

Supervisor Dennis Mahus called the regular meeting of the North Dansville Town Board to order at 7:00 PM. Roll was taken and found Councilperson Horr, Infantino, Bacon and Luce were present. Highway Superintendent MacWhorter was also in attendance. Guest: Louis Colella, Jessica Nolan, Dennis Nolan, Don Hamler, Jay Gregorius, Steve Lemen, Deborah Lemen, Rory Walker, Rhea-Jean Walker, Donna Didas, Paul Didas, Richard Driesbach.

Pledge to the Flag.

Minutes from the September 29, 2021 (special meeting), October 12, 2021 (regular meeting) and the October 19, 2021 (special meeting) were presented, copies on file. A motion by Councilperson Bacon and a second by Councilperson Horr to accept the minutes as presented. All in favor. MOTION CARRIED.

Privilege of the floor: Supervisor Mahus welcomed all in attendance and turned the floor over to Donna Didas. The group of homeowners on McWhorter Rd. is more than concerned about the erosion of land, caused by the Canaseraga Creek, to their property. Ms. Didas stated that she has lost approx. 50 feet of land, stemming from the original creek bank toward her home on McWhorter Rd., and she now has a shed that is only about six feet from being washed down the creek. Deborah Lemen and her husband Steve stated that every time we have a heavy rain they lose several feet of property due to the creek causing erosion of the bank. Lemen states that a few years ago there was a project done on the south side of the bridge where the creek had moved to the east and was in the process of eroding the land under State Rt. 436. The work that was done appears to have shifted the creek flow on the north side of the bridge and is the cause of the McWhorter Rd. land erosion problem. Lemen states it would appear that with the creek moving to the east eventually the properties north of theirs (T&R Trucking, Village of Dansville Waste Water Treatment Plant, and the Truck Stop) might very well be damaged by the creek flow.

Supervisor Mahus stated that the Town could do nothing as far as correcting the problem, as the creek water belongs to the State and the land under the water belongs to the listed property owners. Mahus stated that the group should continue to contact their State Officials as well as all State Agencies that are involved with the Creek and the Bridge on State Rte 436. He will speak to Mayor Vogt about the potential of a problem with the Waste Water Treatment Plant.

Mahus thanked all for attending.

Town Clerk's report for the month of October 2021 was presented, copy on file. The report shows monies taken in for the month were \$25,348.00 of which \$3,272.06 was turned over to the Supervisor. A motion by Councilperson Bacon and a second by Councilperson Infantino to accept the report as presented. All in favor. MOTION CARRIED.

Zoning/Code Officer's reports for the months of September 2021 and October 2021 were presented, copies on file. A motion by Councilperson Luce and a second by Councilperson Bacon to accept the report as presented. All in favor. MOTION CARRIED.

Justice reports for the months of September 2021 and October 2021 were presented for Justice Weidman, copies on file. The reports show monies taken in for the months were \$4,905.00 and \$1,816.00.00 respectfully. A motion by Councilperson Bacon and a second by Councilperson Luce to accept the reports as presented. All in favor. MOTION CARRIED

Town/Village Planning Board: No Report.

A preliminary agenda for the November 10, 2021 Zoom Livingston County Planning Board was presented, copy on file. Information only.

Town/Village Zoning Board of Appeals: A Notice of a Public Hearing set by the ZBA for a Village zoning matter at 139 Main St.

Assessor's report: No report.

Executive Summary report for the month of October 2021 was presented, copy on file. A motion by Councilperson Bacon and a second by Councilperson Luce to accept the report as presented. All in favor. MOTION CARRIED

Cemetery report for the month of October 2021 was presented, copy on file. A motion by Councilperson Luce and a second by Councilperson Horr to accept the report as presented. All in favor. MOTION CARRIED.

Highway Superintendent MacWhorter reported that the crew was able to get all of the leaves that have fallen to this point picked up. Friday will be the last day for the cemetery crew to work this.

Correspondence:

Notice from the Livingston County Real Property Tax Service that the annual cost of the tax collection BAS system has increased from \$750.00 annually to \$772.50 annually (up \$22.50).

Reports from the NYS Department of Ag & Markets were received showing corrections were made from the previous inspection violation reports for the Livingston County Dog Control Officer and the Livingston County Municipal Shelter.

Copies of letters from the Livingston County Economic Development sent to Mayor Vogt pertaining to façade improvements to the facades of buildings at 211 Main St and 172 Main St were received.

Highway:

**RESOLUTION: AUTHORIZING THE SUPERVISOR TO SIGN AN NO. 11-1-2021 INTERMUNICIPAL AGREEMENT FOR MACHINERY, TOOLS, EQUIPMENT AND SERVICES SHARING ACCESS AND SALES OF ALTERNATIVE FUELS**

Motion by: Councilperson Horr

Second by: Councilperson Infantino

Whereas, in 2016 Livingston County and the Town of North Dansville entered into a one (1) year (January 01, 2017 – December 31, 2017) INTERMUNICIPAL AGREEMENT FOR MACHINERY, TOOLS, EQUIPMENT AND SERVICES SHARING ACCESS AND SALES OF ALTERNATIVE FUELS with the option to renew for five additional one year terms through December 31, 2022 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, 2022 to December 31, 2022, 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, and 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 Horr, Infantino, Bacon, Luce and Supervisor Mahus

NOES: NONE MOTION CARRIED 5 to 0

Highway Superintendent MacWhorter informed board members that the road salt and sand have been hauled and are ready for winter. He also stated that this season the crew worked for the County Highway Department and made the Town about \$50,000.00

Airport: Mahus informed the board that he is working with the NYS Department of Transportation (airport division) on the main hangar roof replacement.

Recreational Area: No report.

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, 2021 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.

Audit: Supervisor Mahus received an e-mail from FreedMaxick informing the Town they would no longer be doing audits for Municipalities. Mahus stated he would work with Supervisor elect Horr to find a new group to perform the Town annual audit, if he wished to have them.

New Deputy Clerk position: Supervisor Mahus requested the board pass a resolution creating a second Town Clerk/Tax Collector Deputy. This position would be for newly elect Town Clerk Lori Hartman Tyler's training. He would like the salary to be \$15.00 per hour. A motion by Councilperson Bacon and a second by Councilperson Luce to create a second Town Clerk position for newly elect Town Clerk Lori Hartman Tyler's training at an hourly rate of \$15.00 per hour effective November 22, 2021. All in favor. MOTION CARRIED.

The Town Solar Law is still a work in process.

Supervisor Mahus informed board members that he and Clerk Wolfanger have been working with the State Tax Cap Department on information they have requested pertaining to the Town Tax Cap report that was filed. Many Town's in the County are being required to send the State similar documents.

Supervisor Mahus presented Local Law #1 for the Year 2021 - A LOCAL LAW TO OPT OUT OF ALLOWING CANNIBIS RETAIL DISPENSERIES AND ON-SITE CONSUMPTION SITES AS AUTHORIZED UNDER CANNABIS LAW ARTICLE 4. This law pertains to the section of the Town outside Village limits. Mahus stated that the Law is subject to permissive referendum. A public hearing would be required prior to passing this Local Law.

A motion by Councilperson Infantino and a second by Councilperson Horr to schedule a Public Hearing on December 21, 2021 at 06:00PM in the North Dansville Town Hall to hear public comment on proposed Local Law #1 of the year 2021- A LOCAL LAW TO OPT OUT OF ALLOWING CANNIBIS RETAIL DISPENSERIES AND ON-SITE CONSUMPTION SITES AS AUTHORIZED UNDER CANNABIS LAW ARTICLE 4. All in favor. MOTION CARRIED.

Organizational meeting for the year 2022: Newly elect Supervisor Horr would like to hold his organizational meeting for the year 2022 January 03, 2022 at 06:00pm. A motion by Councilperson Horr and a second by Councilperson Infantino to hold the 2022 Organizational meeting of the Town for January 03, 2022 at 06:00pm and authorize the clerk to place a legal notice in the Genesee Country Express of this meeting. All in favor. MOTION CARRIED.

A motion by Councilperson Horr and a second by Councilperson Infantino to pay all bills as audited, General Account Vouchers #214-#234 incl., totaling \$47,522.21 and Highway Account Vouchers #75-#81 incl. totaling \$12,629.75. All in favor. MOTION CARRIED.

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

Meeting adjourned at 07:25pm.

Respectfully submitted

Timothy R Wolfanger  
Town Clerk/Tax Collector