

**Danby Town Board
Minutes of Public Hearing and Regular Meeting
November 14, 2016**

Present:

Councilpersons: Rebecca Brenner (Deputy Supervisor), Leslie Connors, Jim Holahan, Jack Miller

Excused:

Supervisor: Ric Dietrich

Others Present:

Town Clerk	Pamela Goddard
Code Officer	Paul Hansen
Bookkeeper	Laura Shawley
Highway	Superintendent, Carl Seamon, Deputy, Jack Shawley
Legislator	Dan Klein
Public	Ted Crane, Ronda Roaring, Pat Woodworth, Charles Tilton.

2017 Town of Danby Budget Public Hearing Opened at 7:03pm

Public Hearing Comments

Ted Crane made statements in opposition to spending through the Town of Danby municipal budget for Fire District projects. Crane maintained that, since the FD is a separate taxing agency, and since its 2017 budget includes \$50,000 in “contingency funds” for unspecified projects (roughly 15x the equivalent item in the Town budget), the use of Town time and materials to reduce FD costs for its planned and budgeted activities amounts to the taxpayers paying twice for the same thing.

Dan Klein asked for clarification regarding the tax rate in the proposed 2017 budget. Brenner responded that the proposed 2017 budget is approximately \$18,000 less than the amount permitted by the NY State tax cap. Bookkeeper Shawley added that there is a less than 1% increase in the tax rate, related to Town General and Highway Funds. When the Fire District budget is added in, the tax rate increase is 1.161%. Brenner noted that the Town of Danby has been able to stay under the Tax Cap without cutting any services.

Hansen response to Crane’s questions regarding spending for the Fire District. Hansen advocated for inter-agency assistance from the Town to the Fire District. Brenner noted that the Fire District budget has already been passed, and urged comments during this public hearing to focus on the Town of Danby 2017 budget.

Pat Woodworth asked for clarification that this public hearing is in regards the 2017 Town of Danby budget not including the Fire District Budget. Bookkeeper Shawley verified that the budget to be passed includes the Town of Danby General Fund, Highway Fund, and Water District Fund. The Fire District passed its budget earlier in October. The Town and County Tax bills will include the County, Town, and Fire District budget requests. Shawley further noted that the Town of Danby takes the Fire District budget increases, as well as impacts from school district taxes, into consideration when planning the rest of the municipal budget future.

Holahan and Brenner thanked bookkeeper Shawley for her work on this budget. Brenner noted that Supervisor Dietrich has been involved in the budget process during this time and has stated his support for this budget.

Public Hearing Closed at 7:20 pm

Regular Meeting Opened at 7:20 pm

Privilege of the Floor

Dan Klein provided information regarding Beautification Grants, which may be applied for in relation to the new sign at the Fire Hall, are funded through county tourism. The money is collected through the hotel "bed tax" and so is not directly taxpayer funded.

Ted Crane made additional comments regarding concerns about the size of the Fire District contingency fund, expressing concerns about the large "contingency fund" in their budget.

Hansen made a general statement in appreciation of the Fire District and Fire Department.

Ronda Roaring repeated her concerns regarding the inclusion of her personal contact information in court records, through the County Court system, that were subsequently posted on the Internet. Deputy Supervisor Brenner and Clerk Goddard informed Roaring that they would follow up on this question with the Town Attorney. Roaring asked for a more complete explanation regarding why her personal information was not removed.

Warrants

ABSTRACT #11 OF 2016:

GENERAL FUND

#426-479 for a total of \$25,791.75

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

In Favor: Connors, Holahan, Miller, Brenner

HIGHWAY FUND

#232-257 for a total \$87,988.82

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

In Favor: Connors, Holahan, Miller, Brenner

WEST DANBY WATER DISTRICT

#54-60 for a total of \$8,701.76

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

In Favor: Connors, Holahan, Miller, Brenner

Approve Town Board Minutes

MOTION - APPROVE MINUTES

Resolved, That the Town Board of the Town of Danby approves the minutes of October 10, 2016.

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

In Favor: Holahan, Miller, Brenner

Abstain: Connors

MOTION - APPROVE MINUTES

Resolved, That the Town Board of the Town of Danby approves the minutes of October 17, 2016.

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

In Favor: Connors, Holahan, Miller, Brenner

Budget Consideration

Board voted on 2017 Budget without further discussion.

RESOLUTION NO. 92 OF 2016 - APPROVE 2017 TOWN OF DANBY BUDGET

Resolved, That the Town Board of the Town of Danby approves the 2017 Town Budget as presented.

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

In Favor: Connors, Holahan, Miller, Brenner

Reschedule SEQR Local Law Public Hearing

The Public Hearing for this Local Law was rescheduled due to the potential of a need to cancel the November 21 Town Board meeting.

RESOLUTION NO. 93 OF 2016 - RESCHEDULE PUBLIC HEARING

Resolved, That the Town Board of the Town of Danby reschedules a Public Hearing (originally scheduled for November 21, 2016) for revisions to the Town of Danby SEQR Local Law, to take place on Monday December 12, 2016 at 7:00pm in the Danby Town Hall.

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

In Favor: Connors, Holahan, Miller, Brenner

Highway Shared Services

Brenner and Shawley explained the need for a resolution, to extend the current shared services agreement between the Town of Danby, other Tompkins County municipalities, and Tompkins County Highway Departments for another five years. This is primarily in relation to personnel liability coverage. This does not include bulk purchases or other materials.

RESOLUTION NO. 94 OF 2016 - TO APPROVE SIGNING OF SHARED SERVICE AGREEMENT WITH TOMPKINS COUNTY, EFFECTIVE DEC. 1, 2016 - NOV. 30, 2016

Whereas, there are situations when the Highway Departments in Tompkins County help out one another when there are large jobs which need to be done; and

Whereas, it is necessary for there to be an agreement that lays out the liability between each party when they are sharing services with one another;

Now Therefore, be it

Resolved, that the Town Board of the Town of Danby approves the Town Supervisor to renew the current shared services agreement for another five years period.

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

In Favor: Connors, Holahan, Miller, Brenner

Cancel November 21 Town Board Meeting

The Town Board agreed to cancel the November 21 meeting, as there are no pressing actions and it was uncertain as to whether a quorum of the Board would be present.

Code Planning Report

Code Officer Hansen reported on the project to decommission and cap the Aquifer Study test well in the Danby Community Park Association's Dotson Park property. This well was found to have elevated levels of arsenic. The nature of this contamination is that it can not be remedied. It will be easy to decommission and cap this well, and this will be done. Other test wells have been turned over to the landowners of the property where they were drilled. One of these wells is on the Highway Department property. This well is suitable for human use and will be retained by the Highway Department for its use.

Hansen reported on the final stages of the Hornbrook Road Solar Installation Power Purchase Agreement. The Town is still waiting for a decision from the Fire District as to whether they agree to

enter into a Memorandum of Understanding with the Town for electric billing related to the PPA. The FD review of the MOU is held up with their attorney. Hansen has received verbal assurance that there are no other impediments to signing the MOU. Renovus and its investors are in agreement regarding the final wording of the PPA. There are no substantial changes, and this should be ready for signing at the end of November. There was some discussion regarding the time-line for signing the PPA agreement. There is no particular time constraint related to the land lease permissive referendum or the Fire District MOU. However, both Renovus and the Town of Danby would like to have the agreement complete and signed before the end of 2016.

Hansen further reported that the projected buyout cost for the solar array is currently lower than had originally been estimated. The buyout cost is based on the projected fair market value.

Scoping Meeting - Town Board, Planning Board, Conservation Advisory Council

There was a brief reminder regarding the November 29 joint scoping/planning meeting between the Town Board, Planning Board, and Conservation Advisory Council. While this is a public meeting, it will be a working meeting between the boards and there will not be time for public comment. Minutes will be taken and posted.

Short Reports and Correspondence

The Justices' reports were distributed. Justice Huddle informed the Board that there may be a jury trial in January or February.

Clerk Goddard reported on income through the Town Clerk's office.

Legislator's Report

Dan Klein made a brief report on activities and actions from the Tompkins County Legislature and Tompkins County Council of Governments. Tompkins County will celebrate its Bicentennial in 2017 and an historic plaque will be installed in Danby. A task force researching options and alternatives for municipal Emergency volunteer services will meet at least twice a month for the next year.

Adjournment

The meeting was adjourned at 8pm.

Pamela Goddard, Town Clerk