

March 4, 2014

The regular meeting of the North Dansville Town Board was called to order at 7:00 PM by Supervisor Dennis Mahus. Roll was taken and found Councilperson Conklin and Leven were present. Councilperson Horr and Schwenzer were absent. Highway Superintendent MacWhorter was also in attendance. Guest: None

Pledge to the Flag followed.

Town Clerk presented the minutes from the February 4, 2014 regular meeting, copy on file. A motion by Councilperson Conklin and a second by Councilperson Leven to accept the minutes as presented. All in favor. MOTION CARRIED.

Town Clerk's report for the month of February was presented, copy on file. The report shows monies taken in for the month were \$874.00 of which \$568.85 was turned over to the Supervisor. A motion by Councilperson Leven and a second by Councilperson Conklin to accept the report as presented. All in favor. MOTION CARRIED.

Justice reports: Justice reports from Justice Werth and Justice Weidman for the month January 2014 were presented, copies on file. The reports show monies taken in for the month were \$2,690.00.00 and \$3,699.00 respectfully. A motion by Councilperson Conklin and a second by Councilperson Leven to accept the reports as presented. All in favor. MOTION CARRIED.

Zoning/Code Officer: NO Report.

Town /Village Planning Board; NO REPORT.

A Notice of the February meeting for the Livingston County Planning Board set for February 13, 2014, was received, copy on file.

Received a copy of the "Available Regional Land Use 2014 Training schedule, copies given to the ZBA and Planning Boards, also a copy on file.

Town/Village Zoning Board of Appeals; NO Report.

Assessor's report: NO Report.

Cemetery reports for the months of January and February were presented, copies on file. A motion by Councilperson Leven and a second by Councilperson Conklin to accept the report as presented. All in favor. MOTION CARRIED.

Budget report: for the month of February was presented, copy on file. A motion by Councilperson Conklin and a second by Councilperson Leven to accept the report. All in favor. MOTION CARRIED.

Correspondence

A summary of the Association of Towns budget for the year 2014 was received.

A letter from Verizon Wireless informing the board that Verizon will be working on an antenna change at the Tower on McFadden Trail.

A \$100.00 check was received from NYSEG for the energy efficient furnace that the Town put in the cemetery house. The clerk applied for the rebate through the NYSEG and RG&E Industrial Rebate Program.

A letter from Time Warner Cable informing the Town of rate increases that will take effect with the first billing cycle of March 2014.

A brochure from the Landmark Society pertaining to "Preservation Planning in Your Community" (Historical Preservation).

Temporary Assessor Clerk: Supervisor Mahus informed the board that Assessor Smalt has requested a temporary clerk. The person will work approx. 6 hours per week at a rate of pay of \$12.00 per hour. The clerk will be scheduling assessment informal hearings and assisting with in office duties. This person will be placed on the Town's payroll. Rebecca Stanley is the person she would like to hire. After some discussion; a motion by

Temporary Clerk Cont: Councilperson Conklin and a second by Councilperson Leven to hire Rebecca Stanley, 10218 Sandy Hill Rd Dansville NY as the temporary Assessor Clerk for approx. 6 hours per week at a rate of \$12.00 per hour with the Town of Sparta sharing the cost of this position. All in favor. MOTION CARRIED.

**RESOLUTION: SETTLEMENT OF THE CIVIL ACTION CASES FILED BY
No. 3-1-2014 PARK HILLS I & II LLC PERTAINING TO ASSESSMENT
FOR PROPERTIES LOCATED IN THE VILLAGE OF
DANSVILLE, TOWN OF NORTH DANSVILLE**

Motion by: Councilperson Conklin

Second by: Councilperson Leven

Whereas, starting in the year 2007 Park Hills I & II LLC, owners of property located in the Village of Dansville, Town of North Dansville, Livingston County, has filed a Notice of Petition (Civil Action) against the Town of North Dansville Assessment Board of Review, the Assessor of the Town of North Dansville and the Town of North Dansville, Livingston County, New York for the values placed on their property by the assessing unit of the Town, and

Whereas, the Town of North Dansville, the Village of Dansville, the Dansville Central School District and Livingston County feel it would be in the best interest for all to broker a settlement with Park Hills I & II LLC settling the pending legal action, and

Whereas, Robert L Jacobson, Esq., Attorney for Park Hills I & II LLC, has stated that his client would be in favor of reaching a settlement agreement, and in fact has agreed to a proposed settlement, now therefore be it

Resolved, that the Supervisor of the Town of North Dansville is hereby authorized to sign the necessary documents to finalize the settlement agreement.

Roll Call Vote: AYES; Councilperson Conklin, Leven and Supervisor Mahus.

NOES; NONE.

ABSENT; Councilperson Schwenzer and Councilperson Horr.

MOTION CARRIED.

**RESOLUTION: ACCEPTING APPRAISAL PROPOSAL FOR PARCEL
No. 3-2-2014 203.5-1-2.22, LOCATED IN AREA OF FRANKLIN PLAZA,
VILLAGE OF DANSVILLE, NEW YORK**

Motion by: Councilperson Conklin

Second by: Councilperson Leven

Whereas, starting in the year 2011 Park Hills I & II LLC, owners of property located in the Village of Dansville, Town of North Dansville, Livingston County, has filed a Notice of Petition (Civil Action) against the Town of North Dansville Assessment Board of Review, the Assessor of the Town of North Dansville and the Town of North Dansville, Livingston County, New York for the values placed on their property by the assessing unit of the Town, and

Whereas, the Town of North Dansville, the Village of Dansville, the Dansville Central School District and Livingston County feel an independent appraisal of the parcel in question should be conducted,

Whereas, Supervisor Mahus has received a proposal from Emminger, Newton, Pigeon, Magar, Inc. to appraise the parcel in question and prepare a Preliminary Summary Report for \$3,900.00, a Self-Contained Court Ready Report for \$8,200.00 The proposal also includes a hourly fee for trial preparation and testimony at a rate of \$200.00/ hour, now therefore be it

Resolved, that the Town will enter into an agreement with Emminger, Newton, Pigeon, Magar, Inc, 950-A Union Road, suite 213, Buffalo NY to appraise the parcel in question and prepare a Preliminary Summary Report for \$3,900.00, and to authorize the Supervisor to sign the necessary paperwork to execute this agreement.

Roll Call Vote: AYES; Councilperson Conklin, Leven and Supervisor Mahus.

NOES; NONE.

ABSENT; Councilperson Schwenzer and Councilperson Horr.

MOTION CARRIED.

Airport: NO Report.

Highway: MacWhorter informed the board that the new one ton pickup truck is scheduled to be in Dansville March 16, 2014 and then will be sent to Rochester to have the box installed.

A motion by Councilperson Leven and a second by Councilperson Conklin to pay all bills as audited. General Account Vouchers #32-#55 incl., totaling \$53,681.35 and Highway Account Vouchers #18-#22 incl., totaling \$2,983.95. All in favor. MOTION CARRIED.

Recreational Area: NO Report.

Annual Report of the Supervisor: Supervisor Mahus presented a copy of the 2013 Annual Financial Report for the Town. Mahus stated that a copy of the report has been filed with the Town Clerk, a legal notice has been placed in the Genesee Country Express (stating that a copy of the report is on file in the Town Clerks Office) and a copy of the report has been sent to the Office of the State of New York Comptroller. A motion by Councilperson Conklin and a second by Councilperson Leven to accept the report as presented. ALL IN FAVOR. MOTION CARRIED.

Supervisor Mahus informed the board that he has received two proposals to conduct an audit of the Town's financial/procedural records.

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| 1) FreedMaxick | \$ 7,800.00 |
| 1 Evans St #2 | |
| Batavia, NY 14020 | |
| | |
| 2) Bonadio & Co, LLP | \$ 18,100.00 |
| 171 Sully's Trail | |
| Pittsford, NY 14534 | |

After some discussion and the fact that there were two board members absent board members agreed to table this issue until the April meeting.

Senior-Rama: Supervisor Mahus put forth the names of Robert (Bob) and Betty Minemier as potential candidates to represent the Town at the Livingston County Senior-Rama event being held May 10, 2014. Board members felt they were well deserving.

A motion by Councilperson Leven and a second by Councilperson Conklin to adjourn. All in favor. MOTION CARRIED

Meeting adjourned at 7:50pm.

Respectfully submitted

Timothy R Wolfanger
Town Clerk/Tax Collector