

**Danby Town Board
Minutes of Public Hearing and Special Meeting
August 30, 2016**

Present:

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

Others Present:

Town Clerk Pamela Goddard
Bookkeeper Laura Shawley
Highway Dept. Carl Seamon, Jack Shawley
Public Ted Crane, Pat Woodworth, Charles Tilton, Al Becker, Robert Roe, Mark and Cheryl Andrews, Bill Sheffield, Charlotte and Raymond Mayo, Jim Seeley, Earl Ekdahl, Warren Cross, Todd and Belinda McGill, Van and John Shepardson, Sue Howe, James Sczepanski, Dan Disidoro, Jessica Withers, Susan Franklin, Rick Dobson, Sarah Elbert, Gould Colman, Jean Rowley, George Blanchard, and several others.

Public Hearing Opened at 7:02pm

Public Comments

Carl Seamon stated that he supports what ever is best for the town.

Rick Dobson spoke in strong opposition to making Highway Superintendent an appointed position.

Charlotte Mayo spoke against of changing Highway Superintendent an appointed position.

Raymond Mayo spoke against of changing Highway Superintendent an appointed position.

Sarah Elbert spoke against of changing Highway Superintendent an appointed position.

Ted Crane expressed concerns about the process and lack of information given to the public related to changing the Highway Superintendent position from elected to appointed. He suggested that the Board not go forward with the proposal at this time.

Gould Colman stated that he has been in support of having an appointed Highway Superintendent for 40 years. However, he expressed concerns and suggested this be postponed at this time.

Warren Cross expressed concerns given a lack of advanced preparation before this hearing. He asked whether there could be an "option C," including a bipartisan panel to make the selection.

Earl Ekdahl spoke against of changing Highway Superintendent an appointed position.

Mark Andrews spoke against of changing Highway Superintendent an appointed position.

Bill Sheffield spoke against of changing Highway Superintendent an appointed position.

George Blanchard spoke against of changing Highway Superintendent an appointed position. He stated that he believes there are Danby residents qualified for the position and that there needs to be an opportunity for these candidates to present their qualifications and skills.

John Shepardson spoke against of changing Highway Superintendent an appointed position.

Robert Roe spoke against of changing Highway Superintendent an appointed position.

Jean Rowley had questions about the process. She noted that residents would have the power of their vote if the question goes to referendum.

Sue Howe spoke against of changing Highway Superintendent an appointed position. She had several questions regarding the process if the Highway Superintendent was to be appointed: What plan is in place for the appointment? What would be the cost, working hours, and process for review? Howe noted that less than 10 percent of Highway Superintendents across the state are appointed.

Jim Sczepanski spoke against of changing Highway Superintendent an appointed position.

Jeff Ward spoke against of changing Highway Superintendent an appointed position. He is not a resident, but works in the Highway Department and stated that he wants to work with someone who has qualifications.

Belinda McGill spoke against of changing Highway Superintendent an appointed position.

Todd McGill spoke against of changing Highway Superintendent an appointed position. He had questions regarding how taxpayer money would be spent.

Susan Franklin spoke against of changing Highway Superintendent an appointed position.

Pat Woodworth spoke in favor of appointment, but expressed concerns regarding the appointment process. She suggested that the Local Law enabling this should have more specifics regarding the appointment process, including a good search committee with wide-ranging input. She suggested that this effort be postponed at this time.

Jessica Withers spoke against of changing Highway Superintendent an appointed position. She expressed concerns about the current lack of information regarding the selection process if appointed.

Dan Disidoro spoke against of changing Highway Superintendent an appointed position, with supporting job qualifications.

Garry Huddle spoke against of changing Highway Superintendent an appointed position, with supporting job qualifications.

Al Becker spoke against of changing Highway Superintendent an appointed position.

Eleven Emails were read into the record, all in favor of sending the question to ballot referendum. Correspondence was received from: Eric Miller, Sara Speiser, Mark Speiser, Asher and Carmen Hockett, Bob Strichartz, David Werier, Joel Gagnon, Dan Klein, Anne Klingensmith, Kelly Morris, and David Shalloway. (Additional correspondence was received, in the 24 hours following the public hearing, from Mary Woodson, Kathleen Mulligan, David Studwell, Alex Flecker, Camille Doucet, and Jeanne Lawless. These persons were also in favor of having the proposal go to ballot referendum.)

Public Hearing Closed at 8:35pm

Consider Adoption of Local Law

The Board discussed the proposal to put the question of appointed/elected Highway Superintendent to referendum vote. Dietrich stated that he thought this proposal needed more preparation and that a better job could have been done in outlining the qualifications and the selection process for an appointed Highway Superintendent. On this basis, he intended to vote against moving this forward at this time although he believed that the change was the right thing to do.

Holahan stated that his concern is to have the most qualified person placed in the job. He thought that a referendum would bring the vote to the broadest number of people in town. Holahan also recognized the need to do more preparatory work on this issue.

Connors expressed the concern to let everyone have the opportunity to vote whether to make the change. She asked the Board to consider what could be done to address the issues raised in the Hearing between this meeting and the November referendum vote.

Miller said that he would like to have the entire town vote on the question, to let the people decide and work on the process from there.

Brenner stated that she wished that criteria for an appointed Highway Superintendent had been set prior to this hearing. She believed in putting the question to a broader vote but was uncertain whether this was the right time to do so. In her view, whether she supports the change or not was not as important as letting the residents decide.

Dietrich repeated an apology that more details and information regarding the appointment process had not been prepared ahead of time. He expressed concern that if this went to referendum and passed, at what cost? He did not want more division in the town.

RESOLUTION NO. 77 OF 2016 - CONSIDER ADOPTION - PROPOSED LOCAL LAW NO. X OF 2016 CHANGING FROM AN ELECTED TOWN HIGHWAY SUPERINTENDENT TO AN APPOINTED TOWN HIGHWAY SUPERINTENDENT

Whereas, the Town Board of the Town of Danby is considering adoption of proposed Town of Danby Local Law Number X of 2016 Changing from an Elected Town Highway Superintendent to an Appointed Town Highway Superintendent; and

Whereas, the Town Board on August 30, 2016, that the Town Board of the Town of Danby, acting as Lead Agency in SEQRA environmental review of this action, finds that it is a Type II action under 6 NYCRR 617.5 (20) and (27) and needs no further environmental review; and

Whereas, the Town Board on, August 30 2016 has held Public Hearing on this proposed local laws, which Public Hearing was duly noticed in the Ithaca Journal;

Now, Therefore, it is

Resolved, that the Town Board of the Town of Danby hereby adopts Town of Danby Local Law Number X of 2016 Changing from an Elected Town Highway Superintendent to an Appointed Town Highway Superintendent, which Local Law is incorporated into this Resolution; and it is

Further Resolved, that the Town Board schedules a public referendum with respect to adoption of said local law for November 8, 2016.

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

In Favor: Brenner, Miller.

Opposed: Connors, Holahan, Dietrich.

Clerk Goddard clarified, for those present, that there will be no ballot referendum on this issue at this time. The Highway Superintendent position remains as it has been.

Executive Session

Board discussed entering Executive Session.

RESOLUTION NO. 78 OF 2016 - ENTER EXECUTIVE SESSION

Resolved, that the Town Board of the Town of Danby enter Executive Session to discuss the medical history of a particular person.

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

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

Executive Session Entered at 8:50pm

Executive Session Closed at 9:20pm

Adjournment

The meeting was adjourned at 9:20 pm.

Pamela Goddard, Town Clerk