

**Danby Town Board
Minutes of Regular Meeting
July 17, 2017**

Present:

Councilpersons: Ric Dietrich (Supervisor), Rebecca Brenner, Jim Holahan, Jack Miller

Excused:

Councilpersons: Leslie Connors

Others Present:

Town Clerk	Pamela Goddard
Code and Planning	CJ Randall
Highway Sup.	Carl Seamon
Bookkeeper	Laura Shawley
Legislator	Dan Klein
DCPA	Julie Clougherty
Public	Ted Crane, Ronda Roaring, Katharine Hunter, Scott Davis

Regular Meeting Opened at 7:02pm

Privilege of the Floor

Ted Crane reported on the cell tower in Newfield That impacts Danby’s viewshed along the entire ridge above West Danby, particularly from the area of the “Thatchers Pinnacles” in the Danby State Forest to Bruce Hill Road. Crane reported that the tower has been installed and, from most locations, is below the horizon. He has been told that its location moved—downhill—from the originally planned site.

Danby Community Park Association

Julie Clougherty, the DCPA’s president, addressed the Board regarding a draft contract between the Town and the DCPA. The purpose of this contract is to formalize a relationship between the Town and the Park, in order to provide funds for recreational opportunities in the Park. This contract will additionally create a relationship through which the Town may contribute funds towards the maintenance and improvement of the Community Park.

Clougherty noted that the Park is seeking support in the range of \$6,000 to cover mowing costs (including tractor rental) and to help pay down debt incurred through the cost of an audit required for NYS funds constructing a road into the park.

There was a discussion regarding potential sources of funds for maintenance related to park activities. Grant monies may be available through various tourism grants. The expansion of the existing “Disk Golf” course to a full 18 baskets and potential disk tournaments could be attractive to tourism supporters. The Community Park has heavy visitation in the summer, in part related to the disk golf course. There was a further suggestion that the park seek the donation of a tractor for mowing, removing the need to rent a tractor for the summer. The goal is to have the DCPA be self-sustaining.

Clougherty described new projects being undertaken by the Park, including a winter skating area and a natural playground. These projects are waiting on a wetland delineation by the NYS DEC. The Park annual meeting takes place on July 20, 2017 with a potluck picnic.

Councilperson Brenner noted that the draft contract has been fully reviewed by the Danby Town Attorney. Following some further questions and answers, the Board was in agreement to move and approve a contract with the Danby Community Park Association.

RESOLUTION NO. 55 OF 2017 - ENTER INTO CONTRACT WITH THE DANDY COMMUNITY PARK ASSOCIATION

Resolved, that the Town Board of the Town of Danby does hereby enter into a contract with the Danby Community Park Association authorizes the Town Supervisor to sign said contract.

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

In Favor: Brenner, Holahan, Miller, Dietrich

Highway Department - Resolution to Extend Vehicle Warranty

Seamon and Shawley made a case for the Town to enter into an extended warranty for its 2015 Gradall. The Highway Superintendent's estimates that the Town will save over \$11,000 by extending the warranty on this vehicle to five years.

Seamon and Shawley answered questions from the Board. Brenner asked what will be covered by the extended warranty. The warranty being proposed is a "Premier Warranty" covering "everything" including powertrain, hydraulics, electrical system, engine, etc. It would not include changing fluids, tires, and other standard maintenance. Shawley informed the Board that the cost of this would be paid out of the Fund Balance in the Highway Fund. Seamon stated that the "life expectancy" of this type of equipment is in the range of 20-30 years.

RESOLUTION NO. 56 OF 2017 – TO EXTEND THE WARRANTY ON THE 2015 GRADALL AT THE HIGHWAY DEPARTMENT

Whereas, the Gradall is a piece of equipment that is used almost daily in the summer time by the Highway Department and is also used in emergency situations in the town and for heavy snow removal; and

Whereas, the Gradall is one of the most expensive pieces of equipment in the fleet of machinery in the Highway Department and repairs, when needed, are extremely expensive; and

Whereas, the cost of this piece of equipment was approximately \$370,000 in 2015; and

Whereas, the warranties on this piece of equipment are expiring and the Highway Department needs to take proper steps to ensure that protective measures are taken to secure against potential high cost repairs; and

Whereas, the Town of Danby Highway Superintendent and Deputy Highway Superintendent have examined the cost and value of one year, two year, three year, four year, and five year warranties and have found that the Town of Danby can save approximately \$11,231 if they enter into an extended warranty plan for five years (as opposed to renewing each year);

Now Therefore, be it

Resolved, that the Town Board of the Town of Danby hereby gives permission to the Highway Department to enter into a Five Year Warranty Program for the Gradall in the amount of \$16,044. The amount will be paid out of the Fund Balance for the Highway Fund and will not affect the current 2017 budget. Rather, the Town Board will be increasing the 2017 budget for the Highway Fund, in its entirety, with this increase coming from the Fund Balance.

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

In Favor: Brenner, Holahan, Miller, Dietrich

Highway Department - Permission to Spend Funds

Shawley and Seamon reported on road improvement projects slated for 2017. It was noted that four of the roads to be repaired and/or improved are dirt roads in West Danby. Working on these roads at the same time, improving them with an oil and stone surface with the same materials, will save the Town money in time and materials. This should also improve safety and reduce future maintenance costs. This improvement does not change the classification of the roads. There was a brief discussion regarding other road maintenance matters.

MOTION- AGREEMENT TO SPEND TOWN HIGHWAY FUNDS, 2017

Pursuant to the provisions of Section 284 of the Highway Law, we agree moneys levied and collected for the repair and improvement of highways, and received from the state for repair and improvements of highways, shall be expended as follows:

General Repair:

1. A sum not to exceed \$70,000 shall be spent on Nelson Road from Troy Road to Ridgecrest Road. The road will go through a shim process which will level and smooth the surface of the road. The road will be finished with cold mix pave and one layer of oil and stone, also called chip seal. Funds for this project will come from the 2017 CHIPS Capital Projects Program.
2. A sum not to exceed \$45,000 shall be spent on Ridgecrest Road from the Ithaca town line to Nelson Road. The road will go through a shim process which will level and smooth the surface of the road. The road will be finished with cold mix pave and one layer of oil and stone, also called chip seal. Funds for this project will come from the 2017 Pave New York Program in the amount of \$39,862.72 and the remaining funds in the amount of \$5,137.28 will be paid from the budget line item DA5110,400, Road Repair Contractual.
3. A sum not to exceed \$6,500 shall be spent on Short Road from Rt. 34/96 to Brown Road. The road will be graded and rolled and then double surface treated with oil and stone. The funds needed for this project will be paid from the CHIPS Inclement Weather Program Funds.
4. A sum not to exceed \$6,500 shall be spent on Slater Road from Rt. 34/96 to the turn around area. Gravel will be added, it will be rolled and graded. The road will then be double surface treated with oil and stone. The funds needed for this project will be paid from the CHIPS Inclement Weather Program Funds.
5. A sum not to exceed \$4,500 will be spent on Colts Foot Road from Brown Road to the Dead End section. A small amount of gravel will be added and the road will be graded and rolled. The road will be double surface treated with oil and stone. The funds needed for this project will be paid from the CHIPS Inclement Weather Program Funds.
6. A sum not to exceed \$6,400 will be spent on Walding Road from Rt. 34/96 to the snow plow turn around section. Gravel will be added and the road will be oil and stone treated. The funds needed for this project will be paid from the CHIPS Inclement Weather Program Funds.

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

In Favor: Brenner, Holahan, Miller, Dietrich.

Legislator's Report

Klein reported on a Shared Services Mass Communication system for emergency alerts. Citizens will need to sign up for the service. The system is anticipated to work with a variety of modalities/ technologies such as Email, text, etc. Danby will be included in this system at no cost to the Town. Details as to how this will work still need to be determined.

Klein asked for feedback on issue of *Uber* and *Lyft* ride service options. At this time, the County must opt out if it wishes to research questions such as driver fingerprinting and other regulations. Otherwise, Tompkins County is automatically included in the NY statewide permit for ride service options. The County is not able to add local regulations to the service. There was discussion of various issues and concerns and whether the County Legislature should opt out for a specified amount of time in order to do more research on local impacts. Klein stated that he did not expect a resolution to opt out to pass the Legislature. Opinions of those in attendance were mixed and various concerns were expressed.

Klein asked for feedback regarding recent concerns relate to a "sign in" card currently being used in order for citizens to speak at Legislative meetings. This sign-in card requires the disclosure of personal information such as name, address, etc. Some are advocating for the possibility of anonymity when speaking to the Legislature. Dietrich supported the option for anonymity. Justice Huddle noted that the local court has changed its form, removing the requirement to state their address. Clerk Goddard stated that, in her understanding, the NYS Committee on Open Government has advised that there is no requirement that a person speaking at a government meeting report their address, nor that they must live in the municipality in question. She suggested that the Legislature consult with the COG. Ronda Roaring supported the option for anonymity when speaking at the Legislature, and yet agreed that it was valuable to know whether the person speaking is a resident or not. Rebecca Brenner stated that the "blue card" could be an equity issue for those who are not literate or may not be fluent in English. Ted Crane noted that, as there are cameras filming Legislative meetings including members of the audience, he saw no problem with people needing to state their names, as identifying data on attendance and speakers is already public information.

Animal Control Contract

Dietrich gave an update on the proposed contract to continue animal control services with Tompkins County Animal Control (aka Tompkins SPCA). There is no change in service costs in the new contract. The contract is for another three years. Copies of the proposed contract were distributed to the Board.

Dietrich asked for an indication of general support to move forward with contract approval and will include this in budget considerations. The Board was unanimous in showing support.

Shared Service - Street Lights

Dietrich provided information regarding an intermunicipal project for the bulk purchase of LED street lights. This project can be part of the NYS mandate for Shared Services cost saving measures. Dietrich wanted the Board to be aware that, while there would be a long term cost savings, purchasing new LED lights for Danby's 21 street lights will have an up front cost.

Other potential shared services are being discussed. No decisions have been made. Dietrich will provide additional information as it is available.

Paris Climate Agreement

Brenner presented a draft resolution, based on ones passed in other NYS municipalities, for discussion. Brenner urged the Board to consider and pass this resolution in support of the basic tenets of the Paris Climate Agreement. Brenner and Dietrich made the case that, while this is a symbolic resolution, it is important for the Town to indicate that, "We're still in." They noted the impacts of climate change as seen in recent flooding in Lansing, Moravia, Interlaken, and other Finger Lakes municipalities. Changing the ambient air temperature can result in cycles of drought and increased flooding from rainfall. They also advocated for local responsibility for such things as open green space to act as a "carbon sink." Danby can be proactive in protecting open space.

Roaring asked whether methane gas is included in this consideration. Brenner confirmed that methane gas is a greenhouse gas.

Holahan stated that Danby already supports these efforts by taking concrete actions, such as municipal solar installations and participating in initiatives such as Climate Smart Communities. Danby is really trying to make things happen. Dietrich agreed saying, "I'm really proud of us."

There was a brief discussion of other projects on the table for dropping Danby's "carbon footprint." These include improved heating systems and facilities at the Highway Barn. Planner Randall noted that the Town is one step away from certification as a Clean Energy Community, which may result in a large grant for energy efficient projects related to municipal buildings. The Clean Energy Community certification includes assistance with calculations for residential energy uses. There is also a no-cost energy awareness training for the Code Officer and further assistance with the Energy Code for two years.

RESOLUTION NO. 57 OF 2017 - A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF DANBY IN SUPPORT OF THE PARIS AGREEMENT

Whereas, consensus exists among the world's leading climate scientists that global warming caused by emissions of greenhouse gases from human activities is among the most significant problems facing the world today; and

Whereas, documented impacts of global warming include but are not limited to increased occurrences of extreme weather events (e.g. droughts and floods), adverse impacts on ecosystems, demographic patterns and economic value chains; and

Whereas, the State of New York has mandated statewide reduction of GHG emissions to 80% below 1990 levels by 2050; and

Whereas, responding to the climate change provides communities an opportunity to access first mover advantage in the range of products, services, and know-how that transitioning to a climate-compatible future brings; and

Whereas, the Paris Agreement resulted in a commitment from almost every nation to take action and enact programs to limit global temperature increase to less than 2 degrees Celsius, with an expectation that this goal would be reduced to 1.5 degrees in the future;

Now Therefore, be it

Resolved, that the Town of Danby Indicates its commitment to reducing GHG emissions through an implementation of a Climate Action Plan; and Joins other US cities in the Climate Mayors network in adopting and supporting the goals of the Paris Agreement; and Commits to exploring the potential benefits and costs of adopting policies and programs that promote the long-term goal of GHG emissions reduction while maximizing economic and social co-benefits of such action.

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

In Favor: Brenner, Holahan, Miller, Dietrich

Code/Planning Report

Randall reported on activity before the Planning Board. Three projects are under subdivision review at the next PB meeting, including a sketch plan review for a three lot subdivision at 704 East Miller Road. The property owner is considering putting some of that acreage into conservation easement.

Randall reported that the Climate Smart Community initiative is moving forward. The solar installation project is moving forward at the Highway Department property on Hornbrook Road. Holes have been dug for the array posts. The 178kW project will meet all of the electric needs for all municipal facilities in Danby.

PDZ Update

Randall gave an update on the status of review and recommendations for Danby Planned Development Zones. A memo, with maps and descriptions of Danby's PDZs was distributed to the Board. Randall expressed appreciation for Records Management Assistance Mary Ann Barr, for her archival work in compiling information about all of Danby's PDZs.

Recommended actions, including the rezoning of some Planned Development Zones, will be reviewed by the Town Attorney. Some are of more concern than others. Some PDZs will be left alone (e.g., White Hawk Village, Olde Town Village, Stork Industries) as they are fully built out and there is not any reason to change them. Attorney Krogh believes that addressing and rezoning PDZs can be handled through one local law. Dietrich asked the Board to review the material and to direct any questions to Randall.

There was a discussion of public information session. Agreement to hold this on Thursday evening, August 31. Planner Randall, and others, will be available from 6-9pm in order to provide information and answer questions. Tea and snacks will be provided. Property owners where PDZs are located will be informed and invited by personal letter. An informative article will be written for the Danby Area News.

Recreation Partnership Report

Brenner Reported that the Recreation Partnership anticipates a 2% budget increase for 2018. Due to reassessment in other Towns, Danby's portion of that budget will be substantially the same, with a potential reduction in cost of a few dollars. The Budget request for Danby will be the same as 2017. There was a brief discussion of how living wage and program activities contribute to raising costs at programs such as Recreation Partnership.

Brenner said that Danby has a high participation in Recreation Partnership activities, particularly in sports and expressive arts. Brenner and Dietrich noted the importance of socialization and the support of parent figures for Danby youth, particularly those in single parent homes. Brenner advocated for Recreation Partnership programs as a way to address inequity in the community. Dietrich urged exploration of ways that the Recreation Partnership and Danby Community Council might work together to serve Danby youth.

Brenner expressed her interest and willingness to continue serving as the Danby representative to the Recreation Partnership, even once her term on the Town Board ends.

Adjournment

The meeting was adjourned at 8:41 pm.

Pamela Goddard, Town Clerk