Danby Town Board
Minutes of Regular Meeting
March 2, 2020, 7pm, Danby Town Hall

Present:

Councilpersons:	Leslie Connors, Joel Gagnon (Supervisor), Jim Holahan, Sarah Schnabel, Matt Ulinski

Others Present:

Town Clerk	Alexandra Pfeifer
Justice	Garry Huddle
Bookkeeper	Laura Shawley
Planner	Jason Haremza
Code Officer	Steve Cortright
Public	Pat Woodworth, Ted Crane, Susan Franklin, Ronda Roaring, Richard Lazarus, Katharine Hunter, David McDermitt

Meeting Opened at 7:05 pm

Privilege of the Floor

Ronda Roaring pointed out that 15 people came through the front door, and because of that number, would like to see disinfectant packets inside the front door so that people can wipe their hands. She also pointed out that six people have died in the country so far of the Coronavirus. She reminded people that if they are sick, please stay home. She urged Joel and the rest of the Board to rethink the way of doing things.

Susan Franklin mentioned that a ditch was overflowing across the road from Gunderman Rd. Over time the fix had sunk. She mentioned that this morning the highway department was there and she didn't even have to call them. She commended the Highway Department for their fast action to repair the ditch.

Rick Lazarus thanked Gagnon for mentioning Howland Rd. in his Supervisor's Letter in the Danby Area News. He mentioned that Gagnon likened the hemp drying process to the milking of 1000 cows and pressing apples for cider. Lazarus mentioned that the processing of hemp oil is similar to pressing apples for cider, as well as crushing grapes for wine.

Ted Crane presented a handout to the TB (that he made), and that the data is taken from the Department of Assessment regarding the age of housing in Danby. He pointed out that there was more development in each of the 30 year periods than in the previous 150 years. He pointed out that the older houses are in the small hamlets and that the newer houses were built up north. He noted that this wasn't a statement, but that the information should be available to the town.

Crane also asked that a correction be made in the February 3rd minutes regarding a handout that he presented the board. He presented numbers and called them into question. They were numbers of the office of real property services (OPRS) (Note: the minutes of February 3rd have since been corrected.)

Crane mentioned that he was pleased to see the materials on the website re: this meeting. He mentioned that he liked the proposed meeting rules and procedures document, and commented on how it was excessively formal. He added that he would like to volunteer to review the document because he noticed logical inconsistencies in it.. He also objected to two of the findings in the proposed local law language that he stated are contrary to actual fact. He objected to the point that there were no other qualified candidates in the town for the CAC. Schnabel remarked that she should add "voluntary" to the document's language. Crane also noted that the expansion of the CAC from 7 members to 7-9 members was a self-created hardship, and that it was a sore point that there are those that were told that they would never be appointed to a board, regardless of qualifications.

Crane also offered to help with the sound system, noting that in the past he was a professional sound engineer. Lastly, he mentioned that the DCC (in conjunction with Alternatives Federal Credit Union (AFCU)) were offering free tax prep in the town hall on March 14. He noted to call 211 to make an appointment, and if the appointments were full, the tax prep could be done at another location.

Approve Minutes

MOTION - APPROVE MINUTES

Moved, That the Town Board of the Town of Danby approves the minutes of January 6 and January 13, 2020.

Moved by Ulinski, Second by Connors. The motion passed.
In Favor: Connors, Schnabel, Ulinski, Gagnon

Abstain: Holahan

Moved, That the Town Board of the Town of Danby approves the minutes of February 3 and February 10, 2020.

Moved by Connors, Second by Ulinski. The motion passed.
In Favor: Connors, Ulinski, Gagnon

Abstain: Holahan, Schnabel

Justices' Report

Written copies of the Court financial reports were given to the Town Clerk. Justice Huddle reported that the court had a good month and collected roughly $6k in fines and surcharges. Huddle noted that people are paying their bills, and Gagnon added that the Town is profiting from peoples' misbehavior. Ulinski asked Huddle if Teledair was the company who installed the video cameras, because Ulinksi would like to reach out to them to do an assessment for the clerk's office as well as some integration.

Planner Report

After distributing his monthly report to the TB, Planner Haremza went through his activities of the month. He explained that there was an error in the initial Ithaca Journal notice that included three Public Hearing cases, so the Planning Board was unable to take a vote. The vote is being held open until the March 3rd meeting.

During the Feb 18th PB meeting, he conducted preliminary reviews for minor and standard subdivisions. He noted that the Feb. 25th BZA meeting was canceled and that though he was unable to attend the Feb. 11th CAC meeting, four large maps were provided to the meeting by request.

Gagnon, Richard, Haremza continue to monitor the Howland Hemp situation, and mentioned that the operators were not forthcoming with information re: map of the property and hemp dryer manufacturing information.

Haremza also noted that he and Cortright completed a 49 year look back of housing permit data. Ronda Roaring asked for clarification on what a minor subdivision was. Haremza replied that it is one parcel every three years or one parcel of eight acres and dividing them into smaller parcels.

Code Report

Cortright gave his report to the Town Clerk, who distributed it to the TB. His report included five renovations/other which totaled $318,690.00 in value and $548.75 in fees. He also reported one Certificate of Compliance, one Certificate of Fire Safety Compliance, and one Operating Permit. Other activities included seven construction inspections, four Fire Safety Inspections and responding to two fire calls. Remaining activity included assisting the Town Planner with dwelling construction unit information, in-service training, and researching signage for abandoned buildings.

Changing Meetings from 1st to 3rd Mondays of every month

TB members held a discussion regarding changing the meeting times from the 1st and 2nd Mondays to the 1st and 3rd Mondays of the month. Holahan advocated for not having the meeting on the 1st Monday. Ulinski noted that when the meetings were bundled up, that there wasn't much space to get the work done from the first meeting. He also noted that the two meetings a month were very full and that there may be a better way to manage the workload, because such full meetings were not always productive. Connors added that with more space between meetings it gave members a chance to get away and more can get done. The initial thought was to have the 2nd meeting on Thursdays; Connors then suggested the possibility of Wednesdays. Ultimately, the board decided to have the meetings set to the 2nd Monday and the 2nd Wednesday following the 2nd Monday of each month. Ulinski added that this change should not go into effect right away, in order for the public to get used to the change. He suggested that the meeting change begin in May, 2020.

Motion

Motion, to move the Town Board meetings from the 1st and 2nd Mondays to the 2nd Monday and the 2nd Wednesday following the 2nd Monday of each month.

Moved by Connors, Second by Holahan. The motion passed.
In Favor: Connors, Holahan, Schnabel, Ulinski, Gagnon

Codification of Town Laws

Gagnon explained the need for the codification of the town laws. He considered hiring the work out, but then ultimately asked Mary Ann Barr (Documents Manager) to work on the first part of the process, which is to compile a "code book." The second part of the process would have Jenny Caldwell (Deputy Town Clerk) working on digitizing the document. He noted how impressed he was that Caldwell was able to turn the 2007 sub regulations into a Google Doc. Laura Shawley also added that she would look through the Highway Laws. Connors also added that she has been working on a document of local laws at home. There was then a discussion between Shawley and Gagnon about compensation for Barr and Caldwell. Shawley replied that they could discuss the particulars of compensation at a different time.

Update on Brown Rd.

Haremza and Shawley provided information regarding the progress on Brown Rd. The town has two years to go (until April, 2022) to complete the project and it is weather dependent. The material will be stone, rather than wood, which is more durable. Shawley mentioned that they have been in talks for a year, the rock is approved, and will update a work plan. Ulinski added that the project will be 65 mini waterfalls in stone.

South Hill Rec Way -Tourism Grant Application

Gagnon reported that he got an email from Rod Howe about applying for a Tourism Grant that would fund engineering studies, which is the first phase of the trail. Rod Howe said that the county would pitch in 1/3 of the cost and that Danby and other towns would pay the other 2/3. Ulinski wanted to make sure that the project wasn't stalled because of Caroline not being involved. Gagnon voiced his concerns about the equitable distribution of costs (which Rod Howe was touting in his email) because he was unsure what criteria was being used to decide the cost to the Town.

Gagnon mentioned that the next steps would be to talk to Rod Howe, Mark Whitmer (Caroline's Supervisor), and Jason about the framework and find out what equitable means in terms of Danby's share of the cost.

Warrants

General Fund

#87-118 for a total of $70,300.94

Moved by Ulinski, Second by Connors. The motion passed.
In Favor: Connors, Holahan, Schnabel, Ulinski, Gagnon

Highway Fund

#46-60 for a total $40,465.31

Moved by Connors, Second by Holahan. The motion passed.
In Favor: Connors, Holahan, Schnabel, Ulinski, Gagnon

FIRE DISTRICT Fund

#86 for a total $559,000

Moved by Ulinski, Second by Connors. The motion passed.
In Favor: Connors, Holahan, Schnabel, Ulinski, Gagnon

Town Appointment Policy

It was decided that this issue would be brought up again in the March 9, 2020 meeting in order to give the TB time to read the policy and review it. It was revised in August of 2016, and since then no action was taken.

Changing Domain Name to .gov

Schnabel reported that municipalities can get ny.gov domains hosted through New York State for free. In contrast, the .gov domain costs $400/year to re-register. She mentioned that she has been communicating with the State via email but has been unable to talk to a real person. She said that the options for the new name were danbyny.gov or town of danby.gov. Ronda Roaring suggested that the public get to vote on the new domain name. Connors/Shawley asked Schnabel if the email addresses would be the same. Schnabel would ask Jordie about it.

Beardsley Lane Update

Shawley reported that two lots on Beardsley Lane were recently purchased from the Town for a drainage district. She added that the County would send the deeds and that T.G Miller has the map and plan report. Gagnon suggested that the Town send another letter to update the residents who live on Beardsley Lane telling them of the progress that the town has made regarding these two properties.

Long Term Budget Priorities

Ulinski suggested putting together a more long-term budget to reflect goals. These items include Capital expenses, risk water department, highway, renovations, dilapidated properties. Shawley proposed asking all of the groups in the town, such as Planning and Highway for five-year projections, so that the town gets an early start on the budget process.

Energy Upgrades at Highway Department

The highway barn is in the process of getting an energy upgrade, which includes adding a heat pump and air sealing. Shawley has a meeting with the contractor and has received 1.5 quotes in the bidding process. She noted that time is critical. A board member asked if one company can do the heat pump portion, and another can do the air sealing, and Shawley replied that there is not a problem breaking up the two parts of the project.

Interim Changes as part of Planning project

Gagnon mentioned that the Planning Group met last week for the first time, and that the group talked about if there could or should be interim changes. Gagnon said that the options and the other proposal are on the agenda for tomorrow night. Gagnon said that there could and should be interim changes and that there was a proposal for the Town Board to consider. Ulinski asked about if there was a Planning Board meeting tomorrow, and Gagnon replied that it was a Special Planning Board meeting tomorrow night, it was decided to move meetings to earlier in the month. The Planning Board will be getting business done in an hour, so the Planning Group will be scheduled to meet at 8pm. Gagnon said that the last meeting had an excellent discussion, and he hopes that they "keep it up."

Proposed Local Law

Schnabel has been in touch with Town Attorney Guy Krough and the AOT lawyers re: the town board adopting a local law that says that it is alright for Supervisor Gagnon to also be a member of the CAC. She has received conflicting advice from Krough and the AOT because the AOT states that having a Supervisor also being a member of an advisory board violates the Whitehall doctrine from 1924. Krough interprets the Whitehall doctrine from a 1950's addition to the ruling that it is alright.

Schnabel noted also that the TB can bypass adopting a local law by explicating noting in the Town Board Rules and Procedures that it is alright for a TB member to be part of Town advisory groups. Ulinski added that Krough represents the Town, not the AOT, and also that he is uncomfortable with the situation and that it "feels icky." Schnabel reiterated that it is an appearance issue. Gagnon stated that he is fine with being both the Supervisor and also a member of the CAC.

Town Board Rules and Procedures

There was a discussion among the TB members regarding the rules and procedures that Schnabel distributed. Connors remarked on the need for rules and procedures, noting that they should not be so restrictive, and to narrow the rules and procedures to what you want to put in. There was discussion about self-monitoring, and Ronda Roaring added that rules matter only if you apply them. There were concerns about what is excessive (in terms of the rules/procedures), but that structure is important.

LED Lighting Update (NYSEG/NYSERDA/NYPA)

Haremza reported that he met with Terry Londell of the Cornell Cooperative Extension last week. He noted that there were challenges because of the staff turnover. Haremza inherited the file from Paul Hansen, and added that former Planner C.J Randall and former Code Officer John Norman also had dealt with this issue.

Haremza clarified that the town would be purchasing the arms and luminaires (lightbulbs) from NYSEG, and that the current bulbs would be replaced with LED's. Also, of note is that the Town rents the poles from NYSEG.

Email Policy

This topic came up because there needed to be some clarification with the email policy, and what happens when an employee no longer works for the Town. Gagnon noted that it is a problem when someone gets re-appointed, then not, and then they get dropped, and their email doesn't get re-started. Ulinski mentioned that this happened to Bruce Richards.

There was confusion among the board with which drafts of the email policy the board received through email. Ulinski said that they were so close to getting it done, and Gagnon suggested bringing it up again at the next TB meeting so that it can be reviewed. Schnabel asked Haremza about how the city of Rochester transitioned their emails for employees after they left, and a discussion followed in which Haremza advocated for function named emails, such as Code, Planner, Town Clerk, etc., rather than personal email addresses to allow for smoother transitions when an employee leaves the Town. Gagnon mentioned that there should be a more seamless way to get things done for appointment procedures and when appointees receive their emails.

Ronda Roaring recalled a story about how, when attempting to retrieve records from a grant that she applied for, she was unable to because all of the records were lost when an employee left the organization. Ulinski replied that that wouldn't happen in Danby because the emails belong to the town, and also all emails are archived. Holahan followed with the fact that If you do town business on the town computer; it belongs to the town. Gagnon and other members of the TB then mentioned that what she was talking about wasn't pertinent to the conversation re: email policy.

Crane mentioned that there was a work around where one can change the password on the account. Ulinski said that Jordie has access to passwords and can change them.

Gagnon added that the TB has not been speedy in regards with re-appointments. Schnabel mentioned and Gagnon agreed that they need to be more timely about the appointment procedures, and that it was more difficult during an election year. Gagnon added that the appointment procedures will be discussed next month.

There was then a discussion about the future agenda items, that included many items that were not addressed at this meeting that would be discussed either at the next board meeting, or at a TB meeting in April.

Town Clerk Report

Pfeifer made a financial report of activity through the Clerk's office. $1,179.35 to the Supervisor and $29.00 to the Animal Population Control Program. A total of $324.00 was collected for Dog Licences, 1 certified copy for $10.00. Additionally, the Clerk's office collected $0.10 for a regular copy, $1.50 in Misc. Revenue (for a map), and a $3.50 donation to the Danby Community Library. The remainder of the collection included $843.75 in 1 BZA Appeal, 1 Planning Fee, and 3 Building Permits. She mentioned that residents have still been paying taxes. The town will be done with collecting taxes on April 1st.

Adjournment

The meeting adjourned at 9:02 pm.

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Alexandra Pfeifer, Town Clerk