

November 13, 2023

Supervisor Horr called the Regular meeting to order at 7:01pm. Roll call was taken, and found Councilperson Luce, Colella, Infantino, and Bacon present. Also present was Highway Superintendent James MacWhorter.

Pledge to the Flag followed, led by Councilperson Bacon.

Guests Include: Yvonne Smallwood, Donna Didas, Jon Penna (DePaul Properties), Gary Hedges, and Charles Perkins.

Supervisor Horr opened the Public Hearing on the tentative 2024 Town Budget. The Town Clerk read the public notice aloud. There were no questions or comments on the budget from the public. The hearing will be left open for a period of time during the meeting.

Supervisor Horr let the public know that the tax rate for the people in the village will increase by .06%, over 2023. For the residents outside the village, it will increase by .29%.

Privilege of the floor: Jon Penna with DePaul properties was in attendance to present the board with a proposal for a tax pilot program for the balloon loft apartments project, and the King's Daughters apartment project that the Village planning board approved over a year ago. This project is planning forty-eight units at the Tops Plaza site, and a full restoration into senior apartments of the King's Daughters home. The structure of the pilot was designed to pay a fair share of taxes. The payment DePaul properties proposed was \$27,600 for the first year, with an annual 2% CPI increase. It was agreed that the involved parties need to meet to decide how this payment will be divided, and what portion will go to community benefit. Councilperson Bacon asked Jon from DePaul Properties what the time frame was that they need an answer. He was hoping to have something in place by the end of this month. Having a pilot agreement in place will help DePaul with funding going forward. They anticipate construction starting on the project in the spring of 2024. The construction should take approximately 16 months.

Councilperson Colella would like to talk with the Association of Towns to make sure that everything is managed correctly. A motion by Councilperson Colella and seconded by Bacon to hold a special meeting on Tuesday December 5th at 5:00 pm to discuss this pilot tax program. All in favor. MOTION CARRIED.

The Town Clerk presented the minutes from October 10, 2023, regular meeting, copy on file. A motion by Councilperson Bacon and a second by Colella to accept the minutes as presented. All in favor: MOTION CARRIED.

The Town Clerk's report for the month of October 2023 was presented, copy on file. The report shows monies taken in for the month were \$6345.00 of which \$1632.49 was turned over to the Supervisor for placement in the appropriate account. A motion by Councilperson Bacon and a second by Luce to accept the report as presented. All in favor. MOTION CARRIED.

Zoning/Code Officer's report for the month of September, and October was submitted. A motion by Councilperson Bacon and a second by Infantino to accept the reports as submitted. All in favor. MOTION CARRIED.

Justice reports from Justice Werth, and Weidman for the month of October 2023 were presented, copy on file. The report shows monies taken in for the month were \$16,070.00, and \$4020.00, respectively. A motion by Councilperson Bacon and a second by Infantino to accept the report as presented. All in favor. MOTION CARRIED.

Town /Village Planning Board: Minutes submitted for the October 24, 2023, meeting, copy on file. There was no meeting held as specified in the minutes. A motion by Councilperson Bacon and a second by Luce to accept the report as presented. All in favor. MOTION CARRIED.

Town/Village Zoning Board of Appeals: Minutes submitted for the October 19, 2023, meeting, copy on file. A motion by Councilperson Bacon and a second by Infantino to accept the minutes as presented. All in favor. MOTION CARRIED.

Livingston County Planning Board: Agenda from the November 9, 2023, meeting was submitted. A motion by Councilperson Bacon, and a second by Colella to accept the agenda as presented. All in favor. MOTION CARRIED.

Executive Summary report for the month of October 2023 was presented, copy on file. A motion by Councilperson Infantino and a second by Bacon to accept the summary as presented. All in favor. MOTION CARRIED.

Committee Reports:

Cemetery: Sexton report for the month of October 2023 was submitted. A motion by Councilperson Bacon and a second by Infantino to accept the report as submitted. All in favor. MOTION CARRIED.

Highway Superintendent MacWhorter stated that the cemetery workers have been laid off for the season as of November 10. The highway crew has been picking up leaves this week.

Highway: Road work is completed for the year. Salt and sand are ready for the season. Supervisor Horr stated that we will get CHIPS reimbursement sometime in December. Councilperson Bacon asked about the two railroad crossings on Zerfass Road. He stated that they are in rough shape. Superintendent MacWhorter contacted the owner of the tracks, and he was given a phone number for the railroad company. He contacted them to let them know the beams were in rough shape and needed repair. Supervisor Horr stated they need to be contacted again by certified letter.

Cemetery Road: Supervisor Horr stated that Councilperson Colella has been looking into the abandonment of 10267 Cemetery Road. We have the authority to abandon a portion of the road under "qualified abandonment." This would mean the Town would have nothing to do with maintaining the road, but the adjacent land would qualify under the Town's current zoning law. A public hearing will need to be held, with adjacent property owners notified at least 20 days prior to the hearing. Councilperson Colella would like to get a precise location and measurement of where the qualified abandonment would start.

Airport: Supervisor Horr talked with the parties interested in having their wedding reception at the main hangar in the summer of 2024. They are willing to abide by the restrictions.

Soaring club lease has been reviewed. Councilperson Colella stated that the Soaring club signed the lease. There are things the club needs to do upon signing that have not been done yet. Councilperson Colella suggested they be contacted to follow through with the stipulations of the lease so it can be approved at our December regular meeting.

Clean Watts: For the land behind Frontage Road and Poags Hole that is partly owned by the County. Councilperson Colella reached out to Delaware River Solar, they stated they need to get a survey of the portion of the land that is owned by the County. They will not proceed unless the County contacts them.

Recreation/Park: The gates to Frontage Road Park have been closed for the season. There have been issues with people using the parking lot for a body shop and dumping garbage in the parking lot. The gate will remain locked until April 1st.

Superintendent MacWhorter had questions regarding Local Law # 4 that we just passed. He wanted to make sure that anybody, including outside contractors, need to obtain a permit to work on Town Roads. The law states "Except for the Town of North Dansville, its employees and agents, and except otherwise provided by law, all persons and entities, public and/or private, must first obtain a permit from the Town Superintendent of Highways before any excavation of any Town Highway is commenced by any such person or entity." The Town Clerk will make sure the law is posted on the Town website. A letter should be sent to any entity that this will most likely impact, such as NYSEG, and Empire.

Other Business: Before Supervisor Horr closed the public hearing, he asked if there were any questions relating to the hearing, to which there were none. A motion by Councilperson Colella and a second by Bacon to close the public hearing. All in favor. MOTION CARRIED.

RESOLUTION: ADOPTION OF THE 2024 TOWN BUDGET FOR THE TOWN OF NO. 11-1-2023 NORTH DANSVILLE

Motion by: Councilperson Bacon

Seconded by: Councilperson Colella

Whereas a public hearing was held on November 13, 2023, on the Preliminary Town Budget, and

Whereas the public was given the opportunity to speak at the public hearing on any portion of the Budget, and

Whereas the Town Board has had an opportunity to review and question any item within the 2024 Preliminary Budget, now therefore be it

Resolved, that the Preliminary Budget for the year 2024 is hereby adopted as the Town of North Dansville Town Budget for the year 2024, with the following changes:

General Townwide line item AA9060.800 Hospital & Medical Insurance from \$6960 to \$8,000.00, this will be taken from contingency line AA1990.400 changing from \$40,000 to \$38,960.00. Highway Townwide line item DA9060.800 Hospital & Medical Insurance from \$14,421.00 to \$20,110.00, this will be taken from line DA5130.200 changing from \$50,000 to \$44,311.00. This will have no impact on the final budget totals, and be it further

Resolved, that the salaries for the elected Town Officials are as follows:

Supervisor.....	\$ 16,000.00
Deputy Supervisor.....	\$ 1,000.00
Justice (2@ \$8573.00).....	\$ 17,146.00
Town Clerk/Tax Collector.....	\$ 43,260.00

And be it further

Resolved, the Town Budget for the year 2024 shall become effective January 01, 2023.

Roll Call Vote: AYES: Councilperson Infantino, Colella, Supervisor Horr, Councilperson Bacon, Luce.

NOES: NONE MOTION CARRIED 5 TO 0

30 Maple Street: possible sale will be acted upon next month. Supervisor Horr needs to find out if that land was purchased with any FAA grant funds, and if so, how much would need to be paid back if the town decided to sell the land.

Review of monthly payroll summary/registers and bank statements: Town Clerk presented a copy to all board members, Reconciliation Summary of Banking Accounts and Bank Statements (General, Highway, Airport, Water District and Trust & Agency) for the period ending October 31, 2023, for their review. The materials were e-mailed to the Board members.

McWhorter Road land erosion: the Town did not qualify for the grant that they thought we would qualify for. We are not considered underserved and there has already been too much work done to mitigate the water flow at the sewer treatment plant. There are several other grants that the Town would possibly qualify for that may be available in the spring. Supervisor Horr will get a list of those grants to see which ones would qualify. There is \$100,000.00 in the budget for this purpose that will carry over to next year to help offset what will not be covered by grants.

Donna Didas expressed her concerns about losing the barn on her property. She asked the board if she needed to send another certified letter expressing her concerns, as she does not want to be responsible if anything happens to the barn. Supervisor Horr told her she could if she would like to.

Town Hall Building Maintenance: Details need to be worked out with the person who is interested.

Kidd Road Cemetery: Councilperson Colella obtained a deed on the cemetery property. He stated for the town not to care for the cemetery, they would have to prove that the cemetery is private. He did not see enough proof to show that it was private. He believes that the town should continue to maintain the grounds as they have been, and at some point, declare it a public cemetery so that anybody that wanted could be buried there. Supervisor Horr stated they could only be buried there if they could prove they owned a lot. Councilperson Luce stated that no lots were sold during the 20 years he was involved in the cemetery. If the town wanted to sell lots there, sales would have to be through the Cemetery Sexton. Supervisor Horr will have to reach out to some people and figure out how we are going to proceed. The short-term plan is for the town to continue to mow and maintain the grounds.

A motion by Councilperson Bacon and a second by Colella to pay all bills as audited, general account vouchers #226- #248 incl., totaling \$29,345.43, highway account vouchers #71- #79 incl., totaling \$12,128.43. All in favor. MOTION CARRIED.

A motion by Councilperson Colella, and a second by Bacon to adjourn. All in favor. MOTION CARRIED

Meeting adjourned at 8:17 PM.

Respectfully submitted,

Lori Tyler
Town Clerk/Tax Collector