

A regular meeting of the Geneseo Town Board was held on Thursday, March 26, 2009 in the conference room of the Geneseo Town Office Facility.

PRESENT: W. Wadsworth, F. Manapol, D. Dwyer, M. Tenalio
ARRIVING LATE: D. Dimpfl
ALSO PRESENT: L. Levey-Hwy Supt, R. Maxwell-Code Enf Officer, J. Coniglio-Town Atty, H. Latorella-Town Planning Board Member, C. Latorella, R. Yull, B. Bruce-Assistant NYS Atty General

MEETING OPENING:

Supervisor Wadsworth called the meeting to order at 7:00 pm. The Town Clerk led the pledge to the flag and a moment of silence was held for Veterans and Service men and women around the world and for John Chanler, who recently passed away.

NYS ATTORNEY GENERAL'S OFFICE:

Ben Bruce of the Rochester-based office of the NYS Attorney General addressed the Board on their office's recent efforts to become more visible and more accessible, with plans to talk with different groups in Livingston County about fraud and civil rights matters. He advised the Board of different problems, scams/issues, to be aware of, including: Meals on Wheels deliveries being followed to find out residences of vulnerable senior citizens who are then preyed upon by sales people; door-to-door sales people, such as home security system salespeople saying neighbors had referred them; home security door-to-door salespeople implying they are updating an existing home security system when they are actually having the resident sign a contract with a different security company and the resident ends up paying for two security systems; phone calls about your car warranty when the caller is not associated with a car business.

Mr. Bruce provided the following information to the Board: a website called NYknowyourcontractor.com is available online if someone wants to learn more about the contractors in their area before hiring one; The FTC regulates the "do not call" regulations, which has a fine of \$11,000/call for violations. If you are on the "do not call" list and are still receiving calls from solicitors, the best way to prevent this is to tell the caller " I am on the do-not-call list" on their first call and, if they call a second time, contact the NYS Attorney General's office. As a person on the do-not-call list, if you receive one of these calls, you should record the name of the company, and the date and time when they called; The charity bureau of the NYS Attorney General's office has information on charities, including how much of a donation each charity receives and how much goes to professional fundraisers.

RENEWAL OF THE TOWN'S INSURANCE:

Jan Rogers of Livingston Insurance presented an insurance renewal proposal from Selective and reviewed it with the Board. It was agreed coverage under the crime section for the position of Deputy Town Clerk should be removed since no one is in that position and the title "Court Clerk Assistant" should be verified. The cost of the Selective Insurance proposal

was \$47,147.91 excluding Terrorism. Mr. Rogers advised that insurance costs are expected to rise and suggested the Town budget for a 5 % to 10% increase for 2010.

Councilman Dimpfl arrived during Mr. Rogers' presentation.

Mr. Dimpfl moved and Mr. Tenalio seconded the motion to reject the terrorism insurance coverage and authorize the Supervisor to sign the terrorism rejection form. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Tenalio-aye; Dwyer-aye; Manapol-aye. Nays: None.

Mr. Tenalio moved and Mr. Dwyer seconded the motion to accept the proposal presented by Jan Rogers of Livingston Insurance for the town's insurance renewal through Selective in the amount of \$47,147.91, with the potential for modification under the crime section by removal of deputy town clerk coverage and verification of Court Clerk Assistant title. Motion passed with voting as follows: Wadsworth-aye; Tenalio-aye; Dwyer-aye; Dimpfl-aye; Manapol-aye. Nays: None.

APPROVAL OF MINUTES:

The Board reviewed and amended the minutes of March 12th to clarify the committee of four towns' representatives reviewing the Code Enforcement Officers recommendations on a common Dock & Moorings law for lake residents. Mr. Dimpfl moved and Mr. Tenalio seconded the motion to approve the minutes of March 12, 2009 as amended. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Tenalio-aye; Dwyer-aye; Manapol-aye. Nays: None.

GENESEO CONCERT SERIES:

Hank Latorella addressed the Board to see if the town is interested in a joint participation /co-sponsorship with the village in holding a series of six (6) concerts in the Village Park on Main Street. He advised that a "concert committee" consisting of Sandy Brennan, Dick Gallivan, Howard Appell, Liz Porter and Hank Latorella has been formed and they have six (6) bands that have been booked to play on various dates this summer. The bands will be paid through fundraising from businesses and individual contributions. Lowes has agreed to contribute \$25,000 for a gazebo to be built for the concerts but the location of the gazebo is yet to be determined. Attorney Coniglio advised that the Town is allowed to promote cultural events but cannot participate in fundraising nor form a committee to fundraise. The Board encouraged Mr. Latorella to also check with the Livingston County Council on the Arts to see if they can also assist with sponsorship of the events. Mr. Latorella stated he is looking for someone to sign the booking contracts with the bands. Attorney Coniglio will look into this.

LAKEVILLE ESTATES REZONING REQUEST/AMENDING MOBILE HOME PARK REGULATIONS:

The Board discussed the Lakeville Estates/Morgan Management proposed zoning changes to the Mobile Home Park regulations. The Board's concern for the need for variances for Phase 2 of Lakeville Estates has been remedied and was forwarded to the Town Attorney

for inclusion in the proposed local law. Mr. Tenalio moved and Mr. Dwyer seconded the motion to schedule the hearing for the proposed local law amending Sections 75-4 and 75-5 of the Code of the Town of Geneseo regulating the layout and design of Mobile Home Parks and the siting of Mobile Homes on lots in Mobile Home Parks for Thursday, April 23, 2009 at 7:15 pm, and to authorize the Town Clerk to refer this proposed local law to the Livingston County Planning Board. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Tenalio-aye; Dwyer-aye; Manapol-aye. Nays: None.

BOARD OF ASSESSMENT REVIEW:

Mr. Dwyer moved and Mr. Dimpfl seconded the motion to appoint Marie Zea to the Board of Assessment Review through September 30th, 2010 to finish Melvin Linsner's term of office. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Dimpfl-aye; Dimpfl-aye; Manapol-aye. Nays: None.

DRAFT COMPREHENSIVE PLAN – EXCLUDING GATEWAY:

Mr. Dimpfl provided Board Members with the appendices to the draft Comprehensive Master Plan for town outside village except the Gateway. Since changes were made to the draft due to the comments received at the first public hearing, it was agreed another public hearing should be held, with SEQR review to be done at that time. Mr. Dimpfl moved and Mr. Tenalio seconded the motion to schedule the public hearing on the newest draft Comprehensive Plan for town outside village except the Gateway on Thursday, May 14th at 7:15, at which time SEQR Environmental Assessment Form (EAF) will be reviewed. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Tenalio-aye; Dwyer-aye; Manapol-aye. Nays: None. Attorney Coniglio will prepare a long form EAF for the hearing.

MISCELLANEOUS:

The Board reviewed the following correspondence:

A letter from Dennis Staley, Commander of ***VFW Post 5005 regarding their joint project with American Legion Post 271*** to place a patio of bricks in front of the Veterans' Memorial in the Village Park. Memorial bricks can be purchased for \$40 each.

A letter from Mayor Hatheway granting permission to ***the Town of Geneseo to tap into the Village's 16 inch water transmission line on Reservoir Road***, with the understanding that a vault and master meter will be installed in the Town's right-of-way at 4595 Morgan View Road.

CONESUS LAKE ISSUES/LONG POINT PARK:

Mr. Manapol moved and Mr. Dimpfl seconded the motion to ***hire Jim Brownell as Recreation Leader*** for the 2009 summer at Long Point Park. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Dimpfl-aye; Dwyer-aye; Tenalio-aye. Nays: None.

Mr. Dimpfl reported that the Conesus Lake area code enforcement officers met again today to work on a ***common dock and moorings law***, and he hopes to get a report for his meeting on Saturday of the four towns' representatives.

Mr. Dimpfl added that ***stream remediation funds*** may be available for streams in the Conesus Lake Watershed and he provided a copy of his notes from a March 24th meeting with the Director of Syracuse University's Environmental Finance Center on this issue.

EXECUTIVE SESSION:

At 8:30 pm Mr. Dwyer moved and Mr. Manapol seconded the motion to go into Executive Session regarding potential liability exposure, with Attorney Coniglio remaining. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Manapol-aye; Dimpfl-aye; Tenalio-aye. Nays: None.

At 8:40 pm Mr. Dwyer moved and Mr. Dimpfl 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; Dimpfl-aye; Manapol-aye; Tenalio-aye. Nays: None. It was reported that no action was taken during Executive Session.

ADJOURNMENT:

At 8:40 pm Mr. Dwyer moved and Mr. Tenalio seconded the motion to adjourn the meeting. Motion passed unanimously.

J. Bennett, Town Clerk