Danby Town Board
Minutes of Regular Meeting via Zoom Video Conferencing
April 6, 2020 7pm

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
Planner	Jason Haremza
Code Officer	Steve Cortright
Public	Ted Crane, Ronda Roaring, Susan Franklin, Bruce Richards (late arrival)

Meeting Opened at 7:11pm

(Note: this is the first Town Board meeting conducted via Zoom Video Conferencing.)

Additions and deletions to the Agenda

Clerk Pfeifer requested that the March 2 and March 9 minutes be deleted from the agenda because they are not ready for review yet. Gagnon requested that soliciting lawn mowing proposals be put in the Ithaca Journal. Ulinski suggested Craigslist. Ulinski requested that two items be added to the agenda: he would like there to be a discussion about the long-term budget process, and also to revisit the speed limit issue and the possibility of adding radar signs on the roads.

Correspondence

(Note: this was sent to Clerk Pfeifer with the intent of it being read aloud at the TB meeting. It was dated April 6, 2020 and time stamped 8:26am. However, Pfeifer did not receive the email until April 16, 2020 at 10:11am because it was sent to the incorrect email address. This issue is being rectified by having the email included in the April 6th minutes as intended.)

Town Board:

For the record, I support the use of alternatives to paying tax bills, etc., even if there is a charge for this service. As I stated before, the Town of Ithaca tax collector told me that snow birds in particular use this service.

I have no objections to the town using .gov for its web address. I recommend you read this (it's short) before you make your decision. https://en.wikipedia.org/wiki/.gov I did visit the websites of many of the towns in the state and found that quite a few used .org, which I think is a bit misleading. Perhaps they weren't aware that they could use .gov. On a further note, I'd like to ditch Digital Towpath completely. We need a more dynamic site, one that's both friendly and easy to use. The current site fails on all counts, IMHO.

Ronda Roaring

Privilege of the Floor

Crane asked if the board would like to hear his comments now, or while they were discussing them further on in the agenda. Holahan said now/during the meeting.

Justices' Report

Justice Huddle reported that there is no report this month. He mentioned that there will be virtual arraignments through Skype. Connors asked if he can still do weddings. Shawley told Huddle that the grant money came in that the Justices' are using to buy new chairs for the Court, as well as replacing furniture (desks) in the Court Office. Huddle also mentioned that the Court ordered new desks and that, because one is backordered, they are looking into other options. Lastly, Huddle reported that the Courts are closed until the end of April or May 6, depending on the progress of the pandemic.

Code Report

Cortright reported that he had 2 Building Permits: one at 321 Troy Rd and 2 Beardsley Lane. He also conducted 5 construction inspections, which included the West Danby Baptist Church. Cortright also reported that he issued no Certificates of Compliance or FSC's. He added that he completed 23 hours of in-service training.

Cortright also tasked each department to create protocols for how to do business safely. He sent out an email with protocols and asked each department to provide feedback so that the Town can put together a workable plan.

Planner Report

Planner Haremza distributed his monthly report via email to the Clerk. Planner Haremza reported that the Planning Board met on March 17th aka the week that everything happened. They are also met on March 31st.

The Zoning Board met on March 24th. A neighbor letter mailing will go out tomorrow or Wednesday, April 8. He noted that the Zoning Board notice is also going to be in the Ithaca Journal. He mentioned that in the last three weeks it has been a scramble to adjust to everyone's new reality. He added that he is posting meeting reports on the Planning and Zoning section of the website (townofdanbyny.org) and he said that he can be counted on to be accessible to anyone who has a Planning and Zoning question. He added that he is available by phone, email and text message.

Haremza also included an update on the Planning Group, mentioning that there are four working groups: one on conservation, one on hamlet revitalization, one on tax policy, and one on public outreach. He added that one group has already met twice in person, and the others have met once, either in person or virtually. Haremza concluded by saying that the larger planning group meets tomorrow, April 7th.

Approval of February 24 Minutes

Action on this was deferred until April 13, 2020, in order to give the TB more time to review the minutes before voting on the approval of them.

Resolution for Fees for Use on Credit Cards, Debit Cards, and E-check transactions to make payments to the Town of Danby Clerk's Office

Schnabel said she was still looking into Municipay, which she prefers. However, it will take more time because the service entails integrating with the tax system, and it could take a couple of years. Ulinski would have liked to have seen more options, but understands the urgency of getting the upgrades up and running, so that residents can start paying for services online.

Planner Haremza was concerned about residents leaving their payment information on the phone. Clerk Pfeifer explained that a voicemail system was currently in the process of getting set up, so that people could leave a message and have the Clerk call back to get their payment information.

This line of questioning then turned into a voicemail discussion, with Ulinski and Ted Crane discussing the merits of AT&T versus Google Voice. Crane gave a list of all of the capabilities available through Google Voice.

The discussion came back to the wording on the resolution. Crane had an issue with the word "determined" in the second whereas, because only the Town Board, not the Town Clerk, can determine that "the cost of credit card payments should be borne by the person offering payment by credit card, debit card, or e-check." Pfeifer said that the wording was based on another town's resolution. She agreed with the word change of "determined" to "suggested," and the edit is reflected in the resolution below.

Crane also pointed out the lack of parallel between the wording of the credit card and the e-check in the first Resolved section. The change is reflected below, adding "the person offering payment by echeck shall incur.." to agree with the first sentence stating that "..the person offering payment by credit card shall pay.."

Schnabel noted the cost to integrate Williamson into the West Danby Water district would cost $2,000 for the initial set up and $600 annually. The TB will assess the situation again in a couple of years.

RESOLUTION NO. 46 of 2020- FEES FOR USE ON CREDIT CARDS, DEBIT CARDS, AND E-CHECK TRANSACTIONS TO MAKE PAYMENTS TO THE TOWN OF DANBY CLERK'S OFFICE

WHEREAS, the Town Clerk desires to offer the option and convenience to those who choose to use a credit card, debit card, or echeck to pay for taxes, licenses, and other fees and charges collected by the Town Clerk, including penalties, special assessments and interest; and

WHEREAS, the Town Clerk has suggested that the cost of offering credit payments should be borne by the persons offering payment by credit card, debit card or echeck;

NOW, THEREFORE BE IT RESOLVED that the Town Board has determined that is it in the public interest to permit the acceptance by the Town Clerk of credit cards, debit cards, and e-checks as a means of payment of taxes, licenses and other fees and charges, including penalties, special assessments and interest; and be it further

RESOLVED that as a condition for accepting payment by credit card, the person offering payment by credit card shall pay a service fee of $1.75 if less than $64.00 and 2.75% if greater than or equal to $64.00. The person offering payment by echeck shall pay a $2.50 access fee for payments between $0.01-$1,999.99. The access fee increases in increments of $2.50 per $2,000.00 (i.e. $2,000.00-$3,999.99 incurs a $5.00 access fee, etc.). These fees are set by Williamson Law Book Company in partnership with Payment Processing Consultants, Inc.; and be it further

RESOLVED that the underlying debt, lien, obligation, bill, account or other amount owed to the Town for which payment by credit card is accepted by the Town shall not be expunged, cancelled, released, discharged or satisfied, and any receipt or other evidence of payment shall be deemed conditional, until the Town has received final and unconditional payment of the full amount due from the financing agency or card issuer for such credit card transaction; and be it further

RESOLVED there shall be signs at the Town locations where credit card, debit card, and e-check payments will be accepted for payment of Town fees, licenses, or taxes and on the Town's website that clearly states the fee incurred with a credit card, debit card, or echeck transaction. The signs/notice will also state that the Town will make no profit on any credit card surcharge.

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

Warrants

(Note: Bookkeeper Shawley has started emailing the warrants to the board members in order to give them time to peruse. She also encouraged the TB to ask her any questions as to what the charges are for.)

General Fund

#130-146 for a total of $16,011.34

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

Connors asked Bookkeeper Shawley why the court fees are in the General Fund. Shawley explained that the money is reported to the state. The fees represent what the Justices' pay to the Supervisor. The town holds onto a share of it and then also cuts a check to the State.

Connors also asked Shawley why there were highway department charges on the General Fund. Shawley explained that these charges take care of building needs and tools needed in the future.

Clerk Pfeifer explained a charge from Demco for label holders that Connors asked about in an email. Pfeifer explained that they were holders for labels on the library shelves, and that they are replacements for ones that the library currently has so that the shelves are all uniform. She also added that they are made of metal (which is why they are more expensive), and that the library had the budget to buy them.

Highway Fund

#72-79 for a total of $11,644.22

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

Ulinski asked Shawley if there is going to be a paper trail re: the warrants. Shawley answered about having everyone initialing the abstract. Ulinski asked about the signatures on vouchers in an accountable way so that you can be covering your tracks.

West danby Water District Fund

#9 for a total $85.00

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

Shawley explained that this is a monthly charge as part of water testing requirements.

Building Repairs

Gagnon, citing a meeting with the staff to discuss the repairs, noted that the staff was not comfortable with someone coming in to work on the doors, even if it was just one person, since they would need to work on it both inside and outside of the door.

Gagnon is not convinced that the entry doors have to be replaced, because, although they are older doors, they are well made. Jeff Rockwell, the repairman who also replaced the roof, told Gagnon that all that was necessary to fix it was to bolt through the doors, using decorative bolts.

Connors asked if he could replace the window as well (which has a crack in it), and Gagnon replied that the staff has the same concerns as the door repair with one person working inside and outside of the building.

This led to a discussion about who has access to the building. Members of the TB asked to take the key out of the lock box. There was also the concern about the cleaners and how often they go in, especially if no one goes in the building. The question was asked about mail pick up, specifically, the DCC. Pfeifer noted that there was a pile of mail for Bill Evans, and that she would email him about how he wishes it to get to him.

Shawley offered to go to the Post Office if needed, and noted that when she picks up the Highway mail from the Town Hall, she wears gloves and wipes down each piece of mail before sticking it in a plastic bag to dry.

The concern by the TB was that staff have minimal exposure to where the germs may be--whether it be on surfaces and for how long they linger for. They acknowledged that this issue took further thought as more details came forth regarding the virus.

MOTION-Town Board moves to repair the town doors if possible, and only to replace them if necessary.

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

Protocols for Safe Work Activity in the Town Hall

Gagnon said that Code Officer Cortright has developed a list of protocols, so that those staff who have to do work at the Town Hall can do it safely. The plan is so that there is controlled access and that only one person can be in the Town Hall at a time.

Gagnon requested that the staff and the TB go through the list of protocols so that they can be adopted for the next meeting; time is critical. The protocol requires more coordination between staff; so that there is no contact between one another.

Cortright mentioned that he has to go into Town Hall to work because he does not have a computer at home, in addition to an intermittent internet connection. (Note: Cortright is also considered essential because of his Code Officer duties.) Shawley wondered if there was room in the budget to replace his desktop with a laptop, and said she would get in touch with SCT Computers to see if they had any extra laptops available.

There were discussions about how to get back to work and the resuming of services, and how, in general, that the Town has to re-think how to do what we're doing. In the Town Clerk's office, most things could be done remotely, since only a few services need to be in person (such as Marriage Licenses). When the Resolution is approved, Clerk Pfeifer mentioned that dog licenses will be able to be paid online.

Ulinkski mentioned the possibility that Highway can see if they could use Cornell as a resource for how to do cleaning at the Highway Department. Gagnon mentioned that the AOT (Association of Towns) sent out a memo that included protocols for highway departments. The question arose if the County has specific guidelines for the Highway Department (disinfecting trucks, etc.) Ulinksi asked that there be a back to work protocol for the Highway Dept. Shawley said that Seamon would be at a Highway meeting next week re: protocol for Highway Departments and would pass on what he learned.

Appointment Procedures

Before getting into the editing of the document, there was talk about which version the TB members had, and if they all had seen the version with suggestions on it. It was noted that the version with the suggestions on it did not get transferred to Laserfiche.

There was a discussion about whether the process of interviewing an applicant for an appointment with the Town should be done in an executive session or in a public session. It was agreed that the process should be in public unless the applicant is not comfortable with it, but the actual discussion of whom to appoint should be done in executive session. It was also suggested that the question (Do you feel comfortable being interviewed in public?) be added on the application form.

Connors mentioned that she added two options to the interview process re: notification of appointment, and that they include a letter and a certified letter (this got discussed in 2016). There was also a discussion of the role of supervisor vs the clerk and who was responsible for the record-keeping and for notifying applicants if they got appointed or not. The TB discussed how there needed to be a way to keep track of the applicants, of scheduling interviews, notifying the applicant if they got the position (or not), and making sure that the appointee took their Oath of Office. It was noted that applicants should know what they are getting into and should also know the responsibilities of the job and how much of a commitment it entails.

It was discussed that a template should be made of the letter (in electronic form) informing each applicant of their appointment in a more formal manner. The letter would also include the length of the term, and congratulate them, which makes their board/committee appointment more immediate. A version of this same letter will also be sent out through email.

For those not appointed, it was suggested that they be sent a note thanking them for their interest. The board agreed that this was a better way to go. Ulinski suggested a certain number of days (6-8 days/5 working days) or within a week that this action should be taken after appointments have been made.

Ulinski mentioned that he had a controversial comment re: Section E Appointment Decision, but did not say what it was. This document is still under further review before it gets adopted.

Crane made comments re: the Appointment Procedure. He wondered what the purpose of having an Appointment Procedure was if it could be changed at any time, namely that modifying the procedure and changing the rules was a conscious choice by the town board. He also mentioned that Section E negates the purpose of having the Appointment Procedure if you do not reappoint someone after they get appointed.

Email Policy

Schnabel reported that the document that she sent to the other members of the TB includes track changes and suggestions. It was not shared automatically, so she said she made a google doc so that others could see it. She also wondered how many further revisions to go through before formal adoption.

Comments were made suggesting that where it says Digital Towpath that it gets changed to Computer Support Vendor, so that it is more generalized and because the Town may not continue to use Digital Towpath in the future.

The TB proceeded to go through each section of the Email Policy and commented on wording, They discussed that in order to change from Digital Towpath, that a new vendor had to be found that had the capability to meet the legal requirements of record retention.

A discussion then ensued about the use of town email on a personal computer, and if the personal computer could be seized for e-discovery purposes. [Clerk's note: Yes, it can. This issue highlights the importance of keeping town "stuff" separate from personal emails and only using the town email for town business.]

The issue of transitioning from one official to the next came up again, with the concern being that an email address was being used by two people even after one had left office. Crane brought up that it could be fixed by changing passwords for the email accounts, so then there would be no overlap between accounts and then the previous person who held the position would not have access.

Schnabel suggested that when one person's term expires that their email should expire as well. If the same person happened to get reappointed, their email would still exist in a reserved account until they were reappointed. This would also solve the problems of the gaps between one term expiring and the next beginning (i.e between December 31 and January Appointment).

It was suggested that Schnabel ask Jordie about section 4.14. Schnabel also offered to make this document into a Google Doc to facilitate the process.

Before the Town Clerk's report, Pfeifer asked the board to go over the future agenda items for the TB's second meeting of the month, and they recounted the items so that she would be able to put them on the meeting agenda.

Town Clerk Report

Pfeifer made a financial report of activity through the Clerk's office. A total of $1,964.40 was collected in the month of March.$1862.66 was disbursed to the Town Supervisor account. This includes

three hunting/fishing license sales, one donation to the Danby Community Library, two building permits totaling $1,138.40, 3 planning fees totaling $400.00 and 22 dog licenses. The rest was disbursed to the NYS DEC, the NYS animal population control program, and the NYS Health Department for one Marriage License.

Adjournment

The meeting adjourned at 9:49 pm.

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Alexandra Pfeifer, Town Clerk