Danby Town Board
Minutes of Regular Meeting
March 9, 2020, 7pm, Danby Town Hall

Present:

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

Others Present:

Town Clerk	Alexandra Pfeifer
Justices	Garry Huddle and Theresa Klinger
Bookkeeper	Laura Shawley
Legislator	Dan Klein
Public	Susan Franklin, Ted Crane, Marnie Kirchgessner, Ronda Roaring, Pat Woodworth, Katharine Hunter

Meeting Opened at 7:02 pm

Additions or deletions to the Agenda

Gagnon had two items to add: a motion that authorized him to hire workers for ongoing repairs and maintenance in the town hall, and if it was decided when the TB meetings were going to start. A number of the TB answered that the new meeting schedule would begin in May, 2020.

Ulinski reported that he had no updates to the Energy upgrades at the Highway Department, and Schnabel and Connors mentioned that they were not able to meet and go over the Town Board Rules and Procedures, so would like to defer that item while they work on it. Shawley asked that the Resolution be done before the Warrants.

Privilege of the Floor

Dan Klein (speaking as a Town of Danby resident), voiced his concern about logging on town forest land. He mentioned that while he was on the CAC, the logging issue came up, and was sad that the issue came back to the Town Board. Klein voiced his favor of the old growth forest, and that there are only 60 acres of old growth in Tompkins County. He added that there are certain plants and animals that prefer old growth forests. Klein said that a way for the ash trees to survive as a species and wishes to keep them standing in the hope that there is one tree out there that is resistant to the EAB (Emerald Ash Borer). Klein reiterated that ash trees are home to animals and plant species, and that woodpeckers eat insects, and are habitats for bears, and that the issue is something that does not need to be corrected. He said that the government is in the forever business, and that these trees can live for 250-300 years. Klein also did not approve of the option of whether to treat the trees with chemicals, because he thought that spending 7k every two years was not the best way to use taxpayer money.

Ronda Roaring comments were in addition to his comments, because she agreed with Dan Klein's comments, and thanked George Adams and others that contributed to the EAB report. She was disappointed that this issue has come up again, and that there was not enough research about ash trees, and that the West Danby was surrounded by 537 acres of the Finger Lakes Last Trust. She mentioned that the FLL Trust (Andy Zepp) runs the land all naturally, and wouldn't allow logging of their trees anyway. She then described the ash trees on her property, and how, even though they are dead, they are still standing. She mentioned the cycle of an ash tree death-how the branches fall off first, and that some of the tree is without bark, and added (citing a tree getting cut down on 96B with a lift) that there are ways to cut down trees safely and without damage to other trees.

Ted Crane then spoke, saying that he does not feel as strongly about the issue as Dan does regarding old growth forests. He then mentioned that the TB made a decision (maybe a year ago) that there would be no further action taken on logging town land above the fire station, or about the CAC conducting more research on the site in question, and yet in the first meeting of the CAC, the issue came up again.

Crane appreciated the availability of documents on the website for this meeting, however he had an issue with the credit card resolution and questioned how much research was done before it came to the TB, and hoped that the board would add language about the fees and not just a statement that the town would not be making any money from the addition of credit cards. He also had an issue about not seeing the email policy that was on the agenda for the March 9, 2020 meeting. Crane also remarked about the wording in the town appointment procedure. Namely, the striking of the words "the most" before qualified was deleted in the draft document. Crane couldn't see why the TB wouldn't want the more qualified person on a board or committee. He then mentioned that there was free tax prep from 10-2 in the town hall on Saturday, March 14 and to call 2-1-1 for an appointment.

Matt Ulinski responded to Crane's comments re: the CAC. He said that the TB recommended that they not do logging on the Sylvan Lane water property. He also mentioned that the CAC walked the property and identified the ash tree issue and wanted the TB to review their findings. Ulinksi told Crane that the CAC did nothing untoward and is in the best interest of the town and are hard-working volunteers. Crane asked when the walk around was--Gagnon replied October is when the issue was discovered, and even though the ash tree borers are not there now, they are present three miles away. He also noted that when the ash tree borers are present in the ash trees, then the timber is not salvageable, so, if the town were to log, it would be prudent to do it while the ash could be salvaged.

Marnie Kirchgessner said that town boards have important roles in government, and each person brings individual strengths to the board. She mentioned (citing Ronda Roaring) that you don't even want to move firewood because that can spread the emerald ash borer. She also wondered if there is a possibility of saving seeds, and also mentioned the lost American chestnuts She mentioned that the Emerald Ash borer has life cycles, and that she trusted the board to make their best judgement on this issue.

Legislator's Report

Dan Klein said that he had only one thing to report regarding the Ag District. He explained that the review comes up once every eight years that properties can be taken out, they can be put in at any time. The properties have been reviewed for the last couple months. and on March 23rd the public are able to view the properties in question. On April 17th, the county legislature will hold a public hearing. Gagnon said that the PB recommended that 150+ properties be removed, and this list was compiled in January. Klein added that he has not seen what the PB recommended A question was asked about if landowners wish to object about parcels to be removed. Yes. The county sent out a letter by mail to all the landowners in question. Klein said that one landowner objected to being removed from the Ag District.

Ulinski asked Klein about the conference center proposed for downtown Ithaca, and he wrote in the DAN about how he was against it. He also mentioned that the legislature will meet on March 17th. Klein also said that the current proposal eliminates the County as the guarantor, which means that the County is not 'on the hook' to pay for it.

Youth Board/Rec Board Report

Marnie Kirchgessner reported that she has served on the Recreation Partnership board in the past, and she went on a services board retreat and has also attended the meetings. Her goals for the next year include building closer relationships with the municipalities. Ulinski and Kirchgessner discussed the need for a bridge between county services in order to serve the youth and to get them more services. They also discussed the desire to reach out to schools before the summer in order to find out how many children live in Danby, and to get in touch with the school bus garage in order to get addresses.

Environmental Management Council (EMC) Report

Before giving his EMC report, George Adams mentioned that he hasn't seen the agenda yet for this month's EMC meeting. He noted that there was an environmental review committee, but that there isn't one now, and that the water redirection committee was disbanded. He said he would talk more about the Emerald Ash Borer (EAB) when it comes up during the meeting.

Hiring Workplace Violence Consultant

Ulinski advocated for this resolution so that Gina Lord of HR Innovations could assist the Town in developing a Workplace Violence Prevention Program. Ulinski said that 50% could be done in house, which includes meeting with everyone in the Town Hall and doing a site assessment. A report would then be put together that documents what needs to be done re: security improvements to the building.

Schnabel voiced concerns about the money not being in the budget, and asked if there is a minimum amount to pay and what the hourly rate was. Shawley explained that while this expense wasn't in the budget, the town would use it's fund balance to pay for it. It was decided that the funding would come out of the contingency budget at the amount of $4,000, and if the funding exceeded $4,000, that the fund balance would cover the expenditure.

RESOLUTION NO. 43 OF 2020- APPR OF ENGAGEMENT OF HR INNOVATION TO ASSIST IN DEVELOPING A WORKPLACE VIOLENCE PREVENTION PROGRAM (WVPP)

Whereas, the Town Board of the Town of Danby wishes to approve engagement of HR Innovation (Gina Lord, PHR) to assist the Town in developing and implementing a Workplace Violence Prevention Program (WVPP)

Now Therefore, Be It

Resolved, that the Town Board of the Town of Danby authorizes the engagement of HR Innovation (Gina Lord, PHR) to assist the Town in developing and implementing a Workplace Violence Prevention Program (WVPP) and be it

Further resolved that the cost should not exceed $4,380 and will depend on the amount of on-site work required (i.e., the Town may choose to undertake some of these actions), and be it

Further resolved that the funding will come out of the contingency budget, (which currently contains $4,000), with additional funding, if needed, from the fund balance.

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

Town Email Policy

The board decided to postpone approval of the Town Email Policy pending more review by the TB members. In the draft that was emailed to the Board by Connors, she noted that she had already incorporated the changes that were suggested by her, Mary Ann Barr (Documents Manager) and Pfeifer. Parts of the policy that concerned the TB members were in the Staff Departure section where there was a blank instead of how many days before the employee's email was discontinued. Also, Gagnon observed that he was able to receive mail that went to the former Supervisor (Ric Dietrich) and how Dietrich was able to see the email after his departure.

It was decided that the TB needed clarification about which version of the document they were to work off of, and to have time to comment on each section.

South Hill Rec Way Tourism Grant

Gagnon said that a meeting with the County was this Thursday (March 12th) and that they would talk about how much the parties in question (Danby, Ithaca, Dryden, Caroline) were willing to put up for the grant. The deadline for the grant is March 17th, and Gagnon requested a motion that would grant him the authority to negotiate, and to ask more questions, such as, would the amount of money that the town owed be based on the length of the trail? the usage of the trail? The motion would include a tentative meeting on Monday, March 16th.

The Tourism Grant is $75K of which ⅓ is paid by the county, and ⅔ is paid between the four towns to come up with $50K in total.

MOTION – TO SET A (TENTATIVE) BOARD MEETING ON MONDAY, MARCH 16 AT 7PM

Moved, The Town Board sets a (tentative) Town Board meeting on March 16th at 7pm to discuss the Tourism Grant before the March 17th deadline, and gives Joel Gagnon the authority to negotiate in the Tompkins County meeting.

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

Use of Credit/Debit Card/echeck to pay for fees in Town Clerk's Office

Clerk Pfeifer distributed the proposal from Williamson Law book for upgrades enabling online payments with credit and debit cards. Issues arose regarding the research done in order to find the provider, as well as the wording on the proposed resolution. Gagnon tasked Pfeifer and Schnabel to investigate more provider options, pricing, and installation costs.

Town Board Rules and Procedures

Schnabel shared a document with the TB members that she compiled from other towns and websites, and a discussion followed between her and Gagnon about how there should be rules that will be followed. They discussed how the TB shall follow the order of the agenda and how a discussion should follow each agenda item.

Connors added that the items in the rules and procedures could be lumped together, or removed, and stressed the importance of understandable procedures. Roaring interjected that if the TB wasn't going to follow Robert's Rules of Order then RR's should not be present in the document. A discussion ensued between Roaring and Schnabel about RR's and how she found a copy online and that there are not any copies of the book in the library.

Connors also said that the rules of procedure should be basic, and then they can expand out of that, and how it is just important to know how the procedures work. Schabel also mentioned the possibility of having a short guide of how the town board works, so the public will understand what happens at a board meeting and what the basic procedures are.

This issue was postponed while the TB made comments and reviewed the document before adopting it formally by resolution.

Website Domain Name Proposals

Schnabel reported about her discussions with the State and said that there were a couple of options to choose between domain names: townofdanbyny.gov or danby.ny.gov Before this occurred, however, she wanted to find out who's name the current domain name is under, and said that currently Laura Shawley, Jim Holahan, and Jordie VanHam were the contacts.

There were questions about how the domain name would impact emails, and Schnabel said that since the town cannot have both addresses at the same time, that the emails would need to be forwarded to the new email addresses.

Concerns were also brought because Digital Towpath also acts as an archive of the town's emails. A suggestion came up to ask Jordie about more details re: the website. Gagnon responded that sometimes it takes 4-5 days for Jordie to respond.

Schnabel will keep collecting more information on this issue before transitioning from townofdanbyny.org to whichever domain name the town chooses is finalized.

Tree Planting Honoring Ric Dietrich's Service to the Town

There was a discussion amongst the board about where the tree should be placed and who should decide where to place it (either Dave Mastoberti or Joel Gagnon). The tree in question to be planted is a Dogwood. A question was asked if it was native or not, because native Dogwoods have issues.

In addition to the tree, Connors also said that a plaque was made honoring Ric's service.

MOTION – AUTHORIZE PLANTING OF TREE IN HONOR OF RIC DIETRICH ON TOWN HALL PROPERTY

Moved, That the Town Board of the Town of Danby authorizes planting a tree in honor of Ric Dietrich on Town Hall property.

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

Paying for the Boiler at the Highway Building

Shawley explained the situation to the TB, about how the boiler went out and that there was no heat in the building for many days. When asked by Schnabel if the boiler was energy efficient, the answer was no. Though Schnabel approved the measure, she said that she wasn't happy about it.

RESOLUTION NO. 44 OF 2020- APPROVAL BY THE TOWN BOARD TO TRANSFER MONEY FROM THE BUILDING RESERVE TO PAY FOR THE BOILER FOR THE HIGHWAY BUILDING

Whereas, the boiler in the Highway Department was severely malfunctioning with water leakage and completely shut down.

Now Therefore, Be It

Resolved, that the Town Board approves the transfer of $11,565.00 from the Building Reserve Account to the General Fund Account for the purchase of the boiler.

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

Authorizing the Supervisor to Hire for Repair and Maintenance of the Town Hall

Gagnon requested that he be given the authorization to hire for the repair and maintenance of town hall for such issues as the cracked window and the broken door. Shawley suggested getting in touch with Jeff Rockwell, who recently replaced part of the Town Hall roof.

RESOLUTION NO. 45 OF 2020- THE TOWN BOARD GIVES SUPERVISOR AUTHORIZATION TO HIRE FOR REPAIR AND MAINTENANCE OF THE TOWN HALL

Resolved, that the Town Board gives the Supervisor authorization to hire for repair and maintenance of the Town Hall.

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

Warrants

GENERAL FUND

#119-129 for a total of $41,412.60

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

HIGHWAY FUND

#61-71 for a total $66,125.98

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

Emerald Ash Borer (EAB) Report

George Adams said that he would give the TB a quick survey of the document and then ask for questions. He talked about selective cutting of the Hemlock, and if that happened, then the Hemlock would be lost like the Ash. With harvesting the timber, he didn't have the dollar figures, but estimated that there would be 4 truckloads of sawlogs, and that the latest report had them priced at $0.40/board foot. An issue came up about maintaining the area in the West Danby Water District and keeping the trees away from the water tank and protecting the infrastructure there.

Adams said that he studied the pesticides the most, and that it was quite effective if given out every 2 years, as evidenced by Marsh Rd. The pesticide would be injected into the trunk. He noted that this option has been studied, but it is not a solution. When asked how long it would take if the EAB were in the ash before they died, he didn't know. He cited one report of EAB on the Newfield Depot Rd.

Holahan voiced concern about maintenance around the WDWD and about trimming the trees there. He also mentioned that they don't have the budget to replace the equipment (such as the pump house) if it is damaged by a falling tree.

Roaring asked if the DEC has a permit to do this, and that right now there was no SEQR involved and also asked what the CAC recommended to do about the EAB.

A question arose about whether to selectively harvest to save infrastructure at the WDWD and a partial harvest in order to save some of the trees.

Gagnon spoke in favor of harvesting the timber so that the timber was salvageable and could be sold.

Once the public spoke, the TB discussed amongst themselves what to do about this issue and were pleased that they had more information now than when this issue first arose. A motion was made that logging (timber harvesting) of the EAB would not be part of the Management Plan, and reiterated that they were leaving the original timber harvesting guidance in place.

MOTION – RECOMMENDATION THAT TIMBER HARVESTING NOT BE PART OF THE MANAGEMENT PLAN

Moved, That the Town Board recommends that timber harvesting not be part of the Management Plan.

Moved by Ulinski, Second by Gagnon. The motion passed.
In Favor: Connors, Holahan, Schnabel, Ulinski Not in Favor: Gagnon

Adjournment

The meeting adjourned at 9:47 pm.

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Alexandra Pfeifer, Town Clerk