

August 5, 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, Horr Schwenzer and Leven present. Highway Superintendent MacWhorter was also in attendance. Guest: David Roberts and Jeff Shaver (FBO).

Pledge to the Flag followed.

Town Clerk presented the minutes from July 01, 2014 (regular) meeting, copy on file. A motion by Councilperson Conklin and a second by Councilperson Schwenzer to accept the minutes as presented. All in favor. MOTION CARRIED.

Supervisor Mahus opened the sealed bids for the Fixed Base Operator at Dansville Municipal Airport. The bids were as follows:

	Yearly bid	Tie-Down
1) Dansville Aero LLC 176 Franklin St Dansville NY 14437	\$ 12.00	\$ 40.00
2) LDM Holdings Inc. 9431 Foster Wheeler Rd Dansville NY 14437	\$ 2,400.00	\$ 50.00

Supervisor Mahus informed board members that he would re-visit this issue, later in the meeting.

David Roberts thanked the board for allowing the Union Hose Co. use of the airport for their annual Tractor Pull and Demo Derby. Roberts stated that there were approximately 1, 500 people in attendance for the pull. The event started on time and finished before 10:00pm. David stated he has not received any complaints. Board members stated that they had not received any complaints.

Town Clerk's report for the month of July was presented, copy on file. The report shows monies taken in for the month were \$3,535.00 of which \$2,026.93 was turned over to the Supervisor. A motion by Councilperson Horr and a second by Councilperson Leven to accept the report as presented. All in favor. MOTION CARRIED.

Zoning/Code Officers report for the month of June was presented, copy on file. A motion by Councilperson Conklin and a second by Councilperson Horr to accept the report as presented. All in favor. MOTION CARRIED.

Justice reports from Justice Werth and Justice Weidman for the month of June were presented, copy on file. The reports show monies taken in for the month were \$3,968.00 and \$8,820.00 respectfully. A motion by Councilperson Leven and a second by Councilperson Conklin to accept the report as presented. All in favor. MOTION CARRIED.

Town /Village Planning Board; NO REPORT

Notice of a meeting for the Livingston County Planning Board on July 10, 2014 was presented to board members, information only.

Town/Village Zoning Board of Appeals: A copy of the minutes for June 19, 2014 and July 17, 2014 meetings were presented, copies on file. A motion by Councilperson Horr and a second by Councilperson Schwenzer to accept the minutes as presented. All in favor. MOTION CARRIED.

A tentative agenda for training is set for August 08, 2014 at the Clarion Hotel in Batavia NY for Planning and Zoning Board members, copy given to both boards.

Assessor's report: A Certificate of the Final State Equalization Rate for the 2014 Assessment Roll was received from the NYS Department of Taxation & Finance, Office of Real Property Tax Service. The Town's Equalization rate is at 100.00.

Cemetery report for the month of July was presented, copy on file. A motion by Councilperson Schwenzer and a second by Councilperson Conklin to accept the report as presented. All in favor. MOTION CARRIED.

Highway Superintendent reported that the 16 yr. old worker (working through the Livingston County Youth Bureau) is at the cemetery. He seems to be a good worker.

Budget report: for the month of July was presented, copy on file. A motion by Councilperson Horr and a second by Councilperson Schwenzer to accept the report as presented. All in favor. MOTION CARRIED.
Mahus informed the board that he was starting work on the 2015 Tentative Town Budget.

Correspondence

A notice from Safe Driving Solutions (group that performs Town's employee drug & alcohol testing) of the semi-annual DOT drug and alcohol testing report for January 1, 2014 – June 30, 2014.

Notice from the NYS Festival of Balloons of the possibility of exceeding 5,000 people in attendance at the festival at any one time.

Information from NYMIR (our insurance carrier) in regards to the risk of inflatable equipment and the liability that comes with it.

Request for a donation from Mercy Flight Central (emergency helicopter service).

An e-mail from Livingston County Emergency Management Services notifying the Town that Governor Cuomo announced Federal approval of major disaster declaration which includes the Town of North Dansville and Livingston County.

A letter from Bernard P Donegan Inc. informing the Town that Bernard Donegan is set to retire.

A Notice from the Town of Sparta informing the Town of North Dansville of an upcoming Public Hearing on the extension of Local law #1-2012(A local law to effect a temporary moratorium on all natural gas and or petroleum activities in the Town of Sparta. The hearing is set for July 08, 2014 at 07:05 pm.

Two letters from Time Warner Cable pertaining to the possible loss of television channels.

Served a Notice of Petition in the matter of an application for review under Article 7 of the Real Property Tax Law of a tax Assessment by Benderson Properties Inc.

Town Registrar: Clerk Wolfanger informed the board that the Village of Dansville has an issue with Registrar Doris Culbertson that caused her to leave the office of the Village Registrar. After some discussion; A motion by Councilperson Leven and a second by Councilperson Conklin to authorize Supervisor Mahus to draft a letter to Registrar Doris Culbertson thanking her for her years of service to the Town of North Dansville but letting her know that her service as Registrar and DeputyTown Clerk would no longer be necessary. All in favor. MOTION CARRIED.

Supervisor Mahus informed the board that he has been in contact with Mayor Vogt and with board approval the Village and Town could appoint Jessica Wissick to the position of Town Registrar and Village Registrar with a work day of ten hours per week. Jessica is presently the Deputy Village Clerk. Town Clerk Wolfanger would keep his Town and Village Deputy Registrar position. A motion by Councilperson Horr and a second by Councilperson Schwenzer to appoint Jessica Wissick to the position of Registrar in the Town of North Dansville for a term to expire December 31, 2015. All in favor. MOTION CARRIED.

Clerk Wolfanger informed the board that he would like to appoint Jessica Wissick to the position of Deputy Town Clerk for the remainder of this year. A motion by Councilperson Horr and a second by Councilperson Schwenzer to accept the appointment of Jessica Wissick as the Deputy Town Clerk as made by Town Clerk Wolfanger for a term to expire December 31, 2014. All in favor. MOTION CARRIED.

Pay for Registrar and Town Clerk positions: A motion by Councilperson Leven and a second by Councilperson Conklin to set the rate of pay for the Registrar of the Town of North Dansville at \$12.00 per hour and the rate of pay for the Deputy Town Clerk. All in favor. MOTION CARRIED.

Highway: Superintendent MacWhorter reported that the Town crew is working on roads in preparation for stone & oil. MacWhorter also stated that he and Town Clerk Wolfanger went to a playground maintenance class in Rochester, sponsored by NYMIR. Jim is working with FEMA to recuperate some of the money that was spent to clean up and repair storm damage.

NYS Department of Transportation has sent a letter to the Town requesting a functional classification change of State Route (SR) 36 from the interchange entrances to I-86 at Exit 34 to the interchange entrances to 1-390 at Exit 4 near the Village of Dansville (shown in neap attached) to be changed from a Minor Arterial to a Principal Arterial. As part of this request, NYSDOT is reaching out to the Town of North Dansville for concurrence on this proposed functional classification change of SR 36, as this roadway traverses the Town. After some discussion; a motion was made by Councilperson Horr and a second by Councilperson Conklin to concur with the New York State Department of Transportation to functional classification change of State Route (SR) 36 from the interchange entrances to I-86 at Exit 34 to the interchange entrances to 1-390 at Exit 4 near the Village of Dansville (shown in neap attached) to be changed from a Minor Arterial to a Principal Arterial. All in favor. MOTION CARRIED.

Airport: Projects:

**RESOLUTION: ACCEPTANCE OF LUMP SUM CONSULTANT
NO. 07-1-2014 AGREEMENT FOR TAXIWAY "A" "B" APRON
RECONSTRUCTION AND AIRPORT ROTATING
BEACON AND TOWER REPLACEMENT AT
DANSVILLE MUNICIPAL AIRPORT, FAA AIP NO. 3-
36-0018-025-2014**

Motion by: Councilperson Conklin

Second by: Councilperson Schwenzer

Whereas, C&S Engineers Inc., 499 Col. Eileen Collins Boulevard, Syracuse NY, has submitted to the Town for review and approval, a Lump Sum Consultant Agreement for - reconstruction of bituminous asphalt pavement Taxiways "A", "B" and a portion of the apron. Approximately 1,500 linear feet of Taxiways "A" & "B" will be reconstructed along with 60,000 square feet of apron. Included in this project will be partial removal and decommissioning of Runway 18-36. This project includes grading, sub-base placement, drainage, asphalt and the installation of new medium intensity taxiway edge lights and guidance signs, along with new taxiway markings, and

Whereas, the amount of the Agreement for reconstruction of bituminous asphalt pavement Taxiways "A", "B" and a portion of the apron. Approximately 1,500 linear feet of Taxiways "A" & "B" will be reconstructed along with 60,000 square feet of apron. Included in this project will be partial removal and decommissioning of Runway 18-36. This project includes grading, sub-base placement, drainage, asphalt and the installation of new medium intensity taxiway edge lights and guidance signs, along with new taxiway markings is a fee not to exceed \$135,200.00, now therefore be it

Resolved, that the Town Board of the Town of North Dansville does hereby approve the Lump Sum Consultant Agreement reconstruction of bituminous asphalt pavement Taxiways "A", "B" and a portion of the apron. Approximately 1,500 linear feet of Taxiways "A" & "B" will be reconstructed along with 60,000 square feet of apron. Included in this project will be partial removal and decommissioning of Runway 18-36. This project includes grading, sub-base placement, drainage, asphalt and the installation of new medium intensity taxiway edge lights and guidance signs, along with new taxiway markings at Dansville Municipal Airport, FAA AIP NO. 3-36-0018-025-2014 from C&S Engineers Inc., 499 Col. Eileen Collins Boulevard, Syracuse NY, in the amounts, not to exceed, \$ 135,200.00, and be it further

Resolved, that the Supervisor is hereby authorized to sign the agreement(s) as presented.

Roll Call Vote: AYES; Councilperson Conklin, Horr, Schwenzer, Leven,
Supervisor Mahus

NOES; NONE MOTION CARRIED 5 to 0

**RESOLUTION: ACCEPTANCE OF LUMP SUM CONSULTANT
NO. 07-2-2014 AGREEMENT FOR OBSTRUCTION REMOVAL-
RUNWAY 14-32 APPROACHES OFF AIRPORT
PROPERTY FAR PART 77 OBSTRUCTIONS
(APPROX. 6.5 ACRES- DESIGN AT DANSVILLE
MUNICIPAL AIRPORT, FAA AIP NO. 3-36-0018-024-
2014**

Motion by: Councilperson Horr

Second by: Councilperson Conklin

Whereas, C&S Engineers Inc., 499 Col. Eileen Collins Boulevard, Syracuse NY, has submitted to the Town for review and approval, a Lump Sum Consultant Agreement for - Obstruction Removal-Runway 14-32 Approaches off Airport Property Far Part 77 Obstructions (approx. 6.5 acres)- Design, and

Whereas, the amount of the Agreement for Obstruction Removal-Runway 14-32 Approaches off Airport Property Far Part 77 Obstructions (approx. 6.5 acres)-Design, is a fee not to exceed \$74,500.00, now therefore be it

Resolved, that the Town Board of the Town of North Dansville does hereby approve the Lump Sum Consultant Agreement for Obstruction Removal-Runway 14-32 Approaches off Airport Property Far Part 77 Obstructions (approx. 6.5 acres)- Design at Dansville Municipal Airport, FAA AIP NO. 3-36-0018-024-2014 from C&S Engineers Inc., 499 Col. Eileen Collins Boulevard, Syracuse NY, in the amounts, not to exceed, \$ 74,500.00, and be it further

Resolved, that the Supervisor is hereby authorized to sign the agreement(s) as presented.

Roll Call Vote: AYES; Councilperson Conklin, Horr, Schwenzer, Leven, Supervisor Mahus

NOES; NONE MOTION CARRIED 5 to 0

**RESOLUTION: ACCEPTING THE LOWEST RESPONSIBLE BIDDER TO
No. 08-3-2014 RECONSTRUCT TAXIWAY "A" & "B" & APRON, REPLACE
AIRPORT ROTATING BEACON & TOWER, FAA PROJECT
No. 3-36-0018-22-13**

Motion by: Councilperson Horr

Second by: Councilperson Conklin

Whereas, as part of an ongoing process to keep the landing and takeoff surfaces at Dansville Municipal Airport in good repair the North Dansville Town Board has requested C&S Companies of Syracuse NY to put forth an application to the FAA to Reconstruct Taxiway "A", "B" & Apron, Replace Airport Rotating Beacon and Tower, and

Whereas, bids were advertised, let and received by the Town Clerk, and

Whereas, on July 17, 2014 at 11:00am in the North Dansville Town Hall 5 bids were opened, and

Whereas, the lowest responsible base bid of \$694,496.00, Add1 \$267,749.50 (Apron), Add2 \$56,100.00(Beacon), from Ramsey Constructors Inc., 5711 Gateway Park Lakeville, NY was received, now therefore be it

Resolved, that Ramsey Constructors Inc. be awarded the base bid of \$694,496.00, Add1 \$267,749.50 (Apron), Add2 \$56,100.00(Beacon) for FAA Project No. 3-36-0018-22-13 to Reconstruct Taxiway "A", "B" & Apron, Replace Airport Rotating Beacon and Tower at Dansville Municipal Airport, and be it further

Resolved, that the Town Board authorize the Supervisor to sign necessary documents for the project to commence, and be it further

Resolved, that the Supervisor is hereby authorized to sign the necessary agreements with the FAA and the NYSDOT for funding of this project.

A motion by Councilperson Horr and a second by Councilperson Humphrey to accept resolution No. 03-1-2010 as presented.

Roll Call Vote: AYES; Councilperson Horr, Schwenzer, Humphrey.

NOES; NONE

MOTION CARRIED 3 to 0.

Disadvantaged Business Enterprise (DBE) Program: The Town of North Dansville has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the US Department of Transportation (DOT), 49 CFR Part 26. The Town is required to update our program and refile with the US DOT. Supervisor Mahus informed the board that he has filed an updated DBE with the US Department of Transportation.

Dansville Recreational Park: The Dansville School has requested permission to use the Recreational Park on Frontage Rd. for school sporting activities until the construction project at the Senior High School Campus is completed. The board had no problems with this.

A motion by Councilperson Schwenger and a second by Councilperson Conklin to pay all bills as audited. General Account Vouchers #154-#178 incl., totaling \$24,562.75, Highway Account Vouchers # 63-#72 incl., totaling \$13,890.20 and Airport Account Voucher #8 in the amount of \$3,800.00 .All in favor. MOTION CARRIED.

Public Hearing: At the May 06, 2014 meeting a request was received from William DeNottia, DeNottia Development LLC / Huffer Corporation, requesting the Town to consider rezoning his property, Tax Map # 189.17-1-31.1, located 9477-9481 Foster Wheeler Rd from Medium Density Residential (MR) to Business (B). The property is now and has been for at least 25 yrs. been used for a business. DeNottia is working with Choice Hotels to construct a 45-50 unit Sleep in Hotel and with Dairy Queen Corporation to construct a Dairy Queen Chill and Grist restaurant. At that point the board stated they would like to see a Business Zone created that changes the entire area around the DeNottia property (as well as the DeNottia property) as the majority of this area is already being used for business activity. The decision was made to continue the pursuit of rezoning this area, creating a Business District. Supervisor Mahus informed the board that the next step in this process would be to hold a public hearing on the issue. A motion by Councilperson Horr and a second by Councilperson Conklin to hold a Public Hearing for the Rezoning of the properties in the Cumminsville area to create a Business (B) in the North Dansville Town Hall on September 02, 2014 at 7:00pm and to instruct the Town Clerk to place a legal notice in the Genesee Country express of the hearing. All in favor. MOTION CARRIED.

Supervisor Mahus informed the board that Code Enforcement has had a request to waive the \$250.00 Planning Board fees for Livingston Mechanical and Valley Fuel. Board members stated they could not start the practice of waiving fees as it would be hard to choose who does or who does not get their fees waived.

Fixed Base Operator (FBO): Supervisor Mahus opened discussion on the FBO quotes received. Board members stated that they have been pleased with the job that Dansville Aero LLC has done for the Town in past years but the amount that LMD Holdings is offering is just too much to pass on; A motion by Councilperson Horr and a second by Councilperson Leven to accept the bid from LMD Holdings, 9431 Foster Wheeler Rd, Dansville NY in the amount of \$2,400 per year with the request for tie-down fees to be \$50.00 All in favor. MOTION CARRIED.

Audit: Supervisor Mahus informed the board that Freed Maxick CPAs, PC, our auditing firm, has requested to speak to the board at 6:00pm on September 02, 2013 to go over the audit.

Supervisor Mahus informed the board that he has been contacted by Village Mayor, Peter Vogt, and the Village would like the Town to form a water district in Cumminsville. The Village has had to repair some of the water system in Cumminsville area. Mahus informed Mayor Vogt the Village has charged the users outside the Village a higher amount for water service and the extra he feels has been to repair the water system in the Cumminsville area. No further action will be taken on this topic at this time.

Mahus informed the board that the White Sabers Drum & Bugle Corp. has been using a small portion of the airport to practice. Their normal practice site was the High School but that is now under construction.

Mahus informed board members that the Town's Hazard Mitigation update should be finished and ready for the board at the December meeting.

Supervisor Mahus reports that he has received complaints from the Assistant DA of Livingston County and an Attorney working in our court room pertaining to people smoking in the entrance to the Town Hall. They feel that their clothes are picking up the cigarette smoke odor. Clerk Wolfanger stated that he has talked to the people waiting for their court appearance standing in the entrance area and requested they move when other people try to enter the building. Wolfanger also stated he has a problem with the trash and cigarette butts that are left outside on court night. Wolfanger presented a sample of a NO SMOKING SIGN that could possibly be placed on the Town Hall. Board members felt that we should extend the NO SMOKING area to include, not only the building (outside and inside), but the parking lot area. Highway Superintendent MacWhorter will get the signs corrected to reflect the Board's wishes.

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

Meeting adjourned at 8:50pm.
Respectfully submitted

Timothy R Wolfanger
Town Clerk/Tax Collector