

**VILLAGE OF DANSVILLE  
BOARD OF TRUSTEES  
REGULAR MEETING MINUTES  
APRIL 19, 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:** Jim Baase (Empire Access), Yvonne Smallwood, Frances Bovee, Police Chief Charlie Perkins, Fire Chief Greg Horr, Village Clerk/Treasurer Megan Aldrich

**PUBLIC HEARING: TO RECEIVE PUBLIC COMMENT ON A  
FRANCHISE AGREEMENT FOR FIBER OPTIC VIDEO SERVICE WITH  
NORTH-PENN VIDEO (SEE SEPARATE MINUTES)**

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 Community Cable Corporation d/b/a North Penn Video (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 Rittenhouse and second by Trustee Humphrey to approve the following:

- Department Head Meeting Minutes, March 9, 2016
- Public Hearing for Empire Video Franchise Agreement, March 15, 2016
- Public Hearing for North Penn Video Franchise Agreement, March 15, 2016
- Regular Meeting Minutes, March 15, 2016

Vote: all ayes. Motion carried 5-0.

**PRIVILEGE OF THE FLOOR:** None

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

- Poverty Meeting with Livingston County
- Public Statement Hearings on Proposed NYSEG Increases in Delivery Rates

## **COMMITTEE REPORTS**

Village Clerk/Legislative: The following subjects were discussed with no action taken:

- Action Items/Punch List Update
- Draft Audit Report
- Tabled Organizational Items

Public Safety:

- Code Enforcement: Rezoning of lower Main St. was discussed. The CEO Malone will be asked to present a request to the Zoning Board of Appeals for consideration.
- Fire Department
- Ambulance Company
- Police Department:
  - \* Trustee Rittenhouse made the motion to purchase a black police car at \$27,684.66. Trustee Whitenack seconded the measure. Vote: Trustee Humphrey, aye; Trustee Rittenhouse, aye; Trustee LeBar, aye; Trustee Whitenack, aye; Mayor Vogt, aye. Motion was approved 5-0.
  - \* Trustee Rittenhouse moved to approve a proclamation designating May 13-19 as Police Officer Week. Trustee Whitenack made the second. Vote: all ayes. Motion passed 5-0.
- Village Court

Budget, Finance & Audit:

- Budget Modifications: Motion by Trustee LeBar, with second by Trustee Whitenack, to approve budget modifications with adjustments. Vote: Trustee Humphrey, aye; Trustee Rittenhouse, aye; Trustee LeBar, aye; Trustee Whitenack, aye; Mayor Vogt, aye. Motion was carried 5-0.

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

General: None

Water: None

Sewer: None

WWTP Capital Project w/Composting:

**John Vogel**, Legal Fees, \$180.00

**MRB Group**, Engineering Svcs., \$10,408.41

**Milton Cat**, Hydraulic Angle Broom, \$6,926.00

**Internal Revenue Service**, Demand to Pay Fund from D'Amico Contract, \$14,104.37

**Timothy R. McGill**, Legal Svcs, \$333.04

**Richard Dantz**, Boiler Work from D'Amico Contract, \$2,466.00

**Eastcoast Electric**, Pymnt. Req. #6, \$6,238.75

Housing Rehab Grant: None

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

- Bills: Trustee LeBar moved to approve the following:

General

Paid checks #15261-15274 \$61,678.53

Audited checks in the amount of \$227,557.80

Water

Paid checks #818-823 \$7,953.26

Audited checks in the amount of \$40,360.13

Sewer

Paid checks #698, 716-721 \$10,892.05

Audited checks in the amount of \$17,573.97

Trustee Humphrey 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 the following:

- \* BAN and Bond Payments:

- 5/1/16 – EFC/M&T for Mill Creek Dam, \$15,000.00 Principal, \$1,670.50 Interest**

- 5/1/16 – Depository Trust Company for Land Acquisition for WWTP, \$5,000.00 Principal, \$2,411.25 Interest**

- 5/1/16 – Depository Trust Company for Water Meters (Water Fund portion), \$25,000.00 Principal, \$2,925.00 Interest**

- 5/1/16 – Depository Trust Company for Water Meters (sewer Fund portion), \$25,000.00 Principal, \$2,925.00 Interest**

- \* MedEx Billing Account Payments:

- Livingston County EMS – April Pymnt.: \$225.00**

- MedEx – Inv. 2016-4, \$2,106.00**

- Patient Reimbursement – \$4,004.48**

- Village of Dansville – March Pymnt., \$3,325.93**

- Dansville Ambulance – March Pymnt., \$4,988.90**

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

Public Works:

- Water & Sewer
- Streets

- \* Motion by Trustee Rittenhouse to approve the purchase a trailer for \$2,000. The second was made by Trustee Humphrey. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion approved 5-0.

- \* Motion by Trustee LeBar and second by Trustee Whitenack to prepay \$74,250.00 for the purchase of the excavator. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion passed 5-0.

Parks & Recreation: Mayor Vogt reminded the Board of the Arbor Day Celebration on April 23.

Technology: A brief discussion was held on the Time-Warner telephone and Internet proposals. No action taken.

### **UNFINISHED BUSINESS:**

- Trustee Rittenhouse moved to approve the North Penn Video franchise agreement. Trustee Humphrey made the second. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion carried 5-0.
- Trustee Rittenhouse moved to extend the Village-Dansville Ambulance Co. contract another 60 days. The second was made by Trustee Humphrey. Vote: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, aye. Motion approved 5-0.

### **NEW BUSINESS:**

- Trustee Whitenack moved to approve the 2016-17 Budget. Trustee Humphrey seconded the motion. After discussion, motion made by Trustee Whitenack to modify the justices pay to read zero percent increase. Trustee Humphrey moved to second the motion to change line numbers A1110.111 and A1110.112 in the General Fund budget. Vote on the change: Trustee Whitenack, aye; Trustee LeBar, aye; Trustee Rittenhouse, aye; Trustee Humphrey, aye; Mayor Vogt, no. Motion carried 4-1. Vote on the original motion as modified: Trustee Humphrey, aye; Trustee Rittenhouse, aye; Trustee LeBar, aye; Trustee Whitenack, aye; Mayor Vogt, aye. The budget as changed was approved 5-0.
- Trustee Humphrey moved to approve publication of an Arbor Day proclamation. Trustee LeBar seconded the motion. 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 the Summer Rec. Program bid from the Dansville Community Center with the provision that the operational costs will not exceed the total budgeted amount of \$20,000. Trustee Humphrey seconded the motion. Vote: Trustee Humphrey, aye; Trustee Rittenhouse, aye; Trustee LeBar, aye; Trustee Whitenack, aye; Mayor Vogt, aye. Motion carried 5-0.

### **COMMUNITY COMMENTS**

### **EXECUTIVE SESSION:**

- Trustee Humphrey moved at 8:42 p.m. to enter into executive session for the purpose of discussing and possibly voting on a Memorandum of Understanding with the Dansville Police Officers' Association (DPOA). Trustee Rittenhouse made the second. Vote: all ayes. Motion approved 5-0.
- Motion by Trustee \*\*\*\* and second by Trustee \*\*\*\* to approve the MOU with the DPOA. Vote: Trustee Humphrey, aye; Trustee

Rittenhouse, aye; Trustee LeBar, aye; Trustee Whitenack, aye; Mayor Vogt, aye. Motion passed 5-0.

- Motion at 8:55 p.m. by Trustee Humphrey and second by Trustee LeBar to return to open session. Vote: all ayes. Motion carried 5-0.

**MOTION TO ADJOURN:** Motion by Trustee Humphrey to adjourn. Second by Trustee Whitenack. Vote: all ayes. Meeting adjourned at 8:57 p.m.