

February 14, 2023

Supervisor Horr called the Public Hearing to order at 7:01pm. The Town Clerk read the Public Notice. The purpose of the hearing is to allow comments to the Town Board on raising the exemption income limits for Senior Citizens (section 476 RPTL) and Persons with Disabilities with Limited incomes (section 459-c RPTL). Supervisor Horr asked for comments. Charlie Perkins stated that the plan for the Village of Dansville was to stay consistent with other Town's and Village's. Supervisor Horr let him know that was the intent of the Town Board to keep the law consistent with neighboring Towns and School Districts. Councilperson Bacon asked for clarification if there would be one law, or two separate laws. Supervisor Horr stated that it would be two separate laws, one for Senior Citizens, and one for persons with Disabilities with limited income. There were no further questions or comments, so Supervisor Horr left the Public Hearing open, and the regular meeting took place.

Rollcall was taken, and found Councilperson Luce, Bacon, Infantino, and Supervisor Horr present. Also present was Highway Superintendent James MacWhorter. Absent: Councilperson Colella.

Guests include Yvonne Smallwood, Donna Didas, Damon Flick, Devon Flick, Lisa Flick, Kim Coleman, and Charlie Perkins.

Pledge to the Flag followed, led by Councilperson Luce.

Privilege of the floor: Privilege of the floor was given to Devon Flick from Scouts BSA Troop 38, Dansville, NY. Devon presented to the Town Board and idea for his eagle scout project. He wants to build a 10x12 picnic pavilion at the airport. The location for this project will be outside the airport fence in the grass area between boulders and fence across from McDonald's restaurant. His vision is to have a place for pilots, residents, and travelers to eat and watch airport activities, rather than having to eat in their vehicle. The Town Board had a brief discussion with Devon and all questions were answered. Devon did state that he would provide more details and a design at upcoming Town Board meetings. Tonight, he was just seeking approval.

A motion by Councilperson Bacon and a second by Infantino to give Devon tentative approval to go ahead with his project. Supervisor Horr stated that he would have to check with FAA for any restrictions but was certain this would not be a problem. All in favor. MOTION CARRIED.

Town Clerk presented the minutes from the January 3, 2023, organizational meeting, and January 10, 2023, regular meeting, copy on file. A motion by Councilperson Bacon and a second by Luce to accept the minutes as presented. All in favor. MOTION CARRIED.

Town Clerk's report for the month of January 2023 was presented, copy on file. The report shows monies taken in for the month were \$3179.00 of which \$1904.68 was turned over to the Supervisor. A motion by Councilperson Luce and a second by Infantino to accept the report as presented. All in favor. MOTION CARRIED.

Zoning/Code Officer's report for the month of December 2022, and January 2023 was presented, copy on file. A motion by Councilperson Bacon and a second by Luce to accept the report as presented. All in favor. MOTION CARRIED.

Justice reports from Justice Werth and Justice Weidman for the month of January 2023 were presented, copies on file. The report shows monies taken in for the month were \$10,063.00 and \$5835.00 respectfully. A motion by Councilperson Bacon and a second by Infantino to accept the reports as presented. All in favor. MOTION CARRIED.

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

Committee Reports:

Cemetery report for the month of January 2023. The report stated no sales for January. A motion by Councilperson Bacon and a second by Infantino to accept the report as presented.

All in favor. MOTION CARRIED.

Superintendent MacWhorter states they fixed the leaf picker that was given to the Town by the Village. This will be a tremendous help with leaf clean up at the Cemetery. Supervisor Horr asked if the seasonal workers would be returning. MacWhorter stated that he knows that two of them are.

Highway: MacWhorter states that there has been more ice than snow this year. The crew has been out patching holes in the road and everything is in good shape.

Airport: Supervisor Horr stated that the Hangar roof project is on hold due to inclement weather. Supervisor Horr stated that this will create an issue with our budget this year as this project was supposed to be completed by the end of last year. There has been an asbestos consultant hired and they are waiting for good weather.

Recreation Area: Supervisor Horr asked if the soccer goals were still there. MacWhorter stated they were. Supervisor Horr will reach out to school officials to see what the status of school use of the fields will be.

Other Business: Review of monthly payroll summary/registers and bank statements: E-mails were sent to all board members Reconciliation Summary of Banking Accounts and Bank Statements (General, Highway, Airport, Water District and Trust & Agency) for the period ending January 31, 2023, and payroll by transaction class for the same period for their review. Town Clerk presented a hard copy of these materials for board review if they so wished. Board members had no concerns with the information contained in the financial material.

McWhorter Road: Supervisor Horr stated that he contacted the Army Corp of Engineers regarding the land erosion issue. He spoke with Lt. Colonel and he confirmed that the survey was submitted at a high priority due to the water treatment facility and the senior housing complex in that area. If the Army Corp of Engineers does not vote for approval of funding, the Town will move forward with at least wrapping the creek, similar to the project that LMC did.

Alfred State was interested in working on this project with the Town. Supervisor Horr will be in contact with the person who did the survey to obtain a copy. The Colonel did suggest writing letters to our State Representatives and Senators for support. Donna Didas asked if the project will be done this year. Supervisor Horr stated that he hopes the work can be done this year. If the funding is not approved by the Army Corp. of Engineers then the Town will Complete work this year. Supervisor Horr also stated that the time to do the project would be May through the Fall, as in Winter the water will begin to rise again.

Supervisor Horr shared with the Board a letter from a resident on the lack of handicap parking at the Town Hall. The letter addresses the fact that there are handicap spaces in the back parking lot, but no ramp or an easy way to access the building from the back. The resident also suggested a slope on the DMV side of the parking lot as there is only a large curb there making it hard for elderly, and those on crutches, or with a wheelchair to enter the building. Supervisor Horr stated that he will be in contact with the Village officials to work on solutions to these issues.

Supervisor Horr stated that he reached out to 10 different auditing/accounting to replace our last firm that could no longer service Municipalities. Three expressed interest, 4 stated they had no man power for new clients, the rest did not yet respond. He will follow up with the firms to see which might be a fit and to what extent we need the audit.

Supervisor Horr let the Board know that Town Clerk Tyler is working on a grant to secure funding to update our Vital Records storage and room. A stipulation of this grant is to make sure the Town has a Records Management Officer appointed. A motion by Councilperson Luce and a second by Bacon to name Lori Tyler as the Records Management Officer. All in favor. MOTION CARRIED.

Supervisor Horr asked for the Board's approval on a letter from Alan Howe for a donation to Summer Concert in the Park. A motion by Councilperson Bacon and a second by Luce to donate \$500.00 to the Summer Concert in the Park. All in favor. MOTION CARRIED.

Supervisor Horr received an email from SUNY Geneseo on students to who wish to provide spring clean-up to the Town. A MOTION BY councilperson Bacon and a second by Infantino to allow the students to help with clean-up, with Superintendent MacWhorter the contact person. All in favor. MOTION CARRIED.

Supervisor Horr noted that the Town Board did the annual Justice Audit on 2/13/23, and Town Clerk audit on 2/14/23 and there were no issues found with either.

A motion by Councilperson Infantino and a second by Luce to close the Public Hearing on raising income limits for partial tax exemptions for eligible senior Citizens, and persons with disabilities who have limited income. All in Favor. MOTION CARRIED.

**RESOLUTION:        ADOPTING LOCAL LAW NO. 1 OF 2023- A LOCAL  
No. 02-1-23        LAW NO. 1 OF 2023- A LOCAL LAW PROVIDING A PARTIAL  
                             EXEMPTION FROM REAL PROPERTY TAXES TO CERTAIN  
                             ELIGIBLE SENIOR CITIZENS**

Motion by: Councilperson Infantino

Second by: Councilperson Bacon

Whereas, a public hearing was held this date (February 14, 2023) on the partial tax exemption, and

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

Whereas, the Town Board has had an opportunity to review and question any item of the proposed local law,

Be it enacted by the North Dansville Town Board as follows:

**Section 1.** The intent of this Local Law is to adopt a real property tax exemption for certain qualifying senior citizens in accordance with New York State Real Property Tax Law §467.

**Section 2.** Real property owned by one or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by husband and wife or by siblings, one of whom is sixty-five years of age or over, and used as the legal residence of such person(s), shall be exempt from taxation up to a maximum of 50% of the assessed valuation provided the owner(s) meet the qualifications set forth in Section 3 below.

The partial exemption to be granted hereunder shall be determined by the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application. Any such income may not be offset by medical and prescription drug expenses actually paid by owner(s) which were not reimbursed or paid for by insurance.

**Section 3.** To be eligible for the exemption authorized by Real Property Tax Law §467 and implemented by this Local Law, the maximum income of such owner(s) shall not exceed \$28,000.00. Any such person(s) having a higher income shall be eligible for an exemption in accordance with the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION</u>
\$28,000.01 - \$28,999.99	45 per centum
\$29,000.00 - \$29,999.99	40 per centum
\$30,000.00 - \$30,999.99	35 per centum
\$31,000.00 - \$31,899.99	30 per centum
\$31,900.00 - \$32,799.99	25 per centum
\$32,800.00 - \$33,699.99	20 per centum
\$33,700.00 - \$34,599.99	15 per centum

\$34,600.00 - \$35,499.99	10 per centum
\$35,500.00 - \$36,399.99	5 per centum

**Section 4.** This Local Law supersedes all resolutions previously adopted by the Town Board to implement a partial real property tax exemption for certain eligible persons sixty-five (65) years of age or older.

**Section 5.** This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.

Roll call vote: A YES; Councilperson Infantino, Bacon, Luce, Supervisor Horr.  
NOES; none. MOTION CARRIED. 4 to 0

**RESOLUTION: ADOPTING LOCAL LAW NO. 2 OF 2023- A LOCAL LAW NO. 02-2-23 AMENDING LOCAL LAW NO. 3 OF THE YEAR 2012 INCREASING INCOME ELIGIBILITY FOR TAX EXEMPTION FROM REAL PROPERTY TAXES TO PERSONS WITH DISABILITIES WHO HAVE LIMITED INCOME**

Motion by Councilperson Bacon  
Second by Councilperson Luce

Be it enacted by the North Dansville Town Board as follows:

**Section 1.**

Section 3 of Local Law No. 3 of the year 2012 entitled “A Local Law Providing a Partial Exemption form Real Property Taxes to Persons with Disabilities who have limited income” is amended as follows:

Section 3.

To be eligible for the exemption authorized by Real Property Tax Law 459-c and implemented by this Law, the maximum income of such person shall not exceed \$28,000. Any such person having a higher income shall be eligible for an exemption in accordance with the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION</u>
\$28,000.01 - \$28,999.99	45 per centum
\$29,000.00 - \$29,999.99	40 per centum
\$30,000.00 - \$30,999.99	35 per centum
\$31,000.00 - \$31,899.99	30 per centum
\$31,900.00 - \$32,799.99	25 per centum
\$32,800.00 - \$33,699.99	20 per centum
\$33,700.00 - \$34,599.99	15 per centum
\$34,600.00 - \$35,499.99	10 per centum
\$35,500.00 - \$36,399.99	5 per centum

**Section 2.** This local law shall take effect immediately upon filing in the Office of the Secretary of State.

Roll call vote: A YES; Councilperson Bacon, Luce, Infantino, Supervisor Horr.  
NOES; NONE. MOTION CARRIED 4 TO 0

A motion by Councilperson Bacon and a second by Luce to pay all bills as audited, General Account Vouchers #15-#30 incl., totaling \$44,557.85 and Highway Account Vouchers #6-#10 incl., totaling \$3,379.39. All in favor. MOTION CARRIED.

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

Meeting adjourned at 7:38 P.M.

Respectfully Submitted

Lori Tyler/ Town Clerk