

A regular meeting of the Geneseo Town Board was held on Thursday, May 13, 2010 in the conference room of the Geneseo Town Office Facility.

PRESENT: W. Wadsworth, D. Dwyer, R. Irwin, F. Manapol, R. Taylor

ALSO PRESENT: L. Levey-Hwy Supt, R. Maxwell- Code Enf Officer, C. LaVigne-Assessor, E. Russell-Underberg & Kessler, D. Woods-Planning Board Member, B. Irwin-Architectural Review Board, A. Somerville, D. Aprile, C. Evershed, S. Duffy, B. Cotton, W. Kennison, S. Rutherford, B. Yull

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 serving around the world.

The minutes of April 22nd were reviewed. Mr. Dwyer moved and Ms. Irwin seconded the motion to approve the minutes of April 22, 2010 as presented. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Irwin-aye; Manapol-aye; Taylor-aye. Nays: None.

The Board reviewed the abstract of vouchers. Two (2) highway vouchers were added to the abstract: #425 to Beam Mack Sales and Service in the amount of \$86,074.00 for a dump truck body charged to DA5130.220; and #426 to Foreign Auto Parks in the amount of \$354.41 for fuel filters, drum/rotor, etc charged to DA5130.460. Mr. Dwyer moved and Mr. Taylor seconded the motion to approve payment in the indicated amounts for the following vouchers:

| | |
|--|--------------|
| General A Fund vo #338 through #424 | \$122,512.58 |
| General B Fund vo #341through #422 | \$9,409.31 |
| Hwy DA Fund vo #353 through #426 | \$94,187.17 |
| Hwy DB Fund vo #355 through #402 | \$7,640.82 |
| Water O&M SW0 Fund vo #341 through #410 | \$36,052.25 |
| Water District #2 SW2 Capital Fund vo #385 | \$176.99 |
| Water District #4 SW4 Capital Fund vo #347 | \$11,972.32 |
| Sewer District #1 SS1 vo #339 & # 396 | \$19,756.53 |
| Special Light District SL Fund vo #409 | \$323.52 |
| Booher Hill Rd water Capital Fund H2 vo #337 & 360 | \$2,044.88 |

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

ROAD DITCH REMEDIATION – MOU WITH LIVINGSTON COUNTY:

Mr. Dwyer moved and Ms. Irwin seconded the motion to authorize the Supervisor to sign the Memorandum of Agreement with Livingston County in reference to Road Ditch Remediation, as follows:

**2006 Local Waterfront Revitalization Project
Road Ditch Remediation**

**Memorandum of Agreement
Between the Town of Geneseo
And
The County of Livingston**

THIS AGREEMENT, made this ___ day of May, 2010, by and between the **County of Livingston** with an office at Livingston County Government Center, 6 Court Street, Geneseo, New York 14454 and the **Town of Geneseo**, with an office at 4630 Millennium Drive, New York 14454.

RECITALS

WHEREAS, the Town of Groveland submitted an application to the NYS Department of State under the Environmental Protection Fund to protect Conesus Lake water quality through road ditch remediation, and

WHEREAS, the application was submitted on behalf of the Towns of Conesus, Geneseo, Livonia and Sparta, and

WHEREAS, the NYS Department of State approved the application and allocated \$180,000 for road ditch remediation activities, and

WHEREAS, the NYS Department of State established Contract No. C006621 with the Town of Groveland authorizing responsibility for maintaining and processing all fiscal records associated with the program to the Town of Groveland, and

WHEREAS, Contract No. C006621 authorizes the County of Livingston to oversee completion of the program and all the project components including executing necessary contractual arrangements to complete the project, as outlined in the scope of services contained in the grant agreement, and

WHEREAS, the Town of Geneseo Highway Department has agreed to undertake the remediation of road ditches along Booher Hill Road, as defined in the scope of services contained in the grant agreement,

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

The County of Livingston will oversee completion of the project including procurement of contractual services to be performed by the Town of Geneseo Highway Department, as set forth in the grant agreement, to the satisfaction of the NYS Department of State and the Town of Groveland. The Town of Geneseo will be responsible for completing the road ditch remediation project listed above and for keeping and submitting records of project cost and local match undertaken during project completion.

Upon satisfactory completion of the road ditch remediation projects, as determined by the County of Livingston, and submission of all required documentation, the County of Livingston will in turn disburse grant funds to the Town of Geneseo Highway Department.

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

TOUR DE NEW YORK BICYCLE RACE:

The Board reviewed a request from Greg Buzulencia of Full Moon Vista Productions informing the Board of a "Tour de New York" bicycle event that will take place August 7th through August 11th, with the bike race proceeding through Geneseo (on NYS and Village routes/roads) on August 11th. It was the consensus of the Board to respond as the town has previously, thanking them for informing the town of the event plans but that the town has no jurisdiction on state roads.

TIME WARNER CABLEVISION EXPANSION:

Councilman Dwyer advised the Board that he has been in contact with Chris Mueller of Time Warner and Time Warner has plans to expand cable service on Long Point Road from Groveland Road to the 390 Expressway. Supervisor Wadsworth and Deputy Supervisor Dwyer will meet with Mr. Mueller on Friday, May 21st to discuss this particular expansion, as well as the possibility of expanding to other areas of the town.

PUBLIC HEARING – GATEWAY DISTRICT DRAFT MASTER PLAN:

At 7:15 pm Supervisor Wadsworth opened the public hearing on the Comprehensive Plan for the Gateway District and asked if anyone would like to comment on the draft plan.

Dawn Aprile (Premium Development) asked if drainage has been discussed as a part of the Master Plan in the Gateway District. Supervisor Wadsworth responded that this plan does not specifically address drainage. There is a detention pond at Volunteer Road near Lima Road and as part of the whole build out, it was thought that an additional pond would be needed. Ms. Aprile asked if there will be a regional pond

encompassing multiple properties, to which Supervisor Wadsworth stated that drainage still has to be addressed.

Dawn Aprile made the following comments/observations for the public hearing record regarding the draft:

1. She observed that in the draft document, there is public sector and private sector investment for roads. The public sector investments are identified on the study area but no where are they identified on the Premium Development parcel. Ms. Aprile continued that roads are a large financial burden but are an economic part of attracting companies and she assumes that Premium Development will have the same opportunity for public road funding as the study area.
2. Ms. Aprile requested that the Master Plan Overview/Executive Summary section on page 4 of the draft indicate that the Premium Development Plan was privately paid for by the landowner.
3. The Overview section of Page 3 of the draft states “...Bergmann Associates was retained...to assist in preparing a Master Plan for its Gateway District *along the Route 20A corridor.*” Ms. Aprile stated that she believes the Gateway is to be centered around *Volunteer Road*, not the Route 20A corridor and this document should reflect that.
4. Reference is made on Page 18 for the Town to work with property owners to develop a GEIS (Generic Environmental Impact Statement), but nowhere does it mention that ½ of the lands have “Shovel Ready” status and have already done a significant amount of “pre-permitting” work. This significant fact should be included in the document.
5. The map shows two “potential cross-access locations”/connector roads into the Premium Development property. Ms. Aprile is not in favor of either location: the one on the left (westerly direction) since it would be directing traffic behind office buildings; and the one on the right (easterly direction) since it is the Walmart service road and Walmart is unlikely to grant access through it.
6. On page 20, the first paragraph refers to a short hand-out on the benefits of the Master Plan process, and Ms. Aprile requested she be included on the distribution list if and when the hand-out is produced.

Sharyn Duffy asked if the Premium Development plan is a concept or if it is a “done deal”. Dawn Aprile responded that it is a concept plan, but they have other ideas also. Ms. Duffy stated that she saw Premium Development property in the Gateway as residential. Dawn answered that there are other uses but they are difficult to see on

this map. Sharyn asked if there were any curb cuts planned to Lima Road, to which Ms. Aprile responded no.

Sharyn Duffy expressed concern: 1. that the draft references “multi-story” buildings which would interfere with the valley “viewshed”; and 2. that the money for public sector infrastructure would come from property taxes when people cannot afford an increase in them.

Bill Cotton asked if there is any chance of extending the Gateway’s sewer district to include Country Club Road.

Cathy Evershed questioned why the Premium Development land was left out of the Master Plan and almost mandated what goes on with the other landowners. Supervisor Wadsworth responded that the Master Plan is a plan, Premium Development has invested a lot of money in what they have already planned and the town did not want to interfere with that.

Cathy Evershed stated that the town tax base should not be used for the road infrastructure, she believes the landowners have been given enough. Ms. Aprile responded that Premium Development was asked for land and gave it to the town for both a pond and for Volunteer Road.

Wes Kennison stated he doesn’t think a plan this far out should make a distinction between private or public sector funding for road infrastructure.

Wes also suggested that the committee take a look at how many curb cuts are going to be allowed. The curb cut for Lowes has been approved and by allowing a second curb cut, the town may be multiplying the curb cuts and giving the idea that it can be like the rest of 20A. Mr. Kennison stated the plan should get the traffic off 20A and move it around inside the Gateway.

Councilwoman Irwin advised that the Gateway Master Plan is a concept and referred to page 20 of the document where it says the plan is a “..vision and guidance document”. Supervisor Wadsworth added that the plan is a living document that can be changed.

Since there were no further comments on the draft Gateway Comprehensive Plan at this time, the Board continued with regular business.

EMPLOYEE HANDBOOK:

The Board discussed the proposed employee handbook. Councilman Taylor suggested that there be one hazardous materials “safety officer” for the Town and that it be Hwy Supt Levey since he deals with the most chemicals and hazardous situations. Mr. Taylor will do some homework on Material Safety Data Sheets and get back to the Board with

some recommendations for the Hazard Communication Policy section of the handbook. The Board made some changes to the handbook.

WATER CAPITAL UNITS FOR COMMERCIAL PROPERTY:

Assessor Carol LaVigne addressed the Board about using meter size for assessing capital water units for commercial properties rather than assessed value. This method is accepted by New York State and is used by other municipal entities, including LCWSA and the Town of Stafford. With assistance from Hwy/Water Supt Levey, Ms. LaVigne created a chart of the proposed units for each commercial water customer using meter size, but there were still a few customers that she reviewed with the Board that she had questions on.

After discussion, the Board agreed on using meter size method for assessing commercial water units and Mr. Taylor moved and Ms. Irwin seconded the motion to replace #5 of the Town’s policy for assessing water capital units with the following #5:

5. Non-residential, commercial and industrial facilities will be assigned an equivalent number of units based on the following method:

The size and type of the water meter required to allow a maximum pressure loss of 15 psi at the safe operating capacity as shown below:

| Meter Size | Operating Capacity Safe Maximum (1) | Number of Units |
|--------------------------------|--|------------------------|
| Displacement-Type Meter | (AWWA C700) | |
| <i>¾ - inch or less</i> | <i>30 gpm</i> | <i>1.0</i> |
| <i>1 – inch</i> | <i>50 gpm</i> | <i>3.0</i> |
| <i>1 ½ - inch</i> | <i>100 gpm</i> | <i>5.5</i> |
| <i>2 – inch</i> | <i>160 gpm</i> | <i>8.0</i> |
| Turbine – Type Class 1 | (AWWA C701) | |
| <i>3 – inch</i> | <i>350 gpm</i> | <i>16.0</i> |
| <i>4 – inch</i> | <i>600 gpm</i> | <i>32.0</i> |
| <i>6 –inch</i> | <i>1,250 gpm</i> | <i>64.0</i> |

(1)Method as outlined in AWWA Manual M-22 “sizing water service lines and meters” copyright 1975 and C700 and C701.

There may be some cases where the units need to be adjusted because of a need for fire protection or the meter is too big for what the building is used for. The Town Board reserves the right to alter the number of units on a case by case basis.

Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Dwyer-aye; Manapol-aye. Nays: None. It was agreed the number of units for each parcel will be determined at the next Board meeting.

Ms. Irwin moved and Mr. Taylor seconded the motion to schedule the public hearing on the special water assessment roll for June 10th at 7:15 pm. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Dwyer-aye; Manapol-aye. Nays: None.

SEWER ISSUES:

The Board reviewed correspondence from the Village of Geneseo notifying Board Members of a public hearing on **a sewer rate increase** to be held on May 17th. The proposed increase is \$5/unit/quarter, which would increase the town's cost per unit charge to \$74, effective with the August 1st billing.

CONESUS LAKE/LONG POINT PARK:

In May, 2009, the Board established the position of "**Assistant Park Attendant**" for a maximum of 2 hours per week to take care of opening and closing the park gates. Rick Pieper was appointed to this position but he has been working more than 2 hours/week. Mr. Manapol explained that though Rick is working more than 2 hours, it is just a different allocation of hours, with Park Attendant Warren Linsner working less and Rick working more hours to take care of the restrooms in addition to the gate. The Board agreed this item will be addressed at the next board meeting.

Councilman Taylor addressed the Board with a proposal from Geneseo's Kiwanis Organization. They would like to install a **Barbeque pit at Long Point Park**, which would be constructed in phases over a period of time. The concrete would be poured first and an overhead structure would be built later. Mr. Taylor advised that Kiwanis will fund the project, as well as work on it, with the Town overseeing the project. He added that they may need some assistance from the Hwy Supt and his department. Councilman Manapol stated that he has chosen the site of the BBQ pit and a water spigot is located nearby. It was suggested and agreed that the Code Enforcement Office should view the site to make sure all setback requirements for fire can be met. It was the sense of the board that they agreed with the concept, with the Code Enforcement Office to check the location and verify it is suitable.

MISCELLANEOUS:

Hwy Supt Levey updated Board members on the **street light** to be located at the Long Point Road/Crossett Road intersection. RG&E has contacted him to ask what direction the light arm should be installed, so it is expected that it will be completed soon.

Supervisor's report for the month of April was in Board packets.

GATEWAY DISTRICT MASTER PLAN PUBLIC HEARING, CONTINUED:

At 8:10 Supervisor Wadsworth asked if there were any further comments on the draft Gateway Master Plan.

Cathy Evershed stated that "viewshed" was a very important concern in considering the Lowes project in the Gateway District. On page 13, the draft document states "The Gateway District's Commercial/Accommodations subarea should consist of at least one multi-story building, preferably three or more stories in height,....". Ms Evershed believes that the document should not be so specific as to say "three or more stories in height", because the viewshed is very important. Sharyn Duffy questioned if the Apriles could put up a multi-story building in the Premium Development land since the Gateway plan is saying that it is acceptable.

Supervisor Wadsworth stated that the draft Gateway Mater Plan is on tonight's agenda for the Livingston County Planning Board's meeting, so they will be making comments and suggestions on the document. Supervisor Wadsworth added that the Board is not in any hurry and requested that any new comments or questions should be put in writing and submitted to the Town Board.

Since no one had any additional comments at this time, Mr. Dwyer moved and Mr. Taylor seconded the motion to close the public hearing on the draft Comprehensive Plan for the Gateway. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Taylor; Manapol-aye; Irwin-aye. Nays: None.

EXECUTIVE SESSION:

At 8: 30 pm Mr. Dwyer moved and Ms Irwin seconded the motion to go into Executive Session to discuss a personnel matter with Counsel and Highway Supt Levey remaining. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Irwin-aye; Manapol-aye; Taylor-aye. Nays: None.

At 8:55 pm Mr. Taylor moved and Ms. Irwin seconded the motion to come out of Executive Session. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye; Dwyer-aye. Nays: None. It was reported that no action was taken.

ADJOURNMENT:

At 8:55 pm Mr. Taylor moved and Ms. Irwin seconded the motion to adjourn the meeting. Motion passed unanimously.

J. Bennett, Town Clerk