

November 8, 2022

Supervisor Gregory Horr called the regular meeting of the North Dansville Town Board to order at 7:00 PM. Rollcall was taken, and found Councilperson Luce, Bacon, Infantino, and Colella present. Highway Superintendent MacWhorter was also in attendance. Guest Yvonne Smallwood, Charlie Perkins, Donna Didas, Kim Coleman, Jan Holmes, Chuck Meraby, and Greg Nelson.

Pledge to the Flag followed, led by Councilperson Bacon.

Supervisor Horr addressed the people in attendance to clarify that this was not a public hearing, but a regular scheduled Town Board Meeting. He wanted everyone to be aware that if they were not on the agenda to speak, they should not do so.

Privilege of the floor was given to Kim Coleman of Highway Cigar and Smoke Shop. Kim addressed the board members asking for a full Repeal of Local Law No.1 of 2021. She submitted emails to the Supervisor with documents for review. She read a statement to the Town Board. The letter consisted of information and her facts of letters that were sent out by her to the 608 eligible registered voters in the Town of North Dansville. Of those 608 letters, 103 were returned, 68 were in favor of repealing Local Law No. 1 of 2021, 6 want to repeal to allow for dispensary only and not a consumption site, 1 wants to repeal to allow for consumption only, and 20 were not in favor of repealing Local Law No. 1 of 2021. She also stated that 8 letters were returned to sender as unable to forward. She expresses the surrounding community is mostly in favor of repealing the Local Law. She asked the board members if they had any additional concerns. Supervisor Horr stated that he will have to arrange for an accurate measurement to make sure the business is more than 500 feet from Cummingsville Park. He believes that it is but wants to get a more accurate measurement. There was a brief discussion among the board members.

After the discussion, a motion by Councilperson Bacon and a second by Luce to hold a Public Hearing on December 13, 2022, at 6:00PM to hear public comments on repealing Local Law No. 1 of 2021, **A LOCAL LAW TO OPT OUT OF CANNABIS ALLOWING RETAIL DISPENSERIES AND ON-SITE CONSUMPTION SITES AS AUTHORIZED UNDER CANNABIS LAW ARTICLE 4.** All in favor. MOTION CARRIED.

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

NOES: NONE, MOTION CARRIED 5 to 0

Councilperson Colella addressed Kim Coleman to let her know that to repeal a Local Law, there needs to be a public hearing.

Town Clerk presented the minutes from the October 11, 2022, 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 presented the minutes from the October 25, 2022, Tentative Budget Public Hearing, copy on file. A motion by Councilperson Colella and a second by Bacon to accept the minutes as presented. All in favor. MOTION CARRIED.

Town Clerk's report for the month of October 2022 was presented, copy on file. The report shows monies taken in for the month were \$4682.00 of which \$1860.35 was turned over to the Supervisor. A motion by Councilperson Bacon and a second by Bacon to accept the report as presented. All in favor. MOTION CARRIED.

Zoning/Code Officer's report for the month of October 2022 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 October 2022 were presented, copies on file. The report shows monies taken in for the month were \$12,312.00 and \$4,250.00 respectfully. A motion by Councilperson Bacon and a second by Luce to accept the reports as presented. All in favor. MOTION CARRIED.

Town /Village Planning Board: Minutes submitted from September 27, 2022. A motion by Councilperson Bacon and a second by Infantino to accept the revised minutes as presented. All in favor. MOTION CARRIED.

Town/Village Zoning Board of Appeals: Minutes submitted for the October 20, 2022, regular meeting was presented, copy on file. There was no meeting held. A motion by Councilperson Bacon and a second by Infantino to accept the report as presented. All in favor. MOTION CARRIED.

Assessor's report: NO REPORT.

Executive Summary report for the month of October 2022 was presented, copy on file. There was a discussion on areas that were over budget. Highway outside Village is \$40, 527.91 over. This is over budget due to permanent improvement budget revenue and expenses under budgeted. The revenue and expense will be adjusted upon receipt of the reimbursed funds. A motion by Councilperson Bacon and a second by Colella to accept the summary as presented. All in favor. MOTION CARRIED.

Committee Reports:

Cemetery report for the month of October 2022 was presented, copy on file. A motion by Councilperson Luce and a second by Bacon to accept the report as presented. All in favor. MOTION CARRIED.

Superintendent MacWhorter reported that leaf clean-up is ongoing. He states it would be less time consuming if he could purchase a leaf collector. He stated he could look for a used one. It would be beneficial and save a lot of time. He also stated that November 11 would be the last day for the workers at the Cemetery for the season.

Highway: MacWhorter states that the trucks and equipment are ready for winter. All salt and sand have been hauled to the County.

**RESOLUTION: AUTHORIZING THE SUPERVISOR TO SIGN AN NO. 11-1-2022 INTERMUNICIPAL AGREEMENT EXTENSION FOR MACHINERY, TOOLS, EQUIPMENT AND SERVICES SHARING ACCESS AND SALES OF ALTERNATIVE FUELS**

Motion by: Councilperson Colella  
Second by: Councilperson Infantino

Whereas, Livingston County has presented to the Town an INTERMUNICIPAL AGREEMENT EXTENSION FOR MACHINERY, TOOLS, EQUIPMENT AND SERVICES SHARING ACCESS AND SALES OF ALTERNATIVE FUELS, and

Whereas, this agreement would allow the Town to share services and equipment with Livingston County Highway Department, and

Whereas, the term of this agreement shall be from January 1, 2023, to December 31, 2023, and may be renewed annually for up to five (5) additional one-year terms upon the mutual written consent of the parties intending to continue participation in this agreement, through December 31, 2028, now therefore be it

Resolved, that with the passage of this resolution the Town of North Dansville does hereby accept the INTERMUNICIPAL AGREEMENT FOR MACHINERY, TOOLS, EQUIPMENT AND SERVICES SHARING ACCESS AND SALES OF ALTERNATIVE FUELS as presented by Livingston County, and be it further

Resolved, that the Town Supervisor is authorized to sign the agreement on behalf of the Town.

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

NOES: NONE  
MOTION CARRIED 5 TO 0

Airport: Supervisor Horr stated the Hangar roof project will start on 11/14/22. The board members were given a project schedule. It will carry over into January and close out the second week of January. The delay again was due to supply issues and staffing shortages.

**RESOLUTION: AUTHORIZING THE SUPERVISOR GREGORY P. HARR TO SIGN NO. 11-2-2022 THE NYSDOT EQUITABLE BUSINESS OPPORTUNITIES (EBO) SYSTEM USER AGREEMENT**

Motion by: Councilperson Infantino

Second by: Councilperson Bacon

Whereas, as New York State Department of Transportation- Aviation (NYSDOT) has requested the Town of North Dansville appoint a person to access the Departments IGS and EBO system, now therefore be it

Resolved, that with the passage of this resolution Supervisor Gregory P. Horr is named as the Responsible Local Official (RLO), representing the Town of North Dansville, to access the NYSDOT IGS and EBO systems.

Roll Call vote: AYES: Councilperson Bacon, Luce, Colella, Infantino

NOES: NONE

MOTION CARRIED 4 TO 0

November 8, 2022

Recreation: MacWhorter states the park gate is closed for the season.

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 October 31, 2022, 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.

**RESOLUTION: ADOPTION OF THE 2023 TOWN BUDGET FOR THE TOWN OF NO. 11-3-2022 NORTH DANSVILLE**

Motion by: Councilperson Colella

Second by: Councilperson Bacon

Whereas a Public Hearing was held on October 25, 2022, 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 2021 Preliminary Budget, now therefore be it

Resolved, that the Preliminary Town Budget for the year 2023 is hereby adopted as the Town of North Dansville Town Budget for the year 2023, 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@ \$8323.00).....	\$ 16,646.00
Councilman (4@ \$3,900.00) .....	\$ 15,600.00
Town Clerk/Tax Collector.....	\$ 41,200.00

And be it further

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

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

NOES: NONE MOTION CARRIED 5 to 0

A motion by Councilperson Colella, and a second by Bacon to refer the Zoning referral Form regarding Solar Law Amendment to the Zoning Law to Livingston County Planning Board. All in favor. MOTION CARRIED.

A motion by Councilperson Colella and a second by Infantino to approve the Full Environmental Assessment Form completed by Supervisor Horr to send to the Livingston County Planning Board. All in favor. MOTION CARRIED

McWhorter Road: Supervisor Horr stated he is still waiting on a response from the Army Corp. of Engineers report. He is also still working on obtaining estimates on performing the work with the assistance from Alfred University Engineering Department. He also said he was waiting on the election results to see who would be elected as representatives to address letters to them on the issue.

A motion by Councilperson Luce, and a second by Bacon to approve Jim MacWhorter as a member of the Livingston County Safety Traffic Board, with Greg Horr as an alternate. All in favor. MOTION CARRIED.

Supervisor Horr reminded the board members of the Town's year end meeting December 22, 2022, at 5:00 PM. The Organizational meeting will be held January 3, 2023, at 5:00 PM.

A motion by Councilperson Bacon and a second by Infantino to pay all bills as audited, General Account Vouchers #198- #215 incl., totaling \$ 31,981.48, Highway Account Vouchers #86-#96 incl., totaling \$4,428.68, and from the Water District Account Voucher #4 incl., totaling \$800.00. 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 7:34 PM.

Respectfully submitted

Lori Tyler  
Town Clerk/Tax Collector