

**Danby Town Board
Minutes of Regular Meeting
December 17, 2018, 7pm, Danby Town Hall**

Present:

Councilpersons: Ric Dietrich (Supervisor), Leslie Connors, Jim Holahan, Jack Miller, Matt Ulinski

Others Present:

Town Clerk Pamela Goddard
Code Paul Hansen
Bookkeeper Laura Shawley
Public Ted Crane, Ronda Roaring, Pat Woodworth, Bruce Richards, Steven Woinoski, Dane Percy, Greg Nelson

Meeting Opened at 7:04 pm

Supervisor's Statement - Procedural Change, public comments

Dietrich and Holahan announced a procedural change for public interactions during Town Board meetings. The Board requests that no interjections be made by the public during discussions of the Board. The Board may choose to open the floor to comments or questions after a given discussion topic has had full Board attention. This change is to allow the process of full Board discussion to be more orderly during meetings. Ulinski supported this procedure, and asked that comments be limited in the same way as they are during privilege of the floor.

Privilege of the Floor

Ronda Roaring expressed concern about transparency related to the proposal of limiting public interactions, and that the Board would take actions before listening to what people have to say. Roaring asserted that there are many people in town, Republican and Democrat, who feel there is a lack of transparency in the town. Members of the Board objected to her characterization.

Ted Crane spoke in support of the procedural change, finding this very reasonable. Crane informed the Board that resident Sally Gagnon passed away on Sunday evening, December 14.

Crane made comments on Code of Ethics. He suggested that the NYS model Code of Ethics is a model of clarity, and a good template for Danby's revised CoE. Crane further suggested adding a paragraph based on the Danby Fire Company Code of Ethics. This paragraph (Section 4 - Appearance of Impropriety) states, "No officer, member, or employee of the Fire Company shall create an appearance of impropriety, by giving the impression that they will exercise or perform their official duties on the basis of family, private business, or social relationships, or any consideration other than for the welfare and best interests of the Fire Company."

White Hawk Planned Development Zone (PDZ 19) Amendment, Set Public Hearing

Planner Randall reviewed the requested action taken by this proposed local law. Review of the draft LL is being made by the Danby Planning Board and County Planning Office. She stated that there was no hinderance to setting a public hearing for this action at this time.

RESOLUTION NO. 71 OF 2018 - SET PUBLIC HEARING - LL #1 OF 2019

Resolved, that the Town Board of the Town of Danby sets a Public Hearing for Monday January 14, 2019, to hear all comments on consideration of adoption of Local Law #1 of 2019, A Local Law Amending the Zoning Ordinance of the Town of Danby Amending Local Law No. 3 of 2007, Planned Development Zone 19, for "White Hawk Ecovillage. This Public Hearing will take place at 7:00pm in the Danby Town Hall.

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

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

Set January 2019 Town Board Meetings

Clerk Goddard reviewed the suggestion a return, after several years, to Town Board meetings on the first and second Monday evenings of each month rather than the second and third. This schedule of meetings is better for financial actions. No other meetings conflict with these dates. Supervisor Dietrich supported this change, as better for his meetings with County representatives. Bookkeeper Shawley also supported this change. The year's-meetings will start with Organizational Resolutions to set the meetings for the entire year.

RESOLUTION NO. 72 OF 2018 - SET TOWN BOARD MEETINGS

Resolved, that the Town Board of the Town of Danby sets its January Organizational Meeting for January 7 and its second meeting for January 14, 2019, each meeting to start at 7:00pm.

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

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

Additional Supervisor's Statement - Commending Staff

Supervisor Dietrich praised staff efforts as above standard efforts. Paul Hansen worked on pouring concrete for the Community Park bus shelter during cold weather in December. Bookkeeper Shawley successfully guided the Town through a full financial audit. Shawley credited the efforts of the Town Clerk's office. Clerk Goddard credited previous deputy Clerk, Susan McLellan, who had organized the 2017 financial records of the Clerk's office in a very clear and complete manner. Documents manager, Mary Ann Barr had filed the previous audits in one box, simplifying the auditor's review.

Planning Office Report

Planner CJ Randall reported on various topics. The Town has received preliminary notice that it has been awarded a Community Block Development Grant.

The Natural Resources Inventory open house was very successful. Final edits, including significant text edits based on additional information, need to be made. The final document should be presented to the Town Board in the first quarter of 2019. Randall credited the team of people who have worked on this document. This NRI will add "points" to the Climate Smart Communities initiative. Once complete, the town will be more competitive for future funding projects.

The NYSERDA/Clean Energies Communities contract has been executed. The scope of work can begin on the combined projects at the Highway barns.

A meeting on the Brown Road project was scheduled for December 18. This meeting will include representatives from Tompkins Soil and Water, the engineering firms, the Danby and Newfield Highway departments, the NYS DEC, and the US Fish and Wildlife Service. Randall characterized the mitigation design as a “gradual, thoughtful” process. This work will dovetail with the Bruce Hill culvert project, through the Bridge NY grant. The Town of Danby is the lead agency on this project.

The timber harvest work group met on December 6. The group is looking at several actions are being considered: removing farm woodlands and agricultural uses from the road use law, setting a specific threshold of land disturbance for a SWIP under the Town’s Storm Water law, notifications of timber harvest to the Town Clerk, Code Enforcement Officer and others. The group is suggesting that the document be reviewed by the Society of American Foresters, as an outside agency.

The proposed ordinances and procedures will be reviewed by the Town Attorney. The documents will also be reviewed by the CAC and Planning Board. Randall estimated that the documents will be available for Town Board review in February or March. This will be a package of land use, road use, and storm water law amendments. There was a discussion of prioritizing different elements of this package.

There was a discussion regarding when to hold a meeting of the Joint Boards in Danby. It was suggested that this meeting be held in February, once new Board members have been appointed. Randall will poll the Boards on a best date. This discussion included ways to manage the work load, related to grants and other projects. The Town might seek grant funding for a consulting firm to draft an updated Comprehensive Plan for Danby.

Ted Crane asked whether changes suggested by the Planning Board, to the White Hawk PDZ LL, will be included in the final draft? Randall indicated that they are being included.

Financial Report

Laura Shawley made a report on the full audit of 2017 financial records and procedures undertaken in December. Three auditors spent four days going over financial materials from all Town offices and departments. The auditors were pleased with the state of the books, with no recommendations for any changes in Danby’s financial records systems.

There were suggestions for additional formal policies, such as a payroll policy and investment policy. A full report, with recommended sample policies, will be submitted to the Town.

Ulinski asked how often a full audit should be conducted? Shawley replied that there is not set rule. An end of year check-list review and annual financial reports are generally sufficient. Shawley suggested an outside review, rather than a full audit, be contracted every two or three years. Ulinski went on record to congratulate Shawley in managing the audit so well. Shawley thanked all those who helped gather records and provide information to the auditors, particularly the Town Clerk and Court Clerk.

Code of Ethics

There was continued discussion regarding the most recent draft revisions (draft #4) to the Danby Code of Ethics. Ulinski and Connors are seeking comments from the Board and members of the public. Ulinski asked that comments be submitted by the end of the 2018 calendar year. Various comments and suggested edits were provided by Connors during the meeting.

Ulinski outlined the next steps to be made in revising this draft CoE policy, in preparation for approval of the Board. A next draft will be compiled in January, and sent to the Town Attorney for review. Following his review, and any potential revisions, Ulinski estimated that the Code of Ethics would be ready for final review and action in February 2019. It was noted that the NYS Code of Ethics in municipal law supersedes any local municipal policy.

There was some discussion of an Ethics review board and the system of appeals. The Town Attorney has suggested that the Town of Danby name the Tompkins County Ethics Board as the board which would review conflicts and appeals to this policy. This is preferable to a local Ethics Board, as it is an independent agency. It was suggested that this be stated explicitly in the CoE.

Clerk Goddard asked for clarification that the revision currently being drafted will be included in the Town of Danby Employee Manual. This is the case with the current Code of Ethics. The Board confirmed this. To this end, this will be reviewed by the CSEA Union management to make sure there are no conflicts in this area.

Correspondence

Clerk Goddard shared communication, of a \$30,000 award of a Community Block Development Grant. More details will be coming by the end of the year.

Adjournment

The meeting adjourned at 8:35 pm.

Pamela Goddard, Town Clerk