

A regular meeting of the Geneseo Town Board was held on Thursday, December 11, 2008 in the conference room of the Geneseo Town Office Facility.

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

ALSO PRESENT: J. Coniglio-Town Atty, L. Levey-Hwy/Water Supt, R. Maxwell-Code Enf Officer, H. Latorella – Planning Board Member, S. Brennan-Village Trustee, J. Fox – Village Trustee, K. Book, M. Zea-CLA Representative, H. Appell-Liv Co News, D. Aprile-Premium Development, J. Bonsignore – Fix Spindelman et al, K. Morgan- Lakeville Estates MAC LLC /Morgan Management

MEETING OPENING, APPROVE MINUTES, FINANCIAL BUSINESS:

At 7:10 pm Supervisor Wadsworth called the meeting to order. Councilman Dwyer led the pledge to the flag and a moment of silence was held for service men and women around the world.

The Board reviewed the **minutes of November 6th and 13th**. Mr. Dwyer moved and Mr. Manapol seconded the motion to approve the minutes of November 6, 2008 as presented. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Manapol-aye; Dimpfl-aye. Nays: None. Mr. Tenalio abstained from voting because he had been absent for that meeting. Mr. Tenalio moved and Mr. Dimpfl seconded the motion to approve the minutes of November 13, 2008 as presented. Motion passed with voting as follows: Wadsworth-aye; Tenalio-aye; Manapol-aye; Dimpfl-aye; Dwyer-aye. Nays: None.

The **abstract of vouchers** was reviewed and discussed. Councilman Dwyer explained that the NYS retirement payment is being made in December instead of January since it will result in a \$500 savings. Mr. Dwyer moved and Mr. Tenalio seconded the motion to approve payment for the following vouchers in the indicated amounts:

General A vo #992 thru #1090	\$34,887.39
General B vo #992 thru #1072	\$13,208.88
Hwy DA vo # 992 thru #1091	\$21,817.80
Hwy DB vo #992 thru #1089	\$14,702.00
Water O&M SW0 vo #992 thru #1088	\$7,669.73
Water Dist #3 Capital SW3 vo #1039	\$4,181.00
Sewer District SS1 Vo #1039	\$50.25
Light District SL vo #1045	\$361.71

Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

The board reviewed and discussed the list of **uncollectible receivables**. It was suggested they be turned over to a collection agency. Mr. Manapol moved and Mr. Tenalio seconded the motion to table the uncollectible receivables issue. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

The Board reviewed ***budget transfers***. The budget transfers for increase in Expenditures for A1620.200 Building – Capital and increase in Appropriated Fund A889 Building Fund were both increased by \$612 to allow for the Clark Patterson invoice received today for the Geneseo Building roof repair. Mr. Dimpfl moved and Mr. Manapol seconded the motion to approve budget transfers as amended and attached to the official board minutes. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

PREMIUM DEVELOPMENT:

Dawn Aprile addressed the board to familiarize board members with the ***various programs that Premium Development has been involved with***. Several years ago, Premium Development applied to the Build Now–NY program for their 82 acre parcel in the Gateway District on Volunteer Road. This program uses the concept of “pre-permitting” to assist NY governments and economic developers to attract companies to the site(s) they are promoting by providing funding for professional services such as SEQR review, historic and archaeological surveys, engineering studies, site maps, etc. After a lengthy and in-depth application process under the Multi-Business/ Technical category, Premium Development was one of 25 sites around the state chosen and awarded Build Now-NY funding. Premium Development has also submitted an application for “shovel ready” certification and has received clearance from SHPO, NYSDEC and the Army Corp of Engineers. The only remaining clearance/sign-off needed for “shovel ready” status is from NYSDOT, who is requesting a more current traffic study. Additionally, the Premium Development parcel is included in Livingston County’s Empire Zone.

Ms. Aprile advised that a multi-faceted plan is needed to promote their parcel and these programs that Premium Development has been involved with have put them in the best position they can be in. She expressed her hope that with understanding of these programs, the town board will feel a part of process and she encouraged board members to review her hand-outs on Build Now-NY and “shovel ready” programs, and call her with any questions.

LAKEVILLE ESTATES:

Kevin Morgan and James Bonsignore addressed the Board with regards to their request for ***amending the town’s mobile home park regulations***. Councilman Dimpfl showed slides that he had taken of double wide manufactured homes in Gypsum Mills, a mobile home park in Victor, and in Canalside Park, as well as slides of Lakeville Estates homes. Most homes in Gypsum Mills and Canalside Park were *perpendicular* to the road, whereas in Lakeville Estates, 75% of the homes are *parallel* to the road. Mr. Dimpfl added that front and side yard setbacks and lot coverage are additional factors to the square footage of the lot and questioned what is the proportion that makes the park and homes look good. He stated that he is having a difficult time envisioning what effect a reduction to 8400 sq ft lot size and increase from 20% maximum lot coverage to 30% maximum lot coverage will have, suggesting that the board may want to refer this to the experts.

Planning Board Member Hank Latorella added that the majority of the Planning Board did not feel that the current mobile home park zoning should be changed. Mr. Dwyer then pointed out that the Planning Board is on record for giving three options for the Town Board to consider.

At this time, Councilman Tenalio asked what the committee came up with. James Bonsignore, Attorney for Lakeville Estates MAC LLC, responded that the committee had requested that they “run the numbers” and see if Option #3 is acceptable to them. They did that and find that it is acceptable. Option #3 would allow for minimum lot size to be 7000 sq ft for a single wide home lot, 8400 sq ft for a double wide home lot and 9000 sq ft for a corner lot. Kevin Morgan added that option 3 would allow them 102 to 104 additional homes, making 155 total.

Councilman Dimpfl asked if the ratio of 75% parallel to road/25% perpendicular to road will remain in the 104 additional homes to be built in phase 2. Kevin Morgan responded that yes, that will be his recommendation to his engineer. Code Officer Maxwell suggested that the code amendments include wording that the number of units/mobile homes that are perpendicular to the road should not exceed 25% of the total units.

Town Attorney Coniglio advised that these mobile home park regulation changes would be a zoning amendment and have to go through the public hearing and SEQR processes. Additionally, for a complete application for this zoning change, Lakeville Estates will need to submit final plans.

It was the consensus of the Board that Lakeville Estates should proceed with an application for zoning changes as discussed (option #3 as referred to the Town Board by the Planning Board). Also, if possible, provide a slide show and schematic which would portray lots and homes as allowed by option #3.

CONESUS LAKE/LONG POINT PARK:

The Board reviewed a request from Jan Schur regarding ***use of the Long Point Park pavilion for their annual Arts & Crafts Show and Sale*** on Saturday and Sunday July 18th and 19th, for a reduced charge of \$250 plus the cost of a dumpster. They also requested they be allowed to remove the picnic tables from the pavilion on Thursday, July 16th and set up the pavilion for the event on Friday, July 17th. Mr. Manapol moved and Mr. Dimpfl seconded the motion to grant the request for the annual event. Mr. Dwyer pointed out that the event actually is requesting the use of the pavilion for 4 days since it could not be rented out for another event and asked if the Board felt that \$250 was enough for 4 days. It was agreed that the four (4) days would be blocked off and reserved for the CLA event and that Mr. Manapol will talk with Jan Schur about the fee. A letter will also be sent to the CLA President requesting that no one, including crafters, will tamper with the electric at the park. Mr. Manapol rescinded his motion.

WATER/SEWER ISSUES:

Mr. Dwyer moved and Mr. Tenalio seconded the motion to approve the **water supply agreement with the Town of Groveland**, subject to review and approval by the Town Attorney. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

2009 REFUSE REMOVAL:

The Board reviewed the results of the bids for **2009 refuse removal from the transfer station and Long Point Park**. There were three bids received for refuse removal from the transfer station and two for Long Point Park, as follows:

Transfer Station

<i>Company</i>	<i>Compactor Container</i>	<i>Open Top Container</i>
Waste Management	40 cubic yards \$70/month rental \$668/pull	40 cubic yards \$70/month rental \$550/pull
Riccelli Enterprises	No bid	40 cubic yards No rental fee \$585/pull
LT Disposal Inc	40 cubic yards \$65/month rental \$645/pull	40 cubic yards \$65/month rental \$585/pull

Long Point Park

<i>Company</i>	<i>Refuse Container</i>
Waster Management	6 cubic yards \$40/month rental \$33.68/lift
LT Disposal Inc	6 cubic yards \$40/month rental \$172/month \$40/lift

Based on an analysis, Highway Superintendent Levey recommended the bid be awarded to Waste Management. Mr. Dimpfl moved and Mr. Manapol seconded the motion to award the bid for 2009 refuse removal from both the transfer station and Long Point Park to Waste Management. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

HIGHWAY:

Mr. Dwyer moved and Mr. Dimpfl seconded the motion to approve the Intermunicipal Agreement with Livingston County regarding the use of an **Asphalt Zipper AZ-500 Recycling/Milling Machine** for road repair and rehabilitation projects on county and town

roads in Livingston County and authorize the Supervisor to sign it, as on file in the Town office. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

Mr. Manapol moved and Mr. Tenalio seconded the motion to authorize the Supervisor to apply for participation in the **Federal Surplus Property Program** which will provide for the town to purchase federal surplus equipment. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

Mr. Manapol moved and Mr. Dwyer seconded the motion to declare the following items as **surplus equipment**: wood storage crates at the Recycling Center; miscellaneous bolt together pipe; old generator; three point hitch cement mixer; and 10 bags masonry cement. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

MISCELLANEOUS:

Mr. Dimpfl moved and Mr. Manapol seconded the motion to **approve the Code Enforcement Agreement with the Town of Groveland**, as on file in the Town Office and authorize the Supervisor to sign it. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

Mr. Dwyer moved and Mr. Manapol seconded the motion to **schedule the Organizational meeting** for January 8th at 7:00 pm. Regular business will also be conducted. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

Mr. Dwyer moved and Mr. Tenalio seconded the motion to **cancel the December 30th town board meeting**. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

Mr. Dwyer moved and Mr. Tenalio seconded the motion to **close the office** on Friday, December 26th and Friday, January 2nd and give the staff two days off. Additionally, if a staff member has to work one or both of those two days, they should have alternative day(s) off. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

The Board reviewed a **proposal from Bergmann Associates for professional planning services** to assist the town with the completion of a Conceptual Master Plan and Design Standards for the Gateway District at a total cost of \$22,500. This includes approximately \$15,000 for the Conceptual Plan, \$4,500 for the Design Standards and \$3,000 for meeting attendance and facilitation. It was suggested that if significant work is needed on the Design Standards for the Gateway, Dawn Aprile's work can be used. After discussion, Mr. Tenalio moved and Mr. Dimpfl seconded the motion to authorize the Supervisor to sign the

Bergmann Proposal, as on file in the Town office. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

Attorney Coniglio stated there is a flaw in the town's **park and recreation fee**, since the fee cannot be arbitrarily charged to each residence built. He will investigate the matter to find a code provision(s) for collecting park and recreation fees that has been upheld in court.

Councilman Manapol will be participating as a **panelist in a forum on SUNY Geneseo campus** to discuss the appropriateness of the current drinking age and the possible effects on college campuses if the drinking age were lowered to 18. Board Members were also invited to join the audience for this panel discussion to be held sometime in February (date yet to be determined).

The September, October and November **Supervisor reports** were in Board Members packets.

EXECUTIVE SESSION:

At 9:15 pm Mr. Dwyer moved and Mr. Tenalio seconded the motion to go into Executive Session to discuss some personnel issues, including Highway union negotiations, with Attorney Coniglio remaining and with Hwy Supt Levey remaining for a portion of the session. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

At 10 pm Mr. Dwyer moved and Mr. Tenalio seconded the motion to come out of Executive Session and go back into Regular Session. It was reported that no action was taken. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

PERSONNEL MATTERS:

Mr. Dwyer moved and Mr. Tenalio seconded the motion to accept **Trish Jones' resignation from the Planning Board** with regret. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

Mr. Tenalio moved and Mr. Dwyer seconded the motion to adopt the **2009 salary schedule** as attached to the official minutebook with a 3% raise across the board, including Planning and Zoning Boards. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

Mr. Tenalio moved the Town Board adopt the following resolution:

BE IT RESOLVED: that the Town Board of the Town of Geneseo does hereby elect to provide the additional pension benefits of **Section 41(j) of the Retirement and Social Security Law**, as presently or hereafter amended.

BE IT FURTHER RESOLVED: that the effective date of such shall be the 1st day of January, 2009.

The adoption of the resolution was seconded by Mr. Dwyer and it passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

Mr. Tenalio moved and Mr. Dwyer seconded the motion to offer two **health care plans**, Preferred Care's EPO-1 and HSA, to all full-time employees. In addition to the premium, the Town will contribute the full deductible amount for employees electing to participate in the HSA (Health Savings Account). For employees electing to participate in the EPO-1 plan, the employee will contribute a percentage of any increase in the premium, as worded in the highway union contract. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

Mr. Dwyer moved and Mr. Tenalio seconded the motion to authorize the Supervisor to sign an **Agreement with M&T Bank** for the deposit of Health Savings Account (HSA) funds for/from its employees (Agreement on file in the Town Office), with the understanding that the Town of Geneseo's financial relationship with M&T is strictly for HSA accounts, since no local banks provide this service. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

ADJOURNMENT:

At 10:15 pm Mr. Dwyer moved and Mr. Tenalio seconded the motion to adjourn the meeting. Motion passed unanimously. Jean Bennett, Town Clerk

Attachments: Budget transfers, Salary schedule