

A regular meeting of the Geneseo Town Board was held on Thursday, January 24, 2008 in the Conference Room of the Geneseo Town Office Facility.

PRESENT: W. Wadsworth, D. Dimpfl, D. Dwyer, M. Tenalio

ABSENT: F. Manapol

ALSO PRESENT: R. Maxwell-Code Enf Officer, J. Coniglio-Town Atty, A. Carney-Hwy Supt, H. Latorella-Town Planning Board Member, M. Guyon-MRB Group, C. Strong, K. Book, P. Bruckel, J. Bruckel

MEETING OPENING & APPROVAL OF MINUTES:

Supervisor Wadsworth called the meeting to order at 7:00 pm. Councilman Dimpfl led the pledge to the flag and a moment of silence was held for troops who have given their lives and those in harm's way.

The Board reviewed the January 10th minutes. Mr. Tenalio moved and Mr. Dimpfl seconded the motion to approve the minutes of January 10, 2008 as presented. Motion passed with voting as follows: Wadsworth-aye; Tenalio-aye; Dimpfl-aye; Dwyer-aye. Nays: None.

MORGAN VIEW ROAD RE-ZONING:

Mike Guyon of MRB Group addressed the board with regards to his engineering review of the Peter Bruckel/Boyd Brokaw request for the rezoning of 3 lots on Morgan View Drive from Agricultural / Residential to Low Intensity Office. He reported that a revised EAF (Environmental Assessment Form) was submitted, adding that Peter Bruckel may build three (3) buildings but Peter has assured MRB that the total square footage will not exceed 10,000 square feet. Mr. Guyon continued that the curb cuts are an issue but will be addressed at site plan review by the Planning Board. In 1998, a traffic study for Morgan View Road was done but since the Morgan Estates development project approved by the Planning Board has not reached full build-out, it is impossible to project if the Reservoir Road/Morgan View Road intersection will need changes. Mr. Guyon recommended that as Morgan Estates continues to develop and approach full build-out, a traffic study should be completed to evaluate the impact of the uses not contemplated by the 1998 study. Mr. Bruckel added that there have been two changes to his original project: there are 64 apartments instead of the originally proposed 100, there are presently no houses where 20 were proposed.

With regards to stormwater drainage associated with the proposed re-zoning request and construction of the office buildings, Mr. Guyon advised that Mr. Bruckel's project will be required to comply with the New York State Phase 2 stormwater regulations, and he will have to mitigate any stormwater drainage problems as part of a SPEDES permit.

Mr. Dimpfl pointed out that if Mr. Bruckel's re-zoning request is granted, as you head south down Morgan View Road, the zoning would change from commercial/ the Geneseo Collision shop, to a "space" with A/R zoning and then to Low Intensity Office zoning. Mr. Dimpfl questioned if the board would like to make the zoning consistent along the east side of Morgan View Road and Attorney Coniglio pointed out that the board has discussed this. Peter Bruckel stated he does not have a problem with having the zoning consistent in that area.

Since Part 2 of the SEQR EAF form (project impacts and their magnitude) is the responsibility of the lead agency, with Mike Guyon's assistance, the board answered each of the part 2 questions relating to the Morgan View Road proposed rezoning. After which Mr. Tenalio moved that the Board adopt the following resolution:

A RESOLUTION ESTABLISHING THE TOWN OF GENESEO TOWN COUNCIL AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") FOR THE ENACTMENT OF LOCAL LAW NO. 1, 2008 AND DETERMINING SIGNIFICANCE UNDER SEQRA

WHEREAS, the Town Council has an application for an Rezoning of § 106-8 of the Town Code to rezone Tax Map Parcels 81.1-29.6, 81.1-29.7 and 81.1-29.8 (the "Rezoning"), and

WHEREAS, the Rezoning is an action that is subject to the State Environmental Quality Review Act (“SEQRA”), and

WHEREAS, in accordance with SEQRA the Town Council has declared its intent to act as lead agency for the Rezoning and to conduct an uncoordinated review under SEQRA as if it were the sole Lead Agency, and

WHEREAS, a full Environmental Assessment Form (the “EAF”) has been completed for the Rezoning and is annexed hereto at Schedule A and is made a part of this resolution as if fully set forth herein, and

WHEREAS, the Town Council conducted a Public Hearing on the Rezoning on December 13, 2007, and

WHEREAS, the Town Council has retained the assistance of the MRB Group to assist the Board in identifying and evaluating the potential environmental impacts of the proposed Rezoning, and

WHEREAS, the MRG Group submitted a report dated January 16, 2008 addressing traffic and drainage conditions, and

WHEREAS, with the assistance of The MRB Group the Town Council has carefully considered the potential environmental impacts of the proposed Rezoning against the criteria set forth in 6 NYCRR 617.7(c) and has taken a hard look at the potential environmental impacts as required by SEQRA, and

WHEREAS, the Town Council has identified and considered potential impacts from the Rezoning and the magnitude thereof which are more specifically itemized on Parts 2 and 3 of the EAF; now, therefore, be it

RESOLVED, that the Town Council, in accordance with SEQR and 6 NYCRR 617.6, hereby establishes itself as Lead Agency for the purpose of completing SEQR review of the Rezoning; and it is further

RESOLVED, that the Town Council having completed and reviewed a full Environmental Assessment Form which is a part of the record of the proceedings for the Rezoning and having considered the environmental impacts of the proposed Rezoning against the criteria in 6 NYCRR 617.7(c), finds that the proposed Rezoning will not result in any significant adverse environmental impact; and it is further

RESOLVED, that nothing herein is intended to supersede any items required to be reviewed by the Town Planning Board or any Federal, State or other Local Agency, and it is further

RESOLVED, that the Town Council does hereby authorize and direct the Clerk of the Town to forward a copy of this Negative Declaration to the Chairperson of the Town of Geneseo Planning Board; Region 8 Permit Administrator of the New York State Department of Environmental Conservation; any other identified Lead Agency and any other person who has requested a copy; and it is further

RESOLVED, that the Town Council does hereby authorize and direct the Town Clerk forward a copy of the Notice of Negative Declaration to the Environmental Notice Bulletin, 625 Broadway, Albany, N.Y.

Mr. Dimpfl seconded Mr. Tenalio’s motion and the resolution was adopted with voting as follows:

Wadsworth	AYE
Tenalio	AYE
Dimpfl	AYE

Dwyer

AYE

Nays: None.

At this time, discussion was held on keeping the zoning consistent on the east side of Morgan View Road and the Board agreed that tax map #81.-1-29.5 should be included in the Low Intensity Office (OFF) zoning. Mr. Tenalio moved the Town Board adopt the following resolution, amending it and the local law to include Tax Map #81.-1-29.5:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GENESEO ADOPTING LOCAL LAW NO. 1 OF 2008 AMENDING § 106-8 OF THE TOWN CODE TO INCLUDE TAX MAP PARCEL NOS. 81.-1-29.5, 81.-1-29.6, 81.-1-29.7 AND 81.-1-29.8 WITHIN THE BOUNDARIES OF THE LOW INTENSITY OFFICE (OFF) DISTRICT

WHEREAS, a resolution was duly adopted by the Town Council of the Town of Geneseo for a public hearing to be held by said Governing body on December 13, 2007 at the Geneseo Town Hall, Geneseo, New York, to hear all interested parties on a proposed Local Law amending § 106-8 of the Town Code to include Tax Map Parcels 81.1-29.6, 81.1-29.7 and 81.1-29.8 in the Low Intensity Office (OFF) District, and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of said Town of Geneseo, and

WHEREAS, said public hearing was duly held on December 13, 2007 at the Geneseo Town Hall, Geneseo, New York at the advertised time, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof, and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to article 8 State Environment Quality Review Act (SEQRA) it has been determined by the Town Council of said Town that adoption of said proposed Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQRA, and

WHEREAS, the Livingston Department of Planning recommended approval of the proposed Local Law pursuant to section 239-m of the General Municipal Law, and

WHEREAS, the Town Council of the Town of Geneseo, after due deliberation, finds it in the best interest of said Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council hereby adopts said Local Law No. 1 entitled “A local law amending §106-8 of the Code of the Town of Geneseo to amend the Town Zoning Map to include Tax map Parcels 81.1-29.5, 81.1-29.6, 81.1-29.7 and 81.1-29.8 within the boundaries of the Law Low Intensity Office (OFF) District”, a copy of which is attached hereto and made a part of this Resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Geneseo, and to give due notice of the adoption of said Local Law to the Secretary of State.

**Town of Geneseo
Local Law No. 1 for the year 2008
Town of Geneseo**

A local law amending §106-8 of the Code of the Town of Geneseo to amend the Town Zoning Map to include Tax map Parcels 81.-1-29.5, 81.-1-29.6, 81.-1-29.7 and 81.-1-29.8 within the boundaries of the Low Intensity Office (OFF) District.

Be it enacted by the Town Council of the

Town of Geneseo as follows:

Section 1

The Zoning Map of the Town of Geneseo is hereby amended so that tax map parcels 81.-1-29.5, 81.-1-29.6, 81.-1-29.7 and 81.-1-29.8 are encompassed within the boundaries of the Low Intensity Office (OFF) District. §106-8 of the Town Code is amended accordingly.

Section 2

This Local Law shall take effect immediately upon its filing in the office of the New York State Department of State.

Mr. Tenalio's motion was seconded by Mr. Dwyer and the resolution was adopted with voting as follows:

W. Wadsworth	AYE
M. Tenalio	AYE
D. Dwyer	AYE
D. Dimpfl	AYE

Nays: None.

CONESUS LAKE/LONG POINT PARK:

The Board reviewed a request from the Conesus Lake Association for use of the Long Point Park pavilion for their *annual Arts & Crafts Show & Sale* on July 19th and 20th at a cost of \$250. Mr. Dimpfl moved and Mr. Tenalio seconded the motion to approve the CLA request at a cost of \$250, with the CLA reimbursing for refuse removal and providing the town with an acceptable certificate of insurance. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Tenalio-aye; Dwyer-aye. Nays: None.

The *Long Point Park bathhouse project* was discussed. Code Enforcement Officer Maxwell brought up the question of building in the flood zone and whether it was taken into account when engineering the project. It was agreed that Mr. Maxwell will talk with Tim Brinduse of TAB Design before the project is advertised for bid.

WATER/SEWER ISSUES:

Discussion was held on the proposed change order and payment request for the installation of a master meter as part of the Court Street watermain project. It was agreed more dialog is needed with MRB Group. No action was taken at this time and the issue was tabled until the next meeting.

MISCELLANEOUS:

Councilman Dimpfl reported that he talked with Chad Henderson and Chad is willing to serve on the village's *search committee for a Director for the Summer Youth Recreation Program*. Mr. Dimpfl moved and Mr. Tenalio seconded the motion to appoint Chad Henderson to the village's search committee for a Summer Youth Recreation Director. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Tenalio-aye; Dwyer-aye. Nays: None. Councilman Tenalio added that he will be contacting the Mayor on behalf of the *YMCA Committee* to approach the village board to work with them on community programs.

Councilman Tenalio advised that he is still waiting for confirmation from an individual to serve on the committee to update the *Gateway portion of the Town's Comprehensive Master Plan* before the committee is ready to proceed. He hopes to have news within the next month.

Supervisor Wadsworth reported he has met talked with Code Enforcement Officer Ron Maxwell about resolving some issues with the *subdivision and sale of 5006 Warner Road* but still has to discuss some of those issues with Hwy Supt Carney.

Supervisor Wadsworth requested the town board think about specific *goals for 2008* so that at the February 28th meeting the board can define a set of goals for the board to look back on at the end of the year.

Councilman Dwyer addressed the Board regarding a number of commercial structures in the town and village that are *alarmed facilities*, automatically calling 911 when the alarm is tripped. He continued saying that 99% of the time it is a false alarm. A large number of keys to these facilities are held by the police and fire department in order to gain entrance when the alarm goes off. If a secure "knox box" was required on each of these buildings with all boxes keyed to one key, the fire department and police could have one key instead of many. The estimated cost for such a unit would be \$300 - \$500. A model ordinance was provided by Code Enforcement Officer Dean O'Keefe and it will be reviewed by counsel and the Fire Department before introduction as a local law. More discussion on this issue will take place at the next town board meeting.

Supervisor Wadsworth brought the board's attention to the following *communications in the meeting packets*: Fiddlers' picnic and Kamp Keyboard grants from Genesee Valley Council on the Arts; Town Clerk's 2007 annual report; Nomination form for Youth Recognition; and the 2007 Village Police report on file in the Town office.

EXECUTIVE SESSION:

At 8:40 pm Mr. Dwyer moved and Mr. Dimpfl seconded the motion to go into Executive Session to discuss a personnel matter. Motion passed with voting as follows: Wadsworth -aye; Dwyer-aye; Dimpfl-aye; Tenalio-aye. Nays: None. At 9 pm Mr. Dwyer moved and Mr. Tenalio seconded the motion to come out of Executive Session and go back into Regular Session. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye. Nays: None. Mr. Dwyer reported that no action was taken in Executive Session.

ADJOURNMENT:

At 9:10 pm Mr. Dwyer moved and Mr. Tenalio seconded the motion to adjourn the meeting. Motion passed unanimously.

Jean Bennett, Town Clerk