

**Danby Town Board  
Minutes of Regular Meeting  
April 8, 2019, 7pm, Danby Town Hall**

**Present:**

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

**Not Present:**

Councilperson: Jack Miller

**Others Present:**

Town Clerk	Pamela Goddard
Legislator	Dan Klein
Bookkeeper	Laura Shawley
Justice	Garry Huddle
Public	Ted Crane, Ronda Roaring, Katharine Hunter, Pat Woodworth.

**Meeting Opened at 7:02 pm**

**Privilege of the Floor**

Ted Crane announced upcoming events sponsored by the Danby Community Council, including a presentation on Medical Advance Directives, taking place on Saturday April 13. Crane also stated that he found the presentation, at the previous TB meeting, on potential development of 1839-1849 Danby Road interesting. He suggested that more details be given before the TB takes a position on the proposal.

**Conservation Advisory Council Report**

Matt Ulinski reported that the Conservation Advisory Council will present the final draft Natural Resources Inventory of Danby at it next meeting, April 9. All were invited to attend. There was a discussion regarding processes after this presentation. The CAC and Planning Board will review and recommend this document for adoption by the Town Board.

The completion and adoption of a Natural Resources Inventory (NRI) is a step toward possible move from a Conservation Advisory Council to a municipal Conservation Board with increased oversight in planning and development matters. Supervisor Dietrich noted that this would be a valuable advancement. Dietrich asked whether a timeline and goals should be set for this transition? Ulinski asked that the CAC be given time to do a final review of the NRI. The Advisory Council wants more information on what it means to be a Conservation Board. Presentation to the TB could take place in the next few months.

**Legislator's Report**

Dan Klein reported that Danby Community Day (aka "Danby Fun Day") was awarded a Tourism grant award in the amount of \$1,525. These funds go to the Danby Fire Department, which manages the event. There was no other news at this time.

**Energy Audit Project Report**

Ulinski reported on review of proposals which had come in for the Highway Department Level II energy audit. Snug Planet had originally expressed interest, but later withdrew that interest in the project. CJ Brown Energy from Buffalo had decided that it was too far to travel to Danby for this project. Absolute Specialized LLC was interested, the required equipment is broken at this time.

Halco and Taitem presented similar proposals. The Taitem proposal was for \$3,500, targeted to the energy efficiency upgrades being considered for the Highway building. The Halco was for \$4,500, and covered a more comprehensive plan. Ulinski noted that the Halco bid was a higher dollar amount but more comprehensive. Taitem would be able to start sooner, and participates in a cost share program which would make the more comprehensive audit possible for a small increase. Halco is not part of the cost share program. Ulinski instructed bookkeeper Shawley to move on having a contract signed between Taitem Engineering and Supervisor Dietrich. This will start with the targeted energy audit study. The Town will apply for the cost share program, to complete the more compressive study. This is underway. There is awareness that there is some urgency in getting this energy audit started.

### **Timber Harvest Regulations Update**

Ulinski gave a brief update on the status of various proposed regulations related to timber harvest in the Town of Danby. Some progress has slowed, due to the transition to a new Planner. A Timber Harvest ordinance template has been drafted, with a goal of finding a “sweet spot” in a permit process which is not overly regulatory. This will need to be reviewed by the Town Attorney and other key agencies.

Dietrich reported that an update to the Road Use Law is in the works. The insurance company is giving input, regarding potential claims. The process will give the Highway Superintendent clear authority to close roads due to negative impacts from heavy truck traffic.

### **Housing Grant Project**

Holahan reported on the progress of a Housing Renewal grant from the Community Development Block Grant (CDBG) program. Expected outcomes include: housing conditions data and report to update a report from 1998, increased awareness for the potential for aide among Danby residents particularly low income residents, housing rehabilitation services to approx. 15 low income households in the next eight years. The information gathered through this project can be used as a base for future grant proposals.

All of the forms required for the grant have been signed and submitted. The Town is waiting for the signed agreement to be returned. It is expected that it will be received soon. Holahan believed that the next step is to set a public hearing for this project.

There was some discussion as to when to schedule the public hearing. Clerk Goddard noted that there needs to be specific language for CDBG projects and that there are likely to be other publication requirements in the grant agreement. Given publication deadlines, there would not be enough time to set a public hearing for May 13 if the Board waited until the first TB meeting on May 6. If not set at this meeting, the public hearing would have to wait until June.

A request for proposals (RFP) is being drafted and will be submitted to a list consultants, one of which will be chosen to direct the project. The consultant list was compiled by CJ Randall prior to her departure as Danby Planner. John Czemanske has experience with such CDBG projects, and will be able to assist with the RFP process. This project is similar to one which was completed in the Town of Dryden.

Holahan noted that grant award is for approx. \$30,000 and that there is a cost share, for the Town, of 5 percent of the project funding. This can not be an “in kind” match, but must be a financial match. There was a discussion of various other programs that can be helpful for housing improvement and homeowner assistance for low income households.

### **RESOLUTION NO. 40 OF 2019 - SET PUBLIC HEARING, COMMUNITY BLOCK DEVELOPMENT GRANT HOUSING SURVEY**

**Resolved**, that the Town Board of the Town of Danby sets a public hearing related to the Community Development Block Grant Housing Survey, for Monday, May 13 at 7:00pm.

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

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

## **Increased Town Board Involvement in Various Municipal Projects and Activities**

Supervisor Dietrich opened a conversation regarding increased TB involvement in various activities in the Town. Specific examples were the Recreation Partnership, the Danby Community Council, and the Jennings Pond program.

Matt Ulinski reported that he has been in contact with Rebecca Brenner, who had been the Recreation Partnership representative. Ulinski will be attending Recreation Partnership meetings until a person (ideally with school age children) can be found to take over as the formal representative from Danby. He will also attend a future meeting of the Community Council, in order to talk about the Recreation Partnership and other youth programs. It was noted that Ulinski's daughter is the current Danby Youth Program manager and there could be a conflict of interest in his involvement in these programs.

Leslie Connors volunteered to be involved with the Jennings Pond program. Dietrich outlined some of the areas of concern at Jennings Pond, including Civil Service and Health Department compliance. The restrooms need a major renovation. This may be a State Park responsibility. The dam also needs inspection and repair.

There was a general discussion of other activities for Town Board involvement, including planning and financial oversight.

## **Town Clerk and Town Justice Reports**

Justices' reports for March were distributed to Board. Garry Huddle informed the Board that a trial is scheduled related to a dangerous dog in Danby. He continues to pick up arraignments for other Towns.

Clerk Goddard presented the March Town Clerk report. A total of \$913.50 was collected for two certified marriage license transcripts, one impoundment fee, 47 dog licenses, one building permit, and 44 copies. \$848.50 was distributed to the Town Supervisor and \$65 to the NYS animal population control program. Tax collection was complete, for the Town of Danby, on April 1.

## **Discussion of Vent Presentation on Potential Development in Central Danby**

Supervisor Dietrich opened a conversation with reflections that there has been interest in cluster development in the area of Central Danby for a long time. He wondered how this fits with the Town's planning and preservation agenda? He noted that any proposal needs political will in order to actualize desired change. Dietrich asked whether this was the right proposal and the TB whether they wanted to advocate for this or not? He thought that it was worth a well considered discussion.

There was discussion regarding the need for more research and information needed. Holahan thought that it was a good presentation. He stated that he had a lot of questions, but that it was too early to ask as this is a preliminary proposal. This is a good concept, but would need infrastructure. He would need more details before taking action.

Ulinski stated that he likes the idea of this type of development. Without tying advocacy to a particular plan or person, having the Town generally supportive of this type of development would be a good start. His understanding is that the burden would be on the developer to put the effort into such studies as shared wastewater treatment plan, etc. Ulinski's view was that it's important to show that the TB will not stand in the way of a good idea. At the same time, there is the need for a business plan to be attached to this proposal. This plan could work as a center of activity in the Town.

Connors agreed that the burden is on the developer to come up with specifics, prior to consideration of rezoning this as a Planned Development Zone. She has heard community members desire for "a place to go to, a place to walk to." She believes that there is support for cluster development and such development at this location. Connors' view is that it is worthwhile to see what they come up with.

Ulinski asked how this would match County Planning's desire for housing needs along the bus route? Holahan agreed that it would be useful to explore County support for such a proposal. These questions can be asked at upcoming meetings with County Planning.

Dietrich asked whether the Town should be taking more of a leadership role in bringing these types of development to Danby? Is there enough incentive to focus on housing for the next few years? Ulinski said that reviewing zoning should be a priority, including looking at where Danby wants this sort of development. Resident Crane supported the prospect of having a business plan or feasibility study related to this sort of development.

There was a discussion as to whether tax abatement could be used to support this sort of development effort. Crane asked, if there is tax abatement for commercial property could the Town also look into tax abatement for open space? Supervisor Dietrich expressed a fear that tax abatement for large parcels of open space would have a "devastating effect" on the Town budget. He would need to see a model for spreading finances this way. Ulinski noted that the CAC has talked about ways to protect large tracts of open land. They are interested in exploring tax abatement or other measures. Legislator Klein stated his understanding that tax abatement is not possible for homes or open space. A tax credit for such properties might be possible. He offered to research this question and bring information to the Town Board.

There was a final discussion on, "next steps," and, "what to tell Olivia?" This is a concept and not a final plan. The consensus of the Board was that this development concept would be considered, depending on the details of the plan. There was a brief discussion of the Town's role and how this might fit with the Comprehensive Plan, with recognition that it would be Vent's responsibility to find a developer and come up with a detailed plan. This is seen as a long process, and may be considered in segments. The Board agreed to let Vent know that it had a long discussion of her presentation. The Town is considering the concept, and would consider rezoning the properties as a Planned Development Zone. Any potential PDZ is as yet undefined.

## **Adjournment**

The meeting adjourned at 8:45 pm.

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Pamela Goddard, Town Clerk