Eagle Automotive Special Permit Appeal

Kuhns presented his plan for a two-bay, by-appointment-only Monday-Friday 8am-5pm and Saturday 8am-Noon, automotive repair shop. He read the Special Permit request statement that had been presented to the Planning Board. The shop will be insulated for energy efficiency and noise control and there will be a privacy fence for the neighbors. There is a full plan for all materials recycling and disposal. Kuhns has been employed in maintenance at Borg-Warner for over 10 years and is fully certified for this type of work.

Kuhn reviewed the background of his appeals request. The Special Permit application is for a business in a location zoned "Commercial C," which includes such businesses as automotive repair shops. This had gone through the Special Permit process with the Danby Planning Board. That board was not able to reach a decision. A tie vote resulted in an automatic denial of the Special Permit. Kuhns is appealing that denial to the Town Board. A letter of appeal was filed with the Town Clerk and copies distributed to the Town Board.

Kuhns presented an updated site plan map of the proposed automotive garage. This map was copied and distributed to the Board. Copies of previous site plan materials and other relevant documents will be copied and transmitted to the Board.

Kuhns answered questions from the public regarding the location of the shop, measures for noise control, and the control of contaminants in the area of Buttermilk Creek aquifer. He also presented a petition of support from over 70 households in Danby. Kuhns answered similar questions from the Town Board.

There was a discussion of the appeal process. A public hearing was set for the August 18 Town Board meeting.

RESOLUTION NO. 74 OF 2014 - SET PUBLIC HEARING - EAGLE AUTOMOTIVE APPEAL

Whereas on June 16, 2014 the Town of Danby Planning Board held a Public Hearing to consider granting a Special Permit to William E. Kuhns, III for a proposed Automotive Repair Shop, 1753 Danby Road, Commercial Zone "C," Tax Parcel 7.-1-93, and

Whereas at a special meeting on July 2, 2014 the Danby Planning Board was unable to achieve a vote approving the request for special permit, and

Whereas, as per Section 907 of the Town of Danby Zoning Ordinance, the applicant may appeal the Planning Board's decision to the Town Board, and

Whereas a letter advising the applicant that his application for special permit was effectively denied as a result of the Planning Board vote, and advising the applicant of his right of appeal, was transmitted to the applicant on July 17, 2014, and

Whereas William Kuhns on July 18, 2014 did file a letter of appeal with the Town Clerk, stating the reasons for appeal and signed by the applicant as per the appeal process in Section 907 of the Town of Danby Zoning ordinance, **Now Therefor be it**

Resolved that the Town Board of the Town of Danby sets a public hearing for August 18 at 7pm in the Danby Town Hall to hear said appeal.

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

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

Executive Session

Justices Huddle and Klinger made a request to meet with the Danby Town Board in Executive Session to discuss a personnel matter about a particular person.

RESOLUTION NO. 75 OF 2014 - ENTER EXECUTIVE SESSION

Resolved that the Town Board of the Town of Danby enters into executive session to discuss a personnel matter on request of the Town of Danby Justices.

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

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

Enter Executive Session at 8:17pm

Return from Executive Session at 8:55pm

Town Board meeting resumed at 9:00pm

Hill Road Renumbering

The Town Board continued its discussion regarding ratifying a plan for renumbering addresses on Hill Road. Code Officer Matt Cooper answered questions and presented the rationale of the Code Office for its plan, "Option 1" changing only three address numbers on Hill Road. Cooper and the Board held a 50 minute discussion regarding the other two options in relation to Option 1. Members of the Board expressed their concern that the numbering sequence "make sense" and allow for growth in such a way that the road will not have to be renumbered again. Cooper expressed the view that the first plan for renumbering Hill Road meets those needs and is defensible and durable.

Connors and Brenner expressed their preference for "Option 2" (full renumbering for seven addresses from the start of the road) with the explanation that this is the most orderly and equitable of the renumbering plans. In addition, two of the houses in question are in transition of ownership and so this might be a good time to renumber those addresses. They put great value on the residents' preference for renumbering the road on a per foot basis as though it were a clean slate.

There was extensive discussion back and forth on this question. Cooper expressed his view that the benefit of "Option 2" did not outweigh the added disruption. The question was raised whether the

difference between three address changes and six address changes is a big impact, since the residents are willing to change their addresses. Copper stated that while he accepted the value in public opinion and residents preferences, the Town Board and Code Office should not cede its power in relation to assigning addresses.

Supervisor Dietrich expressed the opinion that Option 3 is viable and, since the Hill Road residents appear to be in favor of it, it should be adopted.

RESOLUTION NO. 76 OF 2014 - HILL ROAD RENUMBERING

Resolved that the Town Board of the Town of Danby ratifies the renumbering of four (4) addresses on Hill Road, "Option #1," in this order: #14 to change to #10, #15 to change to #33, #32 to change to #43, and #27 to change to #59.

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

Opposed: Brenner, Connors, Miller

In Favor: Holahan, Dietrich

RESOLUTION NO. 77 OF 2014 - HILL ROAD RENUMBERING

Resolved that the Town Board of the Town of Danby ratifies the renumbering six (6) of addresses on Hill Road, "Option #3," in this order: #14 to change to #6, #11 to change to #7, #28 to change to #12, #34 to change to #16, #32 to change to #33, and #27 to change to #57.

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

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

Email System Research Update

Holahan gave an update on research into Digital Towpath for Email and web site hosting. Digital Towpath offers municipalities a combined package of a template web site, an unlimited number of Email addresses, and six year Email archiving (in compliance with SARA standards in the MU1 Records Retention Schedule) for \$1,000. This is less than the cost of Email alone through other providers. Holahan stated that he would like to draft a proposal to go with Digital Towpath. He further suggested that the Town consider engaging someone to set up the template web site and then maintain it for a year to monitor any problems and provide updates. Holahan said that he needed to put together a full financial report but estimated that the total cost for the first year would be around \$6,000.

There was a discussion of budgetary implications for this proposal. Dietrich expressed some concerns and suggested that the new system be considered during the budget planning process schedule to take place over the next several months. He suggested that this project needed to be considered in relation to other projects and requests to the Town. Spending choices will need to be made, based on the goal to maintain a budget which stays under the 2% tax cap.

No decisions were made at this time.

Adjourn

The meeting was adjourned at 10:00pm.

Pamela Goddard, Town Clerk