

May 05, 2015

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 Horr, Schwenzer and Leven present. Councilperson Conklin was absent. Highway Superintendent MacWhorter was also in attendance. Guest: Joseph King, Priscilla Howe, Gerri Waite, Dorothy Hotchkiss

Pledge to the Flag followed.

Town Clerk presented the minutes from the April 7, 2014 regular meeting, copy on file. A motion by Councilperson Leven and a second by Councilperson Schwenzer to accept the minutes as presented. All in favor. MOTION CARRIED.

Dorothy Hotchkiss presented an application for use of the Dansville Municipal Airport for the Annual NYS Festival of Balloons to be held over Labor Day weekend. The committee, as in previous years, would like to have access to the Airport for the week preceding the event for set up and as a result have requested to use the airport from August 29, 2015 thru September 07, 2015. Supervisor Mahus informed Dorothy that the Town will have the runway shut down. With this; a motion by Councilperson Horr and a second by Councilperson Schwenzer to allow the NYS Festival of Balloons Committee to use Dansville Municipal Airport for the annual Balloonfest from August 29, 2015 until September 7, 2015 provided that proof of insurance for the event is presented to the Clerk, prior to the event and that all activities up to and during the event are in conjunction with the fixed base operator at the airport. All in favor. MOTION CARRIED. Supervisor Mahus thanked Dorothy and Gerri Waite for attending the meeting.

Town Clerk's report for the month of April was presented, copy on file. The report shows monies taken in for the month were \$3,012.00 of which \$2,143.38 was turned over to the Supervisor. A motion by Councilperson Schwenzer and a second by Councilperson Horr to accept the report as presented. All in favor. MOTION CARRIED.

Code/Zoning Enforcement Officers report for the month of April 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

Justice reports from Justice Werth and Justice Weidman for the month of March were presented, copies on file. The reports show monies taken in for the month were \$5,030.00 and \$7,053.00 respectfully. A motion by Councilperson Schwenzer and a second by Councilperson Leven to accept the reports as presented. All in favor. MOTION CARRIED

Town /Village Planning Board; NO REPORT.

Town/Village Zoning Board of Appeals: NO REPORT.

Assessor's report: Supervisor Mahus has been informed that the projected Tentative Assessment rate for the Town is 100 percent.

Cemetery report for the month of April 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 also informed the board that he has placed an order for cemetery flowers with the State Prison. The crew is working on leaf cleanup and filling in graves that have settled over the winter.

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

Correspondence:

A letter from the Daniel Goho Post 87 requesting the annual \$600.00 for the Memorial Day events. (Board approved when this item was placed in the budget and a voucher was submitted for approval and payment this evening).

A second letter was received from the Daniel Goho Post 87 inviting board members to participate in the Memorial Day Parade.

A letter from Alan Howe (volunteer concert coordinator) requested the annual \$500.00 for the Summer Concert series. The funds will be paid to the Dansville Public Library. (Board approved when this item was placed in the budget and a voucher was submitted for approval and payment this evening).

A letter from the Livingston County Board of Elections pertaining to the consolidated election districts throughout Livingston County. The number of election districts in the County was reduced from 61-39. North Dansville now has Districts 1, 2, 3 and 4, a reduction of two districts.

A letter from the Livingston County Board of Elections reminding Towns about the policy for filling a vacancy of an elected official and the process for having this vacant office placed on the general ballot, Election Law section 4-106 (4).

A "Policy Holder Notice" from New York Municipal Insurance Reciprocal (NYMIR) informing the Town that the insurance rates for the year 2015 will remain the same as were applied for the year 2014.

A notice from NYMIR pertaining to the safe driving & avoiding distractions, reasonable suspicion, plus road maintenance liability/signage requirements.

The Town received their NYMIR subscriber account statement for the year 2014.

Two letters were received from Time Warner Cable informing the board of possible loss of channels from the cable subscribers in the Town.

A letter from Baldwin Business Services informing the Town that if we are planning to use the County as our Lead Entity (filing through the county rather than the State ourselves) for the filing of our Tax Freeze documents we need to pass the attached resolution at this meeting.

A letter from Dansville Historical Society pertaining to the beacon at Dansville Municipal Airport (will discuss later in the meeting).

Information brochure from NYMIR.

Cemetery Cont: Supervisor Mahus turned the floor over to Priscilla Howe. Priscilla informed the board that in the Judges closing for the Greenmount Cemetery lot lawsuit filed and won by her cousin, the Judge informed the Attorney for the Town that maybe the Town could assist her in moving the head stones off the Rowe lot and onto another lot in Greenmount. She has been talking with Sexton Luce and Carl Hindle about the possible availability of the Hindle lots. Supervisor Mahus stated that it has been the policy of the Town not to touch the head stones, but the Town in this case could take the stones off the lot and store them in the cemetery barn until she is ready to have them placed on her new lots. The Town will then remove the foundations and place the lot back to where it was prior to the placement of the stones. When the new lots are purchased the Town will revisit this issue. Mahus thanked Priscilla for coming. Highway Superintendent MacWhorter reported that leaf cleanup is nearing completion in the cemetery. Things will be ready for Memorial Day. Supervisor Mahus reported that he has ordered the flowers for the cemetery.

Highway: Highway Superintendent MacWhorter informed the board that the recycled millings from the airport runway project are stored at the Town Barns. He states that there are more than we will need. Supervisor Mahus stated that the County values the millings at a rate of \$17.00 per ton. After some discussion: A motion by Councilperson Leven and a second by Councilperson Schwenger to declare the recycled millings from the airport runway project that are stored at the Town Barns to be surplus and may be sold at \$17.00 per ton. All in favor. MOTION CARRIED.

Motor Equipment Operator position: Supervisor Mahus asked board members if they all have had time to review the applications for the motor equipment operator that were received last month. Board members were asked to review the applications and to pick the top three or four applicants that they would like to interview. Board members stated they were ready to proceed with the interview process.

Airport: Supervisor Mahus informed the board that work on the new Airport Master Plan is continuing. Mahus also stated that work on the Taxiway A & B reconstruction and beacon replacement is continuing and should be complete in a few weeks (ahead of schedule).

Supervisor Mahus stated that RW 18-32 is deactivated at this point due to the reconstruction project. The time period for the deactivation will expire soon. Mahus stated that he would like to apply to continue the deactivation of this runway. This would require a board resolution filing the proper paperwork. After some discussion: a motion by Councilperson Horr and a second by Councilperson Leven to authorize the Supervisor to have prepared and the necessary paperwork to continue the deactivation of RW 18-32 at Dansville Airport. All in favor. MOTION CARRIED.

Historical Society: Gerry Waite, president of the Board of Directors for the Historical Society presented the Town with a letter pertaining to the society's concern over the old beacon that is set to be removed at Dansville Municipal Airport. They would like to see the beacon be installed somewhere in the Town as a permanent monument (preferably adjacent to the airport). They will work with the Town to see that this is accomplished. Supervisor Mahus stated that at this point there is no plan in place for the old beacon, but it will be stored in the airport hangar until a plan can be implemented. Waite was satisfied with this and requests to be kept informed.

Recreation Park (Dansville Rec. Park): Clerk Wolfanger informed the board that he has been contacted by an official from NYSEG about a kite that was caught in the power lines at the park. This is a major power line and it is not a simple matter to remove a kite when it gets tangled in the lower lines. NYSEG is requesting that the Town place signs in and around the park entrance stating that kite flying in the park is prohibited. Board members instructed Highway Superintendent MacWhorter to get signs placed in the park as requested by NYSEG.

Senior-Rama: Supervisor Mahus put forth the names of Larry and Phyllis Greene as potential candidates to represent the Town at the Livingston County Senior-Rama Banquet. Board members felt they were well deserving.

Benderson Properties Inc: Supervisor Mahus informed the board that he has been informed that Benderson Properties Inc. has rescinded the property tax claim petition for assessment relief. Mahus stated that the Town has had the parcel in question appraised and the appraisal was higher than the assessed value. Benderson was supposed to have their own appraisal done. They did not have one performed. The Town should receive notification from the court pertaining to the Benderson Properties Inc rescinding their property tax claim petition for assessment relief.

Highland Ave street light petition: Mahus stated that he has sent a letter to Mayor Vogt informing the Village that in 1995 the Town, at the Village request, turned over Highland Ave, to the Village. This would make this a Village Street and a link from Village limits to the water treatment Plant making it tax exempt. Mahus pointed out the savings to the Village budget by not having to pay property tax on the multi - million dollar water treatment plant. Mahus feels the Village should be responsible for the street lighting in this area. He is waiting for a response from Mayor Vogt.

Board members received a letter from Baldwin Business Services, informing the Town that if they were planning to use the County as its' lead entity (filing through the county rather than directly with the State) for the filing of Tax Freeze Documents the board would have to pass a resolution to allow the County to be the Lead Entity.

Resolution: NO. 05-1-2015

Motion by: Councilperson Horr

Second by: Councilperson Leven

WHEREAS: The State of New York has passed Property Tax Freeze legislation and

WHEREAS: The State of New York is allowing each of its municipalities to file Tax Freeze documentation (Government Efficiency Plans and certifications) using their County as Lead Entity rather than filing individually and

WHEREAS: The State of New York will consider plans submitted to the Lead Entity as having fulfilled the municipality filing requirements under the Tax Freeze legislation,

THEREFORE: The **Town of NORTH DANSVILLE** hereby resolves to recognize our county as Lead Entity and submit our documentation to them rather than directly to the State.

Roll Call Vote: AYES: Councilperson Horr, Schwenger, Leven, Supervisor Mahus

NOES: NONE

ABSENT: Councilperson Conklin MOTION CARRIED 4 to 0

County Youth Employment: Mahus stated that, as in past years, Towns may apply to get temporary youth employees to work in the Town. These employees will be paid by Livingston County (from State and Federal Funds) and will work for up to 24 hrs per week. Board members authorized the Supervisor to apply for the youth workers.

Clerk Wolfanger received a request for the Town's assistance from Trevett Cristo Salzer & Andolina P.C. Attorney's representing Hasco Realty LLC in the transfer of Tax Parcel Number 189.-1.-61, owned by Hasco Realty LLC to R&M Crown Holdings LLC. The title to this property calls for the Town of North Dansville to give their approval prior to any transfer of this property. The Town has had this issue come before it in 1985 and in 2002. After some discussion:

**RESOLUTION: APPROVAL FOR TRANSFER OF PROPERTY
NO. 5-2-2015 PROPERTY FOR TAX ACCOUNT NO. 189.1-61.1
(189.-1-61) (HASCO REALTY, LLC)**

Motion: Councilperson Schwenger

Second: Councilperson Horr

Whereas, the North Dansville Town Supervisor has received copies of Monroe Title Insurance Corporation Search No. 20471LC for Hartman Road property and Search No. 20473LC for Main Street property from Woods Oviatt Gilman LLP, Attorneys representing Hasco Realty LLC in a property transfer, and

Whereas, the language found in the deed for the properties require approval from the Town of North Dansville for any transfer of property, and

Whereas, at present Hasco Realty LLC is now in title and wishes to transfer said property to R&M Crown Holdings LLC, and

Whereas, all documents have been reviewed by John C. Putney, Attorney for the Town of North Dansville, and

Whereas, all documents were found to be in order, now therefore be it

Resolved, that the Town Board of the Town of North Dansville consents and approves to the conveyance of said land by Hasco Realty, LLC to R & M Crown Holdings, LLC and that said deed be executed in the form of a deed attached hereto.

Roll call vote: AYES; Councilperson Horr, Schwenger, Leven, Supervisor Mahus

NOES; NONE

ABSENT: Councilperson Conklin

Motion Carried 4 to 0

Transportation Study: Supervisor Mahus inform the board that the final copy of the Transportation Industrial Commercial Access Study will be out soon and a copy will be sent to the Town.

Town Audit: Supervisor Mahus informed the board that the auditors have completed their fact finding with the Town and barring any unforeseen issues will be at the July 7, 2015 Town Board meeting to discuss the findings of the audit.

Supervisor Mahus stated that the Temporary Equalization rate for the Town of North Dansville is 100%.

Lease Agreement/Village: A motion by Councilperson Leven and a second by Councilperson Schwenzer to authorize the Supervisor to sign the Lease Agreement between the Village of Dansville and the Town of North Dansville for the Village use of space in the North Dansville Town Hall for the amount of \$35,000.00 with said lease agreement to take effect June 1, 2015, and expire May 31, 2016. All in favor. MOTION CARRIED.

Code Office Agreement: A motion was made by Councilperson Horr and a second by Councilperson Schwenzer to authorize the Supervisor to sign the agreement with the Village of Dansville for Code/Zoning Enforcement services at a rate of \$3,600.00 per year and a term to commence June 01, 2015 and end May 31, 2016. All in favor. MOTION CARRIED.

A motion by Councilperson Horr and a second by Councilperson Leven to pay all bills as audited, General Account Voucher's #89-#110 incl., totaling \$20,723.843, Highway Account Vouchers # 41-#46 incl., totaling \$997.13 and Airport Account Voucher #5, totaling \$2,139.77. All in favor. MOTION CARRIED.

A motion by Councilperson Horr and a second by Councilperson Schwenzer to adjourn. All in favor. MOTION CARRIED

Meeting adjourned at 8:10pm.

Respectfully submitted

Timothy R Wolfanger
Town Clerk/Tax Collector