

A regular meeting of the Geneseo Town Board was held on Thursday, November 12, 2009 in the conference room of the Geneseo Town Office Facility.

PRESENT: W. Wadsworth, F. Manapol, D. Dimpfl, D. Dwyer
ARRIVING LATE: M. Tenalio
ALSO PRESENT: J. Coniglio-Town Atty, E. Russell-Underberg & Kessler, L. Levey-Hwy Supt, R. Maxwell-Code Enf. Officer, R. Taylor-Councilman Elect, R. Irwin, Councilwoman Elect, M. Zea-CLA Representative, M. Shepard-Town Planning Board, K. Book-Gateway Comprehensive Plan Committee, D. Aprile-Premium Development, B. Mosher-SUNY Brockport

MEETING OPENING, APPROVAL OF MINUTES & VOUCHERS:

Supervisor Wadsworth called the meeting to order at 7:00 pm. The flag was pledged and a moment of silence was held for service men and women around the world.

The Board reviewed the minutes of October 22nd. Mr. Dimpfl moved and Mr. Manapol seconded the motion to approve the minutes of October 22, 2009 as presented. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Dwyer-aye; Manapol-aye. Nays: None. Mr. Tenalio did not vote because he had not yet arrived at the meeting.

The Board reviewed the abstract of vouchers. Mr. Dimpfl moved and Mr. Manapol seconded the motion to approve payment in the indicated amounts for the following vouchers:

General A vo #839 thru #929	\$20,461.03
General B vo #838 thru #880	\$4,096.72
Hwy DA vo #841 thru #923	\$24,963.19
Hwy DB vo #837 thru #920	\$16,209.31
Water O&M SW0 Fund vo #840 thru #918	\$43,977.93
Sewer Dist #1 SS1 vo #840 thru #860	\$20,401.23
Special Light District SL vo #849	\$327.39

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

NOVEMBER 5TH WATER INFORMATIONAL MEETING UPDATE:

The Board discussed the November 5th water informational meeting held with approximately 80 property owners in the Lima/Elm/Pole Bridge/ North Road area. Supervisor Wadsworth advised that approximately 58 residents/property owners signed the informal petition in favor of the water district formation, and four (4) letters of support were also received. The next step in the process, Supervisor Wadsworth continued, is to pick one of the five (5) options/alternatives, notify Jim Oberst of the option decided on and MRB Group will do the engineering study to be submitted with the grant. Attorney Coniglio advised that in prior grant applications that he has worked on with HUD/USDA money involved, it has been a requirement that the water district

already be formed. It was agreed that Bernie Thoma should be contacted to see if this needs to be done. During this discussion, Councilman Tenalio arrived at the meeting.

WARNER ROAD HOUSE:

Supervisor Wadsworth advised that the Geneseo Fire Department is not interested in burning the town's Warner Road house down due to the new burning laws. He recommended the town tear the house down. Since the property obtained water from across the road and does not have its own water system, it was the consensus of the board that the occupied parcel should *not* be sold "as is".

AUDIT OF FINANCIAL RECORDS:

Councilman Dwyer reported on his findings about having an audit done of the town's financial records. Since the audit of municipalities has gotten very involved and training requirements for auditors must be met, two of the firms Mr. Dwyer contacted were not interested in auditing the Town of Geneseo's books. Mr. Dwyer continued that three (3) firms in the Rochester/Batavia areas *are* qualified to do this work and he hopes to duplicate the Livingston County IDA's RFP (request for proposals) for auditing services and send an RFP to each of these three firms.

PROPOSED LOCAL LAW PROVIDING FOR DESIGN STANDARDS:

The Board discussed the proposed Local Law which would give the Town Board the authority to adopt Design Standards for the Gateway, Low Intensity Office and Business Use Districts by Town Board resolution. Councilmen Dwyer and Tenalio pointed out that by adopting and amending design standards by Town Board resolution, the design standards have more flexibility.

Mr. Tenalio moved and Mr. Dwyer seconded the motion to adopt Local Law #4 of 2009, amending Chapter 106 of the Code of the Town of Geneseo to add new Section 106-22.1 to provide for Design Standards in the Business Use (B) District, Low Intensity Office (OFF) District and Gateway Overlay District by to be established by Town Board Resolution, and as attached to the official minute book. Motion passed with voting as follows: Wadsworth-aye; Tenalio-aye; Dwyer-aye; Dimpfl-aye; Manapol-aye. Nays: None.

DESIGN STANDARDS:

Mr. Tenalio moved and Mr. Dwyer seconded the motion to adopt the November 4, 2009 version of the Design Standards, with page 17, item G(1)(a) amended to include that the any transit/bus stop designs are reviewed and approved by the Town Planning Board. This version, with the change to item G(1)(a), will be attached to the official minute book. Motion passed with voting as follows: Wadsworth-aye; Tenalio-aye; Dwyer-aye; Dimpfl-aye; Manapol-aye. Nays: None.

WEBSITE REDESIGN:

Councilman Tenalio updated board members on the website redesign, saying it is well on its way of being redesigned. He hopes to have a computer at the next Town Board meeting to show Board Members the test site.

SHEPARD ANNEXATION PETITION:

A petition from Mark Shepard/Shepard Properties for annexation into the Village was reviewed by the Board. Attorney Coniglio suggested that this annexation may require a joint public hearing. He will research the matter and let Supervisor Wadsworth know his findings.

EXTENSION #5 TO WATER DISTRICT #1:

Mr. Dimpfl moved and Mr. Dwyer seconded the motion to adopt the Final Order establishing Extension #5 to Water District #1 as attached to the official minute book. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Dwyer-aye; Manapol-aye; Tenalio-aye. Nays: None.

MISCELLANEOUS:

The Board discussed a handout provided by Councilman Dimpfl regarding the use and possible discontinuance of ***lawn fertilizer containing phosphorus*** in the Watershed area. Some state and local governments have addressed this issue by adopting fertilizer laws, with voluntary compliance and without penalty for non-compliance. No action was taken on this at this time.

A December 8th ***teleconference entitled "Just Elected-what do you do now?"*** is being sponsored by the Association of Towns. Mr. Dimpfl moved and Mr. Manapol seconded the motion to authorize the Supervisor to spend funds for the teleconference for newly elected officials to attend. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Manapol-aye; Dwyer-aye; Tenalio-aye. Nays: None.

Councilman Manapol reported that Boy Scout Troop # 70 (AKA Troop # 4070) is requesting to ***camp overnight for one night at Long Point Park*** the night of November 14th rather than the 13th as previously authorized, thereby using the Park November 14th and 15th. Mr. Dimpfl moved and Mr. Manapol seconded the motion to approve the Boy Scout Troop #70's (AKA Troop #4070) request to use Long Park on November 14 and 15 for an overnight camping event. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Manapol-aye; Dwyer-aye; Tenalio-aye. Nays: None.

Councilman Tenalio presented a draft letter to Town and Village Justices and Justice Clerks regarding the ***119 Main Street renovation committee's recommendation for the joint court operation*** to remain at 119 Main Street for now. It was the consensus of the Town Board that the draft letter be printed on letterhead, signed by the Supervisor and forwarded to the Mayor for his signature. Mr. Tenalio suggested discussion should be held on court consolidation and legal counsel consulted for determining the framework for evaluating potential court consolidation.

The Supervisor advised Board Members that Richard Gray has purchased a convenience store on West Lake Road, and is requesting the Town Board waive the **30-day notification period required for obtaining a NYS liquor license**. Mr. Tenalio moved and Mr. Manapol seconded the motion to waive the 30-day notification requirement for a NYS liquor license for the convenience store at 5390 West Lake Road. Motion passed with voting as follows: Wadsworth-aye; Tenalio-aye; Manapol-aye; Dimpfl-aye; Dwyer-aye. Nays: None.

Councilman Dimpfl reported on the status of the **Agricultural Farmland Protection grant** Thoma Development Consultants are working on. They were given a copy of the Open Space report worked on by Colleen Garrity and David Robertson and hope to have a narrative and budget information ready for the next meeting, including figures for the “in-kind” work required by the grant. Livingston County’s GIS mapping services and any clerical office work will count toward the “in-kind” work. Thoma’s goal is to have the grant application ready by the first of the year.

The **October Supervisor’s report** was in Board packets. Also in packets was notification from the Village of Geneseo of a **November 16th public hearing for a 3-lot subdivision** and a special use permit application for “Genesee Volley Tennis Club”.

Attorney Coniglio reviewed the **SUNY Geneseo Student Association** service agreement and advised that it was permissible for the Supervisor to sign it.

ADJOURNMENT:

At 7:50 pm Mr. Dwyer moved and Mr. Tenalio seconded the motion to adjourn the meeting. Motion passed unanimously. J. Bennett, Town Clerk

Attachments: Final Order Ext #5 to WD#1; Local Law #4 of 2009; Design Standards