

**Danby Town Board
Minutes of Budget Hearing and Regular Meeting
November 4, 2019, 7pm, Danby Town Hall**

Present:

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

Others Present:

Town Clerk Pamela Goddard
Justice Garry Huddle
Bookkeeper Laura Shawley
Planner Jason Haremza
Public Ted Crane, Ronda Roaring, Pat Woodworth, Joel Gagnon, Sarah Schnabel, Michael Aman, Carrie Lamontagne, Margaret Corbit, Wes Blauvelt, Alexandra Pfeifer, Richard Lazarus, Shawn Waterman, Betsy Wilkinson, Nancy Lazarus, Susan Franklin

Open 2020 Budget Public Hearing at 7:05

Open Public Hearing: To hear all comments of interested persons related to considering adoption of Town of Danby 2020 Budget. Pursuant to Section 107 of Town Law, the proposed maximum salaries for the following town officers are specified as follows: Supervisor - \$28,985.34, Councilpersons (4) - \$11,740.64 (\$2,935.16 each), Town Clerk - \$39,772.86, Town Justices (2) - \$32,085.12 (\$16,042.56 each), Highway Superintendent - \$62,677.98.

Ted Crane spoke in encouragement of a long term goal toward “zero increase” in the budget. He noted that the NY Tax Cap was intended to limit growth in municipal budgets, not serve as a target for growth

Joel Gagnon spoke in favor of staying under the Tax Cap, and also limiting spending. He stated that he was unhappy that the current budget relies on fund balance to make up a difference between spending and revenues. He would like to revisit this concern in 2020 for the 2021 budget. Dietrich responded that there are benefits to residents when the Town stays under the Tax Cap.

Ronda Roaring contended that, under NYS Law, the positions of Deputy Clerk and Deputy Highway Superintendent are “illegal” and should be removed from this budget. She stated that her position was irrespective of who ever is holding the positions of Clerk and Highway Superintendent. Dietrich responded that a differing legal opinion was distributed to the Town Board. The use and payment of these deputies is legal and above board. All of these employees are Civil Service positions.

Close Local Law Public Hearing at 7:12

Meeting Opened at 7:12 pm

Privilege of the Floor

Shawn Waterman read a prepared statement on behalf of a group of residents on Howland Road. This quiet neighborhood of nine households, on an unpaved road, has been impacted by construction, heavy traffic, and drying operations related to hemp production.

Heavy truck traffic has made it unsafe for pedestrian use including dog-walking, jogging, bike riding and the play of children.

Noise from industrial activity (dryers roaring, banging and clanking, machinery noise from forklifts dozers and trucks, loud voices of workers) has been intrusive 24 hours a day. Machinery noise and the elevated voices of workers regularly happens until 11pm, and sometimes until 1 or 2 in the morning.

Neighbors to this activity are concerned that hemp processing will not be limited to a six week harvest time. There are concerns about quality of life and the devaluing of their property.

Margaret Corbit provided information from NYS Ag & Markets and Cornell University, which is conducting a two year research project in hemp agriculture. At this time, no one is looking into the impacts, including health and social impacts, on neighbors of these operations.

A long list of questions was prepared and distributed, for review and research before the next TB meeting. In addition, there were questions voiced during the meeting regarding permits and licensing of such operations. Are appropriate permits in place for this operation and what agency issued such permits? Questions regarding potential ways of addressing traffic volume and speed. Questions of whether a building permit was issued for the existing structures, and whether such a permit is needed for agricultural operations. Questions of whether the landowner is the same as those who are operating the hemp processing facility. Questions as to whether there are any ordinances which can be used to mitigate the noise.

Supervisor Dietrich and new Planner Haremza responded to these questions, advising that many of these questions were open and unanswered at this time. The Planner and Supervisor will actively gather as much information as possible between this meeting and the following TB meeting the next week.

Ted Crane informed the TB and residents of a Danby Community Council program related to flu preparation and prevention, to take place on Wednesday, November 6 at 7pm.

Joel Gagnon spoke to the question of a noise ordinance for the Town of Danby. NYS Law “right to quiet” and current laws related to disturbing the peace.

Warrants

ABSTRACT #17 OF 2019:

GENERAL FUND

#473-489 for a total of \$21,056.36

**Moved by Ulinski, Second by Miller. The motion passed.
In Favor: Connors, Holahan, Miller, Ulinski, Dietrich**

HIGHWAY FUND

#309-326 for a total \$166,086.24

**Moved by Ulinski, Second by Connors. The motion passed.
In Favor: Connors, Holahan, Miller, Ulinski, Dietrich**

WEST DANBY WATER DISTRICT FUND

#31-36 for a total \$1,458.99

**Moved by Connors, Second by Holahan. The motion passed.
In Favor: Connors, Holahan, Miller, Ulinski, Dietrich**

Approve Minutes

MOTION - APPROVE MINUTES

Moved, That the Town Board of the Town of Danby approves the minutes of October 7, 2019.

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

In Favor: Holahan, Miller, Ulinski, Dietrich

Abstain: Connors

MOTION - APPROVE MINUTES

Moved, That the Town Board of the Town of Danby approves the minutes of October 14, 2019.

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

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

Budget Approval

No changes were made to the Preliminary 2020 Town of Danby budget.

RESOLUTION NO. 67 OF 2019 - APPROVAL/ADOPTION, 2020 BUDGET

Resolved, That the Town Board of the Town of Danby approves and adopts the 2020 Town of Danby Budget, as presented by the Bookkeeper and Supervisor.

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

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

New Roof and repairs to Danby Town Hall

Work began on the roof repair earlier in the day, prior to the meeting. Work is expected to be completed in a few weeks, dependent on weather.

Laura Shawley reported on the process for awarding the contract to repair the roof. Several quotes were received. The work was awarded to a reputable company, with a bid just under \$30,000. They are willing to cover and protect interior areas as needed. The old roof will be removed, down to the plywood, and all rot will be repaired. This includes the spire tower and related flashing. This should prevent further water damage in the future.

There was a brief discussion of the possible need to cover all of the library shelves and meeting room furniture. This can be done. Gagnon asked whether gutters will be addressed at the same time as the new roof? Dietrich responded that added gutters require ongoing maintenance. Exterior maintenance needs to be addressed. Drainage is currently addressed through stones and gravel around foundation of the building. There is currently no rot in the building foundation.

Planning and Code Enforcement Report

Dietrich introduced Jason Haremza, the new Danby Planner. Haremza, on his second day on the job, made a short report.

Applications are coming in for a new Code Enforcement Officer. There have been at least four applicants, in addition to three previous applicants from the most recent Code Officer opening (in the past year). In the meantime, Brooke Greenhouse, the Code Officer in the Town of Caroline, is covering calls for Danby.

Haremza commented that he had visited the Howland Road hemp processing site on this day, and saw the operation at work. He acknowledged that this is an important issue and hopes to have more answers, at the next TB meeting, in response to questions from neighbors.

South Hill Recreation Way Update

Dietrich made a brief report on the status of an agreement with NYSEG, related to the Towns (Dryden, Town of Ithaca, Caroline, and Danby) along the South Hill Recreation Way right-of-way. Each Town will make its own agreement with NYSEG (which owns the property). The understanding of the Supervisor and Planner was that, the property ownership will be retained by NYSEG and the Towns will acquire easement rights over it for the purpose of the Recreation Way trail. Town Attorney Krogh wrote the agreement language, which is being used by the Towns. For this reason, Dietrich could not see any need for further attorney review of the agreement contract.

The TB will need to hold a Public Hearing regarding the proposed land agreement between the Town of Danby and NYSEG. Planner Haremza will be assisting with clarifying the purpose and timing of this hearing. This Public Hearing will be held in December, at the earliest. It is possible that the hearing will be delayed until January 2020. There is no time pressure for this action.

Connors asked about neighbor notification. There was agreement that this would be the best practice, in this case. A neighbor notification list will be generated, and letters sent, prior to holding the Hearing.

In a related matter, Connors asked about posting “Warning” signs on sections of the Finger Lakes Trail, in relation to recent incidents of assault and rape on the that trail. It was recommended that this request be directed to the Finger Lakes Trail oversight group.

Town Clerk Report

Goddard made a financial report of activity through the Clerk’s office. A total of \$2,092.10 was collected in October. This reflects seven days of hunting/fishing license sales, one marriage license, two certified copies of marriage licenses, one impoundment fee, one BZA appeal, seven building permits, and 38 dog licenses. \$1,632.26 was disbursed to the Town Supervisor account. The rest was distributed to the NYS DEC, animal population control program, and health department.

Adjournment

The meeting adjourned at 8:34 pm

Pamela Goddard, Town Clerk