

A regular meeting of the Geneseo Town Board was held on Thursday, January 22, 2009 in the conference room of the Geneseo Town Office Facility.

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

ALSO PRESENT: L. Levey-Hwy Supt, R. Maxwell-Code Enf Officer, J. Coniglio-Town Atty, K. Book-Master Plan Committee, H. Appell-Liv Co News

MEETING OPENING, APPROVAL OF MINUTES:

Supervisor Wadsworth called the meeting to order at 7:10 pm. The flag was pledged to and a moment of silence was held for our service men and women around the world, as well as for our new US President.

The Board reviewed the minutes of January 8th. Mr. Dimpfl moved and Mr. Tenalio seconded the motion to approve the minutes of January 8, 2009 as presented. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Tenalio-aye; Manapol-aye; Dwyer-aye. Nays: None.

MASTER PLAN UPDATE – GATEWAY PORTION:

Ken Book addressed the Town Board regarding the Gateway District Master Plan update. He suggested that since Bergmann Associates has been hired to develop design standards, all commercial development down the Route 20A corridor could be looked at and included. Mr. Dimpfl agreed that Mr. Book's suggestion makes sense and added there are areas in town outside village in addition to the Gateway and Route 20A that should be looked at and included, such as LNB (Lake Neighborhood Business District), OFF (Low Intensity Office, G (General Industrial), HC (Highway Commercial), etc. He pointed out that it makes sense to have a unified manner of addressing definitions, etc. After discussion it was the consensus of the Board to have the design standards include all "non-residential" areas in the Town outside Village. Mr. Book will speak to Andy Rauss about this discussion and get back to the Town Board if there are any issues with this decision. Attorney Coniglio added that the town has performance standards included in the town code for the Industrial District but perhaps Andy Rauss of Bergmann Associates could look at these standards, ie noise tolerance, vibration tolerance, etc. Mr. Book responded that this may be beyond the scope of the Bergmann contract, but it could be done later if that is the case. Mr. Dwyer stated that if Bergmann Associates comes back with additional expenses, it will be a "tough sell".

Mr. Book stated that he expects to return to the Town Board in late February to request that the Board adopt the design standards for MUII that were adopted by the Village of Geneseo in January. However, he continued, first the Gateway Master Plan Committee must look at the design standards to see if there are any items that need to be changed. The Town Board will also get a copy to review before the request for adoption. Mr. Book stated the key for this process is to get the design standards, then the next step will be to work on a conceptual plan, with the committee working with the Gateway property owners the Apriles and the Munson/Frew/Bondell families. Meanwhile, the committee will continue to look at design standards, determining if changes should be made. Mr. Book added that the Apriles have already done a lot of work that will help the committee.

Mr. Dimpfl asked about putting the town outside village and Gateway Master Plan update pieces together. Mr. Book responded that Andy Rauss of Bergmann Associates has an idea of putting the two together simply and then the town would only go through one process for adoption of the updated Master Plan. The Town Board agreed it does not make sense to go through the process for each separate piece.

CONESUS LAKE/ LONG POINT PARK:

Councilman Dimpfl reported on four issues discussed at the *Conesus Lake Association's Steering Committee meeting* of January 16th, including: concern with hunting with rifles south of Route 20A; a zoning code study/comparison of towns' zoning that border Conesus Lake; requesting towns' permission to label storm drains in the Watershed with message "Drains to the lake – Don't pollute"; CLA will be producing a "lake-friendly" educational information sheet to be distributed to all lake residents and shared with lake visitors and renters.

Councilman Manapol advised Board Members of the *Geneseo Crew Fundraising dinner* to be held on February 7th at 6:30 pm in the MacVittie College Union and the invitation to Patty Fennell's house in advance of the dinner.

WATER & SEWER ISSUES:

Mr. Tenalio moved and Mr. Dwyer seconded the motion to adopt the following *large water user policy*:

A RESOLUTION OF THE TOWON COUNCIL OF THE TOWN OF GENESEO ESTABLISHING A RATE TWO TIER RATE SCHEDULE AND ESTABLISHING A POLICY REGARDING REFUNDS FOR OVER PAYMENTS OF WATER CHARGES FOR LARGE VOLUME WATER USERS

WHEREAS, the Town Council of the Town of Geneseo (the "Council") intends hereby to adopt a two tier rate policy for water users to allow for a discount in the water rate charged to water customers that consume in excess of 2 million gallons of water per fiscal year ("Large Volume Users"), and

WHEREAS, the Council intends by this Resolution to implement a method for annually reconciling the accounts of Large Volume Users after the close of each fiscal year, and

WHEREAS, it further intended hereby to establish a method for determining the amount of any overpayment made by Large Volume Users and also to establish the method for repayment of any such repayment.

IT IS HEREBY RESOLVED AS FOLLOWS:

1. There is hereby established a two tiered rate schedule for Large Volume Users.
2. Large Volume Users are hereby defined as those persons or entities that consume in excess of 2 million gallons of water per fiscal year.
3. The First Tier Rate to be charged Large Volume Users shall be the amount of \$3.40 per thousand gallons consumed.
4. The Second Tier Rate to be charged Large Volume Users shall be the amount of \$ 2.96 per thousand gallons consumed.
5. During each fiscal year Large Volume users shall initially be charged and billed at the First Tier Rate for all water consumed during the fiscal year.
6. In each January succeeding the close of the prior fiscal year the total number of gallons consumed by each Large Volume User during the fiscal year shall be computed.
7. The Second Tier Rate shall then be applied to that amount of water consumed which is in excess of 2 million gallons during the prior fiscal year.
8. The Town Clerk shall then reconcile the total amount paid by the Large Volume User with which would have been payable by the Large Volume User after adjusting for the Second Tier Rate applicable for consumption in excess of 2 million gallons.
9. Any overpayment computed after such reconciliation shall be refunded to the Large Volume User.
10. This Resolution shall be effective for all water bills incurred after January 1, 2009.
11. The two tiered rate schedule established hereby shall be applied only in those cases in which Large Volume Users are current in the payment of their respective water bills.
12. In the event that a Large Volume User fails to cure any payment delinquency prior to the date for re-levy to the Town and County Tax bills for unpaid charges then the First Tier Rate shall be charged to the Large Volume User for all water consumed during the fiscal year in question.

13. The policy established hereby and the rates established hereby are subject to the annual review by the Town Council, and may be amended annually in the discretion of the Council.

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

After discussion it was agreed that Hwy/Water Supt Levey should meet with Livingston Country Club personnel to look at the *country club's water consumption* since the new water meter was installed. This comparison will be done to resolve issues of their 2007 water consumption.

Supervisor Wadsworth reported on a meeting with representatives from the Village, the Town, the Town Hwy/Water Supt, MRB Group, Ken Kamlet, APD Engineers and himself regarding the *water service to the Lowe's building site*. Since the present water system is not sufficient, Newman proposes to connect to the 16" watermain on Reservoir Road and run 100' of waterline down Morganview Road to the site. It would be in the ROW and no easements would be required. Attorney Coniglio expressed a concern that it may be considered a public works contract, requiring that prevailing wages be paid, because it is connecting to a public water supply. Attorney Coniglio will contact Ken Kamlet to resolve this issue so that the Town is not exposed.

HIGHWAY:

The Board questioned Hwy Supt Levey on the history of *road salt usage* and the current season's usage. Hwy Supt Levey reported that to date, the salt used is 2,781 ton and the average for the season is 3,338 ton. Mr. Levey reported that other Highway Superintendents are cutting back on salting straight portions of their town's roads. The Board agreed that the safety on highways in the Town should not be jeopardized by using less salt and agreed that the money for purchasing something else can be cut back but they must find the funds for road salt.

Hwy Supt Levey advised the Board that he believes the *town truck* which was in an accident will result in a check to the Town for \$29,000 less the salvage price of approximately \$1500 for the plow and wing. He plans to purchase a 1999 used vehicle to replace the totaled vehicle.

Mr Dwyer moved and Mr. Tenalio seconded the motion to adopt the following resolution extending the *Snow & Ice Control Agreement on State Roads*:

State Roads

Snow & Ice Control

Resolved, that the agreement which became effective July 1, 1974, between the County of Livingston and this Town, relating to the control of snow and ice on the State Highways within this Town, and such adjacent territory within said County as might be agreed upon by the County and the Town Superintendent of Highways, and the changes and modifications of said agreement heretofore approved by this Town, be and the same hereby are extended for an additional period of one year until June 30, 2011.

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

EXECUTIVE SESSION:

At 8:30 pm Mr. Dimpfl moved and Mr. Tenalio seconded the motion to go into Executive Session to discuss two personnel issues, with Hwy Supt Levey remaining for a portion of the Executive Session. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Tenalio -aye; Manapol-aye; Dwyer-aye. Nays: None.

At 9:25 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; Dimpfl-aye; Tenalio-aye; Manapol-aye; Dwyer-aye. Nays: None. It was reported that no action was taken during Executive Session.

BOARD APPOINTMENTS:

The Board discussed the opening on the Liv Co Youth Board for the Town's representative. Mr. Dimpfl moved and Mr. Manapol seconded the motion to recommend ***Larry Kelly of Crossett Road as the town's representative to the Liv Co Youth Board*** through 8/30/2010. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Tenalio -aye; Manapol-aye; Dwyer-aye. Nays: None. This recommendation will be forwarded to Keith Mitchell, Director for the county's Youth Bureau.

Mr. Dwyer moved and Mr. Tenalio seconded the motion to ***appoint David Woods as a Member of the Planning Board through December 31, 2012***, finishing the term of Trish Jones who resigned. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Tenalio-aye; Manapol-aye; Dwyer-aye. Nays: None.

ADJOURNMENT:

At 9: 27 pm Mr. Dwyer moved and Mr. Tenalio seconded the motion to adjourn the meeting. Motion passed unanimously. Jean Bennett, Town Clerk