

## Town of Danby Town Board

Regular Second Monthly Board Meeting

Wednesday 21 July 2021 at 7:00 PM

Town Hall & Zoom Video Conferencing

<https://zoom.us/j/97107232988?pwd=bHBJY3p5M2toYlFSZWpwbmLaStkQT09>

### Meeting Minutes

#### Roll Call :

<b>Town Board</b>	Joel Gagnon, Supervisor Leslie Connors Sarah Schnabel Matt Ulinski
<b>Town Justice</b>	Theresa Klinger (Zoom); Gary Huddle
<b>Town Planner</b>	David West
<b>Town Code Enforcement Officer</b>	Steve Cortright (Zoom)
<b>Town Bookkeeper</b>	Laura Shawley
<b>Recording Secretary</b>	Cindy Katz, Deputy Clerk

**Not Present:** Jim Holahan (Town Board)

### AGENDA

1. Call to Order at 7:03pm by Supervisor Gagnon
2. Additions/Deletions to Agenda
  - 2.1. Community Choice Aggregation Enabling Law
  - 2.2. Appoint Town Planner Administrator of YouTube Channel
  - 2.3. Budget transfer to fund Town Clerk contractual line
  - 2.4. Workplace violence report will be at the next meeting
  - 2.5. Community Choice Aggregation Enabling Law Review
3. Privilege of the Floor
  - 3.1. Linda Wyatt, of 20 West Miller Road for 30 years, an EMT and member of Danby Fire Department appealed to the Board regarding the very serious flooding her home has and continues to experience. Over the last 4 days, it has flooded twice with 18 inches in the downstairs (first floor, NOT a basement)
    - Nothing that can be done on her property to change this and she requests the town do whatever they can to fix it. She feels she is being forced to move & that her property value is nothing.
    - Unknown why this is happening, but possible causes she cites are climate changes, changes on Dobson property
    - Wyatt would like to be included in upcoming meetings with DEC and Tompkins County Solar and Water
  - 3.1.1. David West, Town Planner just scheduled that meeting and would take Linda's contact info so she can join and walk the land
  - 3.1.2. Gagnon added that the problem is not just on West Miller, but on Gunderman and Linda agreed that others are having problems. Both agreed that the problem is a large one that needs to be considered fully from all angles

- 3.1.3. Steve Cortright reported he visited the house following flooding and agrees this is a definite problem that needs to be addressed
- 3.2. Gary Huddle, Town Justice: Will the town revisit the issue of mask wearing? He thought we were going to follow the rules of the county but he believes we are not following this.
  - 3.2.1 Connors responded we may be revisiting every month esp now as we are still watching what will happen with the Delta Variance.
  - 3.2.2. Schnabel suggested it be a standing agenda item each month
- 4. Correspondence—none
- 5. Presentations- none
- 6. Reports
  - 6.1. ~~Workplace Violence Team Report/Update postponed~~
- 7. Consent Agenda
  - 7.1. Analysis revealed the clerk was over again

**Resolution 119 of 2021 To Make a Budget Transfer to Fund the Town Clerk Contractual Line**

**RESOLVED, the Town Board approves the amount of \$100.00 to be transferred from the A9040.800, Workers Compensation account to the A1410.400 Town Clerk Contractual account**

**Moved By:** Schnabel                      **Seconded By:** Connors

Vote:

<b>Councilperson</b>	<b>Aye</b>	<b>No</b>	<b>Absent</b>
Connors	x		
Holahan			x
Schnabel	x		
Ulinski	x		
Gagnon	x		

*Resolution 119 approved on July 21 2021*

**7.2. Warrants**

- 7.2.1. [General Fund No 13 Vouchers 227–251 for \\$22,292.22](#)
- 7.2.2. [Highway Fund No 13 Vouchers 164–177 for \\$22,533.70](#)
- 7.2.3. [Water District Fund No 13 Vouchers 22–24 for \\$549.50](#)

**Resolution 120 of 2021 To Approve Consent Agenda**

**Moved By:** Schnabel                      **Seconded By:** Connors

Discussion: Laura Shawley pointed out a change. The GF amount is actually \$22,292.22. Other figures are the same. Question from Ulinski on budget to Shawley : There was a previous discrepancy on some of the credit card accounts he thought? Shawley clarified that was included and is in the process of being reviewed with the clerk.

Vote:

<b>Councilperson</b>	<b>Aye</b>	<b>No</b>	<b>Absent</b>
Connors	x		
Holahan			x
Schnabel	x		
Ulinski	x		
Gagnon	x		

*Resolution 120 approved on July 21 2021*

8. Old Business

8.1. Highway Audit - Energy Efficiency grant

8.1.1 Councilperson Ulinski provided an update on a \$100,000 grant received in 2018 from the Clean Energy Communities Program to upgrade the Highway Building. After some delays for various reasons, significant progress made. Identified for upgrade included: doors, insulation, heat pumps, lighting, water heating and the waste water disposal issue.

8.1.2. Initial plan for upgrades was modified when it was understood that it, including wastewater system improvements, would take 175 years for payback savings. Therefore, plans were changed for an upgrade with a more reasonable payback timeline.

8.1.3. In 2019, Tatem did a targeted energy audit which provided various recommendations including lighting retrofits, air ceiling, insulated door replacement, upgrade to a heat pump, upgrade water heating, and later adding insulation in office and attic.

8.1.4. Choose to work with Halco, which is local. They offered a competitive bid to do everything together, which many did not. Been working for over a year with Halco and just finished all the upgrades recommended by Tatem.

8.1.5 Left is the septic separation work. Of the money from NYSERDA, to date have spent \$97,000 dollars. Still getting bids for washbid and Ulinski estimates the town will need to spend ~\$18,000 to finish the grant. This was was anticipated.

8.1.6. Shawley clarified it was not a matching grant but the town has had to pay some extra costs. Of the \$74,000 cost from Halco, we received about \$24,000 from the grant, leaving the town with about \$50,000. Might be some room for switching categories and moving money around. Ulinski expected some

flexibility for that and anticipates they may come back to the Town Board next month for the needed money to finish this as well as a waste-water work.

8.1.7. Shawley mentioned that all three current bids assure us they can have the work complete in August, as there is a September 1 deadline.

8.2. [Solar Billing Agreement With Danby Fire District](#)

8.2.1. Laura Shawley provided an overview of this Memorandum of Understanding (MOU) with the Fire Department. The solar array is shared between the Town of Danby and the Fire Department. Over the years, there has been some snags and confusion regarding the easiest process for billing the FD for their portion of energy used. This MOU will formalize what has been agreed upon and make things simpler for everyone.

8.2.2. Gagnon noted that the date must be updated to reflect today.

8.2.3. Gagnon wondered if the assumption is that the Fire Bills will never be more than the aggregate. Shawley explained this process cuts down admin work so we only have to do it four times a year instead of twelve .

8.2.4. Schnabel and Gagnon asked an additional clarifying questions which Shawley addressed.

**Resolution 121 of 2021 To Authorize Signing of MOU on Solar Billing Agreement with the Danby Fire Department**

Additional discussion: Council repeated that the effective date on the MOU needed to be changed to July 21 2021. Not sure if an amendment is needed.

**Moved By:** Schnabel      **Seconded By:** Connors

Vote:

<b>Councilperson</b>	<b>Aye</b>	<b>No</b>	<b>Absent</b>
Connors	x		
Holahan			x
Schnabel	x		
Ulinski	x		
Gagnon	x		

*Resolution 121 approved on July 21 2021*

8.3 [Community Choice Aggregation Enabling Law](#)

8.3.1. Board did not feel comfortable discussing as some had not yet read the document, but were ready to schedule a Public Hearing for it.

**Resolution 122 of 2021 To Schedule a Public Hearing on the Community Choice Aggregation Enabling Law on the first meeting of next month (August 9) at 7pm**

**Moved By:** Schnabel      **Seconded By:** Connors

Vote:

<b>Councilperson</b>	<b>Aye</b>	<b>No</b>	<b>Absent</b>
Connors	x		
Holahan			x
Schnabel	x		
Ulinski	x		
Gagnon	x		

*Resolution 122 approved on July 21 2021*

**8.4 Resolution 123 of 2021 To appoint David West the administrator of the Town of Danby’s Youtube channel.**

Discussion clarified that West will administer the account from a work email and not his private email account, only he will be able to post videos, and that the commenting section is turned off for now.

**Moved By:** Gagnon      **Seconded By:** Schnabel

Vote:

<b>Councilperson</b>	<b>Aye</b>	<b>No</b>	<b>Absent</b>
Connors	x		
Holahan			x
Schnabel	x		
Ulinski	x		
Gagnon	x		

*Resolution 123 approved on July 21 2021*

**9. New Business**

**[9.1. Review of Draft Logging Regulation Proposal from CAC](#)**

9.1.1. Gagnon reported that because Highway had not yet reviewed the document; he did not think they were ready to ratify the document yet but it would still be helpful to get a general sense if the proposal was in the ballpark of what we are looking for.

9.1.2. Schnabal asked for reference to what 4,000 board feet represents. Ulinski suggested that Bruce could give a sense and it was clarified that 4,000 board feet would include about an acre or less.

- 9.1.3. Gagnon explained the goal is to integrate new needs with the current law while ensuring the burden on small-scale harvesting of firewood or timber is not high
- 9.1.4. Schnabel mentioned the liability insurance was very low at \$250,000
- 9.1.5. Ulinski reiterated the desire to not impinge on the right to make money off private land through logging, as that supports keeping the town rural. He expressed a desire to hear Bruce's thoughts as well as other professionals (DEC or Soil and Water). Previously there was a roundtable discussion that this could go back to. Following that, should run past Guy. Ulinski said Angel Winkle helped navigate in the past and she was great.
- 9.1.6. Shawley : Highway Department would like to have the loggers meet with the Highway Department as a part of the formal permitting process. These meetings/check-ins have happened in the past, the loggers have been very amenable to it. Highway would like to meet with the committee to discuss incorporating that.
- 9.2. ~~Review of CAC recommended changes to Conservation Easement Template – removed from the agenda by Joel because we were not ready yet~~
- 9.3. Briefing and Discussion of Possible Uses of American Rescue Plan (ARP) Money
  - 9.3.1. Shawley and Gagnon have been researching. Water/sewer and broadband are the only two categories of funding that are not pure reimbursements from COVID related expenses. All other uses need to be directly linked to an occurring COVID related expense.
  - 9.3.2. Shawley attended a webinar recently and shared what she learned. Part of how funding eligibility will be determined is based on if an expense can be linked to the need to the category of water or sewer. For example: software and billing software upgrades would be covered because that falls under the category of water infrastructure.
    - 9.3.2.1. If roadwork or equipment purchases (or other things) can be linked to water or water quality or even stormwater, it can be covered.
    - 9.3.2.2. Some counties/ vendors are linking revenue loss to the upset in their equipment replacement plans
    - 9.3.2.3. She added there is \$370,000 and that municipalities can join together and pool their money.
    - 9.3.2.4. There is also potential for Fire Districts to utilize the funds through various configurations.
  - 9.3.3. Gagnon was on a call with supervisors and spoke of potential to use the funds. Specifically Caroline and Newfield are interested in possible Broadband collaboration.
    - 9.3.3.1. Directing the funds to stormwater efforts would be very beneficial because then they can be used by highway.

- 9.3.3.2. Funds can also be used to PLAN for things, does not necessarily have to be actual work on the ground.
- 9.3.3.3. Shawley added that mitigating flooding at Gunderman remains a great need. Maybe the funds can support a hydrology study that can then be leveraged for additional grants to take care of the issue. Shawley confirmed that the ARP funds can be used for studies if they can be linked to water, sewer etc.
- 9.3.4. Gagnon clarified that we don't have to say right away how the money will be used. We have 4 years to spend the money, but 2 years to tell them how we will spend it.
- 9.3.5. Shawley to doublecheck if there is Sept 1 deadline for us or not? Might not apply to small municipality.
- 9.3.6. Schnabel wondered if we would have to hire people to do the reporting. Laura gave a few suggestions on what processes and strategies would help make reporting as easy as possible.
- 9.3.7. Schnabel wondered if it makes more sense to use the money in a few different ways, or if it's better to use a lot of it towards one bigger thing. Ulinski expressed interest in seeing a lot of proposals, weighing pros and cons.
- 9.3.8. Schnabel : Major areas to focus on: Broadband, sewer, stormwater. Board members wondered what the best way to meet the broadband needs of those who are completely unserved, who are a priority.
- 9.3.9. How do we go about receiving proposals since 2 years isn't that much time? Individuals can lead efforts in various areas, Zak can maybe do broadband, Highway Department can lead their area.
- 9.3.10. Ulinski , Schnabel, and others agreed on importance of connecting all residents to broadband.
- 9.4. Gagnon asked Town Planner David West to update on technology concerns that we have run into during the newly started hybrid meetings.
- 9.4.1. West reported we have switched to an old clerk computer instead of the one we used previously in the library which has serious issues. The two routers are also very old and have issues. West thinks we need to run a cable through here and to upgrade the router, but would need to go through serious walls. We will also need to evaluate if this computer can support current needs. The bandwidth is low, and it keeps saying that the wifi connection is unstable. He clarified that the current computer being used as unused in the clerk's office (Alex's, the previous clerk's, old computer) that still has some documents on it that should be moved.
- 9.4.2. Ulinski : Will need to continue to evaluate if we need to spend money to update the hybrid system or update what we currently have

- 9.4.3. Gagnon pointed out that it'd be great if the legislator approved Zoom, which worked really well. Schnabel injected it worked only well for people with highspeed internet.
- 9.4.4. Schnabel wondered if we need to do both router upgrade AND run a cable through the wall at the same time, or try one and see how it goes. Maybe try router first. The router belongs to the library, do they have funds to upgrade the router and will they agree to replace it? It will also benefit the public as it is the public assess router.
- 9.4.5. Ted Crane spoke: "A couple of things that I just heard said are contrary to facts. At previous meetings, not tonight, but at previous meetings and other types, I've seen upward of 8 megabytes and up (down and up too). Since I can run three simultaneous Zoom meetings at home on a 6 x2 xxx, there should be no problem with the router. Routers are extremely fast, even an ancient one, this one is about eight years old, the one i have at home is six years old. The hardware is not the problem. If you were to ask me, I would suggest that what you do is don't do a fancy cable installation, just run it right through the hall, wind it up when you are not using it, have a cable to access point right here in this room to extend the strong wifi signal to this room to what you believe is a better router, if you want. I have a suspicion, nothing more than that, that the line that the town pays for is probably more reliable and perhaps more capable than this one, this one is free. Time Warner or whatever they are called today is probably not paying as much attention to a free line as to one the town is paying good money for, a business line, and so they do better work. And so you could do a 3rd minimal solution: an access point under a thousands bucks I think, cable, whatever it costs, and try it out. If that does not work, than you go to expensive solutions. . But just getting a good wifi signal with a connection to a good line would, I think, be a good start and very cheap. But looking long term, and I hate to tell you this, but maybe you should talk to Clarity Connect. For what you are paying for Time Warner, at least what you were six to eight years ago when I looked into it, you could get a better than basic line from Clarity and although the speeds are not as good as Time Warner claims, they're reliable - except when they go down, which Time Warner does too. Except when they go down, at least in my house, they say 'six down, two up" and I get five point six and two. And I get that all the time [indiscernible.] Just my two cents."
- 9.4.6. Crane responded to Gagnon 's question about what he thought the problem was then, if the router was fine, by saying he believes the problem is related to use during "prime-time" hours and cable access. There is less bandwidth available at specific times during the day.
- 9.4.7. Gagnon suggested changing the router and seeing if that helped, and then running a trial cable. He observed the system was running well tonight, much better than previously.

9.4.8. Bruce offered over 400 feet of cable that he has.

10. Discussion of Next Meeting Agenda

10.1. Workplace Violence

10.3. Draft Logging Regulation Policy

10.4. CCA Public Hearing

11. Adjourn at 8:30pm

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Submitted by Cindy Katz  
Deputy Clerk