

**VILLAGE OF DANSVILLE  
BOARD OF TRUSTEES  
REGULAR MEETING MINUTES  
MARCH 15, 2016**

**CALL TO ORDER:** 7 p.m. by Mayor Vogt

**PLEDGE OF ALLEGIANCE:** Mayor Vogt

**PRESENT:** Mayor Peter Vogt, Trustee Richard LeBar, Trustee Richard Whitenack, Trustee Dan Rittenhouse, Trustee Robin Humphrey

**GUESTS:** Brian Ketchum (Empire Access), Superintendent of Public Works Scott Tracy, Police Chief Scott Tracy, Fire Chief Greg Horr, Village Clerk/Treasurer Megan Aldrich

**PUBLIC HEARING: To receive public comment on franchise agreements for fiber optic video service with Empire Access (Empire Video and North-Penn Video). See separate minutes for public hearings.**

Motion by Trustee LeBar to approve the Empire Video and North-Penn Video franchise agreements. Second by Trustee Rittenhouse. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion passed 5-0.

Approval of Franchise Agreement to provide Cable Television Services

**WHEREAS**, the Village Board has been presented with a proposed Franchise Agreement with Empire Video Services Corporation (the “Franchise Agreement”),

**NOW, THEREFORE**, the following resolutions are hereby adopted:

**RESOLVED**, that the Franchise Agreement is approved, and to that end the Village’s Mayor is hereby authorized, in the name and on behalf of the Village, to (i) execute and deliver, in the name and on behalf of the Village, the Franchise Agreement, (ii) take all such other actions (with the advice of counsel) as may be required to institute the cable television franchise contemplated by the Franchise Agreement, including without limitation, further negotiation and preparation of the Franchise Agreement and the execution and delivery of any necessary agreements, amendments, supplements, extensions, certificates, notes and other documents and instruments, all in form and substance as may be approved by the Village’s Mayor (his signature thereon being conclusive evidence of such approval), and (iii) take such further actions as the Village’s Mayor may deem necessary or advisable and appropriate to consummate the transactions hereby approved and otherwise to carry out the purpose and intent of these resolutions.

**RESOLVED**, that all actions taken by the Village’s Mayor to date in connection with the Franchise Agreement are hereby ratified and affirmed in all respects.

**MINUTES:** Motion by Trustee Humphrey, with the second by Trustee LeBar, to approve the following minutes:

- Department Head Meeting Minutes, Feb. 10, 2016
- Tax Cap Override Local Law Public Hearing Minutes, Feb. 16, 2016
- Regular Meeting Minutes, Feb. 16, 2016

Vote: all ayes. Minutes approved 5-0.

**PRIVILEGE OF THE FLOOR:** None

**MAYOR'S COMMENTS/CORRESPONDENCE:** Mayor Vogt briefed the Board on the following items:

- Reminder of March 21 Budget Workshop (4:15 p.m.)
- Poverty Meeting with Livingston County
- NYMIR Ltr. re. Appraisal Process for Insured Buildings
- NYSEG Natural Gas Emergency Response Training
- Public Statement Hearings on Proposed NYSEG Increases in Delivery Rates

## **COMMITTEE REPORTS**

Village Clerk/Legislative: Mayor Vogt raised the following topics.

- Action Items/Punch List Update
- Discuss 207(c) Appeal Document
- Organizational Meeting set for April 13

Public Safety

- Code Enforcement
  - \* Rezoning of Lower Main St.: Mayor Vogt will discuss the process with CEO Malone.
  - \* County Planning Board Referral Exemption Agreement Updates: Moved to the April meeting.
- Fire Department: No changes from report
- Ambulance Company
  - \* Billing Demand Letter & Collection Agency: moving forward with changes.
- Police Department: Chief Perkins provided updated information on Dogwood Festival and Chalk Walk.
- Village Court: Reports previously received.

Budget, Finance & Audit

- Fire & Ambulance Reserves Update
- Freed-Maxick Revised Agreement: Trustee Rittenhoused made the motion to approve the changes in the agreement for the coming years. Trustee Humphrey seconded the motion. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee

Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye.  
Measure carried 5-0.

- Budget Modifications: Trustee Rittenhouse moved to authorize the changes as presented, with Trustee Humphrey making the second. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion passed 5-0.

- Special Billing: Motion by Trustee LeBar to approve the following:

General: None

Water: None

Sewer: None

WWTP Capital Project w/Composting:

**Southern Tier Area Rentals**, Ferris IS2100, 1,943.00

**MRB Group**, Engineering Svcs., \$9,097.48

**Bernard P. Donegan**, Financial Management Svcs.,  
\$2,072.35

**USA Blue Book**, Signage, \$836.72

Housing Rehab Grant: None

**Thoma Development**, Program Delivery, \$8,604.96

The second was made by Trustee Humphrey. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion carried 5-0.

- Bills: Trustee LeBar moved to approve the following bills, with Trustee Rittenhouse making the second:

General

Paid checks #15203-15216 = \$28,754.80

Audited checks in the amount of \$69,042.41

Water

Paid checks #790-799 = \$70,110.49

Audited checks in the amount of \$82,072.42

Sewer

Paid checks #689-697 = \$70,487.88

Audited checks in the amount of \$77,488.14

Vote: Trustee Humphrey, aye; Trustee Rittenhouse, aye; Trustee LeBar, aye; Trustee Whitenack, aye; Mayor Vogt, aye. Motion approved 5-0.

• BAN, Bond and MedEx Payments: Trustee LeBar moved to authorize the following:

\* BAN and Bond Payments for:

**4/15/16** – Depository Trust Company for Ambulance, \$844.36 interest

**4/15/16** – Depository Trust Company for Fire Truck #1, \$145.45 interest

**4/15/16** – Depository Trust Company for WWTP renovations, \$450.19 interest

**4/15/16** – Depository Trust Company for WWTP Heating, \$260.00 interest

**4/15/16** – Depository Trust Company for Fire Truck #2, \$17,000.00 principal and \$372.50 interest

**4/15/16** – Depository Trust Company for Street Paving '07, \$8,000.00 principal and \$215.00 interest

\* MedEx Billing Account Payments:

**Livingston County EMS** – March pymnt., \$5,850.00

**MedEx** – Inv. 2016-3, \$1,066.00

**Patient Reimbursement** – \$326.10

**Village of Dansville** – Feb. pymnt., \$3,608.66

**Dansville Ambulance** – Jan. pymnt., \$5,412.99

The second was provided by Trustee Whitenack. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion carried 5-0.

Public Works:

- Water & Sewer
  - \* Workshop at WWTP discussed.
- Streets: No action

Trustee Humphrey moved to extend the meeting beyond 9 p.m. Second by Trustee Whitenack. Vote: all ayes. Motion carried 5-0.

Parks & Recreation: The following items were discussed:

- Arbor Day Celebration Grant – Authorize Signing of Agreement
- Gateway Floral Welcome Sign
- Summer Rec Proposals Due by 4 p.m. on April 8
- Mowing at Babcock Park

Technology: No action

## **UNFINISHED BUSINESS:**

- Motion to approve MRB Engineering Admin Amendment #4 made by Trustee Whitenack. Second made by Trustee Humphrey. Vote: Trustee Humphrey, aye; Trustee Rittenhouse, aye; Trustee LeBar, aye; Trustee Whitenack, aye; Mayor Vogt, aye. Motion passed 5-0.
- Trustee Rittenhouse moved to authorize the purchase of a DPW Trailer not to exceed \$7,000. Second by Trustee Humphrey. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion carried 5-0.
- Motion made by Trustee Rittenhouse and seconded by Trustee Humphrey to extend the Village – DAC contract by 60 days. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion approved 5-0.
- Mayor Vogt moved to approve the local law overriding the tax cap. Trustee Rittenhouse seconded the motion. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion passed 5-0.
- Trustee Rittenhouse made the motion to approve the reconstruction of the School St. retaining wall and Clara Barton St. steps at a cost not to exceed \$12,000 for the Village. St. Peter's Episcopal Church will pay for the labor provided by Pat Caldwell. Trustee Humphrey seconded the motion. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion carried 5-0.

## **NEW BUSINESS:**

- Trustee Rittenhouse moved to approve the purchase of “ghost” police vehicle. Trustee Whitenack made the second. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion passed 5-0.
- Trustee LeBar moved to approve a proclamation declaring April as Fair Housing Month. Mayor Vogt seconded the motion. Vote: Trustee Humphrey, aye; Trustee Rittenhouse, aye; Trustee LeBar, aye; Trustee Whitenack, aye; Mayor Vogt, aye. Motion approved 5-0.
- Vote on April Ambulance Proclamation tabled until proclamation received from Dansville Ambulance Co.

## **COMMUNITY COMMENTS**

## **EXECUTIVE SESSION: TO DISCUSS A DPOA CONTRACTUAL ISSUE**

- Trustee Rittenhouse moved to go into executive session for the purpose of discuss a DPOA contractual issue. Second by Trustee Humphrey. Vote: all ayes. Motion passed 5-0. Time: 9:21 p.m.

- Trustee Rittenhouse moved to return to open session. Second by Trustee Whitenack. Vote: all ayes. Motion carried 5-0. Time: 10: 57 p.m.

**ADJOURNMENT:** Meeting adjourned at 10:58 p.m. on a motion by Trustee Rittenhouse and second by Trustee Whitenack. Vote: all ayes.