

A regular meeting of the Geneseo Town Board was held on Thursday, December 10, 2009 in the conference room of the Geneseo Town Office Facility.

PRESENT: W. Wadsworth, M. Tenalio, D. Dimpfl, F. Manapol, D. Dwyer
ALSO PRESENT: J. Coniglio-Town Atty, R. Maxwell-Code Enf Officer, L. Levey-Hwy Supt, R. Irwin-Councilwoman-Elect, R. Taylor-Councilman Elect, L. LeMoyne-Secretary to Supervisor, M. Zea-CLA Representative, H. Appell-Liv Co News, S. Neal-Code Enf Secretary, D. Koch, M. Delena, R. Delena, C. Terry, D. Terry, M. Wilkins, M. Carey

MEETING OPENING:

Supervisor Wadsworth called the meeting to order at 7:00 pm. The pledge of allegiance to the flag was followed by a moment of thankful silence for our troops serving around the world and, in addition, for Mike Tenalio's and Dan Dimpfl's past service to the community as Town Board Members.

APPROVAL OF MINUTES, VOUCHERS & BOOKKEEPING ITEMS:

The minutes of November 12th were reviewed. Mr. Dwyer moved and Mr. Tenalio seconded the motion to approve the minutes of November 12, 2009 as presented. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

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

General A vo #932 thru #998	\$24,481.17
General B vo #932 thru #1001	\$10,565.35
Hwy DA vo #967 thru #1009	\$16,394.80
Hwy DB vo #967 thru #999	\$10,366.50
Water O&M SW0 Fund vo #931 thru #1007	\$5,573.14
Water District #1 Capital SW1 Fund vo #930	\$65.00
Water District #3 Capital SW3 Fund vo #949	\$4,294.00
Sewer Dist #1 SS1 vo #931 thru #949	\$73.54
Special Light District SL vo #849	\$337.03

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

Mr. Dwyer moved and Mr. Manapol seconded the motion to authorize the Supervisor to make the necessary budget transfers as attached to the official minute book. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Manapol-aye; Dimpfl-aye; Tenalio-aye. Nays: None.

Mr. Dimpfl moved and Mr. Manapol seconded the motion to set up a Capital Project Fund (H1) to account for the financing of the Long Point Park bathroom, with the

opening balance in 2009 as \$150,000. Motion passed with voting as follows: Wadsworth-aye; Dimpfl-aye; Manapol-aye; Dwyer-aye; Tenalio-aye. Nays: None.

Mr. Tenalio moved and Mr. Dimpfl seconded the motion to set up a Capital Project Fund (H2) to account for the financial resources to be used for the construction of water district #5, Booher Hill Road, at a cost not to exceed \$133,345 (project estimate from MRB \$117,045 plus \$16,300 design expenses to date). Motion passed with voting as follows: Wadsworth-aye; Tenalio-aye; Dimpfl-aye; Dwyer-aye; Manapol-aye. Nays: None.

WATER STUDY AREA – LIMA, ELM, NORTH, POLE BRIDGE RD AREA:

Marge Delena addressed the Board as representative of the Lima, Elm and North Road residents who petitioned for public water in the “Option 1” water feasibility study area. She requested the Board consider the “option1” area foremost in applying for grant money for public water. Ms. Delena advised that the other options have a slight majority of residents who want the water but she worries that if all options are added together and it comes to a vote, the other options could cause the whole project to be voted down.

AUDIT:

Councilman Dwyer advised that it has been approximately seven (7) years since an audit of the town books has been done. Since then, he continued, there have been changes in municipal audits making them more complicated, resulting in less accounting firms that can do them. He recommended a basic financial audit be done by Tom Lauffer from the firm of Ray Wager CPA in the amount of \$5500 and moved that the Town retain Ray Wager CPA to do a basic financial audit in early 2010 at a cost not to exceed \$5500. Motion was seconded by Councilman Tenalio and passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

RECORDS MANAGEMENT GRANT:

The Board discussed an email received from the NYS Education Department regarding the LGRMIF (Records Management) grant that the Town received to obtain shelving units, etc to improve the records storage room. Though the approved grant is in the amount of \$11,237, the email indicated that 50% of the grant will be distributed soon, but due to the NY State fiscal crises the Town may not receive the remaining funding. Mr. Tenalio moved and Mr. Dwyer seconded the motion to continue with the grant project and allocate funds up to (50%) if the state does not fund the remaining 50%. Motion passed with voting as follows: Wadsworth-aye; Tenalio-aye; Dwyer-aye; Dimpfl-aye; Manapol-aye. Nays: None.

INVESTMENT POLICY:

Mr. Dwyer moved and Mr. Tenalio seconded the motion to adopt the following short term Investment Policy:

At certain times of the year the Town of Geneseo may have excess funds that can be deposited in interest bearing accounts for specific time periods. In order to obtain the most favorable return on these investments, it shall be the policy of the Town of Geneseo that:

The town will seek the highest rate of return available using investment vehicles including, but not limited to, certificates of deposit, money markets, and any other vehicles approved by the office of the Controller of the State of New York.

The Town Supervisor, or member of his staff, shall contact all designated depositories, and seek quotations for the best investment rate for the length of time desired.

The Town will seek one quote from each designated depository for each vehicle. No second quotes will be accepted for any reason. In the case of two or more identical high bids, the decision will be at the discretion of the Town Supervisor.

After quotations are received and analyzed, town funds will be deposited in the vehicle which offers the highest rate of return for the specified period. When applicable, account management costs will be considered when choosing investment options.

All depositories will be informed of the results of the bidding process.

A summary of all bidding shall be reported to the town board at the next meeting.

Upon adoption of this resolution, designated depositories shall be notified of the town's investment policy.

This resolution shall take effect immediately upon adoption by the Town Board. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

AGRICULTURAL/FARMLAND PROTECTION GRANT:

Councilman Dimpfl updated the Board on the grant application for developing an Agricultural and Farmland Protection Plan, advising that Livingston County Grantsman Bernard Thoma Associates would like to apply for the grant as early as possible in January 2010. Mr. Dimpfl moved and Mr. Manapol seconded the motion to approve the following resolution after review by the Town Attorney and Thoma Associates. :

TOWN OF GENESEO
MUNICIPAL RESOLUTION

WHEREAS, the Town of Geneseo desires to submit an application to the New York State Department of Agriculture and Markets for financial assistance to assist the Town of Geneseo in developing and preparing an Agricultural and Farmland Protection Plan; and

WHEREAS, it is evident that the revision of the Town's zoning code is a critical component of farmland protection and preservation; and

WHEREAS, the Town of Geneseo intends to revise and update its Zoning code and to adopt any other land use regulations necessary for farmland protection and preservation in the Town; and

WHEREAS, the Agricultural and Farmland Protection Plan prepared for the Town of Geneseo will address the changes needed to the Town's zoning code and the necessity for other land use regulations in order to maximize protection and preservation of farmland; and

WHEREAS, funding solicited through this program will be used for the purposes of preparing a Agricultural and Farmland Protection Plan and for developing specific recommendations as part of that plan as to changes required in the Town's zoning code and development of other land use regulations, if needed, to protect and preserve farmland; and

WHEREAS, the Town is soliciting grant monies from the State in the amount not to exceed \$25,000. (75% of the total project cost) and the Town will commit an additional \$8,334 (25% of the total project cost) \$1,667. of which will be provided in cash from a dedicated fund established as part of this action through the establishment of a budget item for this purpose and \$1,667 of in-kind services from the Town and \$5,000 of in-kind services from Livingston County;

RESOLVED that the Town Board of the Town of Geneseo directs the Town Supervisor to sign this Resolution and to make application to the New York State Department of Agriculture and Markets; and, let it further be

RESOLVED that the Town Supervisor is authorized to act on behalf of the Town of Geneseo in all matters related to the 2009 funding application and related components under the Department of Agriculture and Markets program.

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

LEAF DISPOSAL:

In light of the new NYS burning laws, the Board discussed the possibility of leaf disposal at the transfer station. Mr. Tenalio moved and Mr. Dimpfl seconded the motion to

authorize the Highway Superintendent to draft a formal proposal to the Town Board (including guidelines) with regards to accepting leaves from current transfer station permit holders. Motion passed with voting as follows: Wadsworth-aye; Tenalio-aye; Dimpfl-aye; Dwyer-aye; Manapol-aye. Nays: None.

CODE ENFORCEMENT AGREEMENT-GROVELAND:

Mr. Dwyer moved and Mr. Dimpfl seconded the motion to adopt the Code Enforcement Agreement with the Town of Groveland with a cost of \$15,000 for 2010, as on file in the Town Clerk Office. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Dimpfl-aye; Manapol-aye; Tenalio-aye. Nays: None.

2010 ORGANIZATIONAL MEETING:

Mr. Dwyer moved and Mr. Tenalio seconded the motion to schedule the Organizational Meeting at 5 pm on Tuesday, January 5, 2010. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Dwyer-aye. Nays: None.

PERSONNEL POLICY:

Mr. Dwyer moved and Mr. Tenalio seconded the motion to amend the personnel policy to include the following policy change:

Section 6.1.2.1 that presently reads "Fulltime employees paid at 100%" should be changed to read: "Fulltime employees receive medical coverage paid in full by the Town for the year 2009. The employees may choose between MVP Preferred Care EPO1or MVP My Care Option 1. If the employee chooses My Care, the Town will contribute 100% of the deductible amount. In years 2010 and 2011, the employees will be responsible for the payment of (5%) of any increases in premium costs only. Such increase in premium shall not exceed five percent (5%). The employee portion of the payment will be automatically deducted from the payroll."

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

LEASE AGREEMENT FOR 4630 MILLENNIUM DRIVE:

Supervisor Wadsworth reported that the Liv Co Board of Supervisors had approved a 5-year lease extension with the Town for the 4630 Millennium Drive facility at no increase and at the existing lease conditions. Though the existing lease is through December 31, 2010, the new lease would replace the existing lease for the term January 1, 2010 through December 31, 2014. Councilman Dimpfl stated that he feels the lease would be the business of the new board and feels that it should be left as a decision in January 2010. Mr. Dwyer responded that he believes that three (3) members of the existing board that are in favor of the lease extension will still be on the board in January 2010 and he (Mr. Dwyer) moved and Mr. Tenalio seconded the motion to extend the lease with Livingston County for 4630 Millennium Drive for five (5) years effective January 1, 2010 and authorize the Supervisor to sign the (5 year) lease agreement. Attorney Coniglio advised that this action is subject to a 30-day permissive referendum period.

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

KOCH ZONING REQUEST:

The Board reviewed a letter from Keith and Dawn Koch regarding the zoning of their vacant parcel on Lakeville Road that is denoted by Tax map # 81-1-32.119. They are requesting that the OFF (Low Intensity Office) zoning that was designated in the 1990's to be changed back to A/R (Ag/Residential). Mr. Tenalio moved and Mr. Dwyer seconded the motion to initiate the re-zoning process and schedule a public hearing on the rezoning for Thursday, January 14th at 7:15 pm. Motion passed with voting as follows: Wadsworth-aye; Tenalio-aye; Dwyer-aye; Dimpfl-aye; Manapol-aye. Nays: None.

CONESUS LAKE/LONG POINT PARK:

A request from Geneseo Central School to use the Long Point Park pavilion/facility on Friday, June 25th was reviewed. Mr. Manapol moved and Mr. Tenalio seconded the motion to approve the use of the Long Point Park pavilion on June 25, 2010 at no charge, with a certificate of insurance to be provided. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Tenalio-aye; Dimpfl-aye; Dwyer-aye. Nays: None.

The Board reviewed and discussed increasing rental charges for the Long Point Park pavilion. Mr. Manapol moved and Mr. Dimpfl seconded the motion to increase the rental charges for the Long Point Park pavilion, effective 1/1/2010 as follows:

Geneseo residents/taxpayers	\$30/ bay	\$200/whole pavilion
Non-residents	\$50/bay	\$350/whole pavilion

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

FERTILIZERS USED IN CONESUS LAKE WATERSHED:

Councilman Dimpfl encouraged Board Members to adopt a law which would ban lawn fertilizers containing phosphorus in the Conesus Lake Watershed. It was the consensus of the Board that they support phosphate-free law fertilizer but were reluctant to introduce or adopt such a local law. Supervisor Wadsworth will make the investigation of such a local law an agenda item for the next meeting.

WATER STUDY FOR LIMA/ELM/NORTH RD AREA:

The Board reviewed a proposal from MRB Group to prepare a preliminary engineering report for the Lima Road area water study in the amount of \$6,400. Mr. Tenalio moved and Mr. Manapol seconded the motion to accept MRB Group proposal in the amount of \$6,400 and have them prepare the preliminary report for Option #1 which includes Lima Road to Country Club Road to North Road, including Elm Road and North Road. The Attorney will check into whether this action is subject to permissive referendum.

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

HIGHWAY:

Mr. Tenalio moved and Mr. Dimpfl seconded the motion to declare the town's riding lawn mower as surplus equipment. Motion passed with voting as follows: Wadsworth-aye; Tenalio-aye; Dimpfl-aye; Dwyer-aye; Manapol-aye. Nays: None.

EXECUTIVE SESSION:

At 8:30 pm Mr. Dwyer moved and Mr. Tenalio seconded the motion to go into Executive Session with the Town Attorney and Councilpersons-Elect Taylor and Irwin remaining. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

At 8:45 pm Mr. Dwyer moved and Mr. Manapol seconded the motion to come out of Executive Session. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Manapol-aye; Dimpfl-aye; Tenalio-aye. Nays: None. Councilman Dwyer reported there was no action taken in Executive Session.

2010 SALARY SCHEDULE:

Mr. Dwyer moved and Mr. Tenalio seconded the motion to adopt the 2010 salary schedule as attached to the official minute book. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Tenalio-aye; Dimpfl-aye; Manapol-aye. Nays: None.

APARTMENT COMPLEX APPRAISAL:

Mr. Dwyer moved and Mr. Dimpfl seconded the motion to order the summary appraisal of the Geneseo Heights Apartment complex. Motion passed with voting as follows: Wadsworth; Dwyer-aye; Dimpfl-aye; Manapol-aye; Tenalio-aye. Nays: None.

MISCELLANEOUS:

Also included in Bard packets were the following items: Memorandum from Attorney Coniglio regarding annexation of a property into the village; email from James Oberst of MRB Group dated November 20, 2009 regarding the Teitsworth watermain extension; ZBA public hearing notice for December 15th on the Lakeville Estates variance request; November Supervisor's report; Association of Towns November 2009 letter and information packet to newly-elected officials.

ADJOURNMENT:

At 8:45 pm Mr. Dwyer moved and Mr. Manapol seconded the motion to adjourn the meeting. Motion passed unanimously.

J. Bennett, Town Clerk

Attachments: Budget transfers; 2010 salary schedule