

A Regular Meeting of the Geneseo Town Board was held on Monday, November 15, 2010 in the conference room of the Geneseo Town Office Facility.

PRESENT: W. Wadsworth, D. Dwyer, F. Manapol, R. Taylor, R. Irwin  
ALSO PRESENT: J. Coniglio-Town Atty, L. Levey-Hwy Supt, L. LeMoyne-Secretary to Supervisor, J. Dulmage-Town/Village Court Clerk, R. Maxwell-Code Enf Officer, M. Zea-Conesus Lake Assn, R. Irwin, M. Peri, K. Book, J. Andolora, M. Andolora, K. Evershed, J. Lindsay, P. Jones, S. Duffy

**MEETING OPENING, APPROVAL OF MINUTES & VOUCHERS:**

Supervisor Wadsworth called the meeting to order at 5:00 pm. The flag was pledged a moment of silence was held for service men and women serving around the world.

The Board reviewed the October 28<sup>th</sup> minutes. Mr. Taylor moved and Mr. Dwyer seconded the motion to approve the minutes of October 28, 2010 as presented. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Dwyer-aye; Irwin-aye; Manapol-aye.

The Board reviewed abstract #14. Voucher #961 in the amount of \$80 to the Commissioner of Motor Vehicles was added orally and voucher #922 to Blair Supply was reduced to \$838.88 due to the return of some of the items on the bill. Mr. Dwyer moved and Mr. Taylor seconded the motion to approve payment for vouchers #882 through #961 on abstract #14, with the two indicated changes, in the following amounts:

General A	\$50,419.51
General B	\$27,255.92
Highway DA	\$27,504.85
Highway DB	\$24,985.95
Water O & M (SW0)	\$49,521.65
Water District #1 Capital	\$204.29
Sewer O & M	\$21,795.37
Street Light District	\$336.02
Booher Hill Road Capital	\$381.96

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

**2011 BUDGET**

Supervisor Wadsworth asked if there was anyone who wished to comment on the proposed 2011 budget, since the budget hearing still remained open.

Madilene Peri stated that she has reviewed the budget and understands that the Board has worked hard on this budget, but in the proposed budget a highway employee gets laid off. She stated that within General A Fund, under "miscellaneous" there is more than \$100,000, and requested that the Board look carefully at the "miscellaneous" totals and contingency amounts before they cut jobs and laid people off. She added that under equipment (DB5112.220) \$200,000 was budgeted for 2010 but nothing has been spent, and there is another \$100,000 budgeted for 2011. Ms. Peri suggested that the Board offer retirement incentives to other workers and not have lay offs. Ms. Peri also stated that any raises for employees should be looked at carefully and justified.

Kathy Evershed encouraged Board Members to lower taxes, cutting wherever they can and eliminating any cushions and all unnecessary items. She added that many people in this area are not getting pay raises and questioned raises for employees of the town.

Bob Irwin stated that in his business he has had to lay off people and sometimes it just has to be done. Though difficult, it can turn out better for some of those employees in the long term. He continued that he voted for each Board Member at the table and he expects the Board to act responsibly on this budget and taxes.

Sharyn Duffy stated that the Livingston County News reported that this area has the highest taxes in the nation and that she also heard that New York State was the only state whose public employees did not voluntarily give up their raises.

Ken Book recommended that the Town reduce payroll costs. He is seeing the reduction of payroll costs at other local, state and federal government levels, and that the Town of Geneseo has too many people working for them.

Ms. Andolora stated that social security and others have not gotten raises. The frivolous expenditures of the government need to be eliminated, and it needs to start here at the local level. She added that for future budgets, government workers should not get better perks than the taxpayers.

Mr. Andolora stated that he is a property owner on Conesus Lake and this year his taxes increased by 33%. He hates to spend all of his income just to live on the lake, so whatever the Board can do to cut taxes, he would greatly appreciate.

Jean Lindsay stated that she wants to reinforce her letter (reviewed by the Board at their November 9<sup>th</sup> meeting) and reiterate that she feels strongly about keeping taxes down. She and her neighbors are older and on fixed incomes, unable to cope with increased taxes.

Kathy Evershed asked what happens to the surplus funds when a department does not use all the money in their line item(s) that is (are) budgeted. And, if there is a surplus (from 2010), how does it get applied to the upcoming (2011) budget?

Supervisor Wadsworth invited Ms. Evershed to make an appointment and come in to the office to go over any questions she has on the budget.

**PUBLIC HEARINGS – FIREWORKS LAW AND ELECTION DISTRICT BOUNDARIES LAW:**

At 5:20 pm Supervisor Wadsworth opened the public hearings for: 1) the proposed local law repealing Chapter 59 of the Town Code entitled “Fireworks”; and 2) the proposed local law amending Chapter 10 of the Town Code to modify Election District boundaries.

Phil Jones asked what the Fireworks Law was about. Town Attorney Coniglio responded that fireworks in New York State are governed by the state and cannot be superceded by any Town laws regulating fireworks. Geneseo’s existing Chapter 59 of the Town Code attempts to regulate fireworks in the Town of Geneseo and thus needs to be repealed.

No further questions or comments were made on the proposed "Fireworks" Law.

Councilman Taylor commented on the need to modify the Election District boundaries due to the annexation of the Shepard property at 4154 and 4162 Reservoir Road. The 4154 and 4162 Reservoir Road addresses would change from Election District No. 8 in the Town to Election District No. 5 in the Village. Thus, when this local law is adopted, the registered voters at the rental property on the annexed Shepard parcel will be able to vote in Village elections at district No. 5.

No further questions or comments were made on the proposed law to modify the Election District Boundaries.

**MISCELLANEOUS:**

Supervisor Wadsworth provided a spreadsheet of the Temple Hill Cemetery annual income and expenditures and asked Board Members to study it to discuss it at a future date.

Supervisor Wadsworth advised the Board that the YMCA Steering Committee wishes to use town's empty office at the end of the hall to hold regular hours during the Town's office hours. Two residents expressed the opinion that a nominal rental fee should be charged.

A handout of the Association of Towns annual training school and annual meeting to be held February 20<sup>th</sup> through 23<sup>rd</sup>, 2011 was in board packets. Supervisor Wadsworth advised Board Members to contact the Clerk for registration and reservations if they wish to attend.

The October Supervisor's report was in Board packets.

**HIGHWAY:**

Ms. Irwin moved and Mr. Dwyer seconded the motion to authorize the Highway Superintendent to advertise for refuse removal services for 2011 from the Transfer Station and Long Point Park. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Dwyer-aye; Manapol-aye; Taylor-aye. Nays: None.

Supervisor Wadsworth advised that he received an agreement from National Grid to install a **street light at the Volunteer Road/Route 20A intersection** at an estimated annual cost to the town of \$255. Highway Superintendent Levey met with National Grid representatives to determine the site of the pole. Mr. Manapol moved and Ms. Irwin seconded the motion to authorize the installation of a street light at the intersection of Volunteer Road and Route 20A. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Irwin-aye; Dwyer-aye; Taylor-aye. Nays: None.

**PUBLIC HEARINGS:**

At 5:45 pm, since there were no further comments on any of the three public hearings that were open, Mr. Taylor moved and Ms. Irwin seconded the motion to close the public hearing on the 2011 preliminary budget. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Dwyer-aye; Manapol-aye. Nays: None.

Ms. Irwin moved and Mr. Taylor seconded the motion to close the public hearing on the proposed local law repealing Chapter 59 of the Town Code entitled "Fireworks". Motion

passed with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Manapol-aye; Dwyer-aye. Nays: None. Mr. Dwyer moved and Mr. Taylor seconded the motion to adopt Local Law #4 of 2010 repealing Chapter 59 of the Town Code entitled "Fireworks", as attached to the official minute book. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Taylor-aye; Irwin-aye; Manapol-aye. Nays: None.

Mr. Manapol moved and Mr. Taylor seconded the motion to close the public hearing on the proposed local law amending Chapter 10 of the Town Code to modify Election District boundaries. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Taylor-aye; Dwyer-aye; Irwin-aye. Nays: None. Mr. Dwyer moved and Ms. Irwin seconded the motion to adopt Local Law #5 of 2010 amending Chapter 10 of the Town Code to modify Election District boundaries. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Irwin-aye; Manapol-aye; Taylor-aye. Nays: None.

**WATER/SEWER:**

The Board reviewed the proposed amendment to the Agreement between LCWSA (Livingston County Water & Sewer Authority) and the Town of Geneseo which established terms of the sale of water, and upgrades and improvements to the water connection between the Geneseo District No. 3 and LCWSA. Supervisor Wadsworth advised that the LCWSA had paid off the capital improvements to the system in September 2008 and the interest rate to be charged by LCWSA to the Town from that point on the balance due was negotiated down to 3.2%. Supervisor Wadsworth and the Board plan to pay off the approximately \$136,000 owed to LCWSA by using \$40,000 in Water District #3 funds and banning the balance. Mr. Taylor moved and Mr. Dwyer seconded the motion to authorize the Supervisor to sign the Amendment to the (March 24, 1999) Agreement, as attached to the official minute book. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Dwyer-aye; Manapol-aye; Irwin-aye. Nays: None.

**DOG CONTROL/DOG LICENSING:**

The Board discussed the proposed Dog Licensing and Control draft local law. Since New York State has mandated the full responsibility for dog licensing/control to the towns, the cost to the town of Geneseo will increase. An estimate of the costs was reviewed and is reflected in the dog licensing charges proposed in the local law. If the local law is adopted, spayed or neutered dog licenses and renewals will increase to \$15/year and to \$20 for an unneutered or unspayed dog. Mr. Taylor stated the town has 3 options for enforcing the local law: 1) contract with the Village of Geneseo for dog control on a per call basis or an annual basis; 2) contract with Livingston County Dog Control; 3) continue as we are with Livingston County Dog Control enforcing NYS dog control laws.

Mr. Taylor moved and Ms. Irwin seconded the motion to introduce a local law amending Chapter 49 of the Town of Geneseo Code to comply with the changes to Article 7 of the New York Agriculture and Markets Law and to implement a dog control and licensing program and schedule a public hearing for December 9, 2010 at 7:15 pm. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Dwyer-aye; Manapol-aye. Nays: None.

**EXECUTIVE SESSION:**

A 5:47 pm Mr. Dwyer moved and Mr. Manapol seconded the motion to go into Executive Session to discuss personnel, with Counsel remaining. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Manapol-aye; Taylor-aye; Irwin-aye. Nays: None.

At 6:05 pm Mr. Taylor moved and Mr. Dwyer seconded the motion to come out of Executive Session and go back into Regular Session, reporting that there was no action taken. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Dwyer-aye; Manapol-aye; Irwin-aye. Nays: None.

**2011 BUDGET, CONTINUED:**

The Board discussed the projected 3% employee raises in the 2011 budget and agreed that neither Town Board members nor the Town Attorney would get raises. Ms. Irwin moved and Mr. Taylor seconded the motion to extend a 1% raise to town employees excluding the Town Board and Attorney and Highway department members governed by the current union contract. Mr. Dwyer stated he feels it is unfair for highway union members to get a 3% raise while other town employees only receive 1%. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Manapol-aye. Dwyer-nay.

At this time Supervisor Wadsworth asked the Board to vote on the proposed 2011 budget that includes 1 cut in a full time highway crew position, 1 cut in a part time Code Enforcement Clerk position and 1 full time Code Enforcement Officer position cut to part time. Ms. Irwin moved and Mr. Taylor seconded the motion to approve the 2011 budget as the Supervisor proposed. Discussion followed. Councilman Taylor stated he realizes cuts to the budget are necessary. However, he is concerned that if Code Enforcement is cut, it leaves the Town Office short of personnel, especially if one person is on vacation and another is sick. He asked if there is no coverage, is the Board ready to put a sign on the door that the office is closed. Supervisor Wadsworth responded in addition to Jean and Linda, the Assessor and her Clerk are also in the Town Office, as well as himself. Mr. Manapol advised he believes that department heads should be fully aware of any such decision to cut in their department and be involved in such a decision, since they know how their department functions. He asked if there was a way hours could be split, and suggested an evaluation of other departments be done in addition to the Code Office. Supervisor Wadsworth stated that the Board needs to follow through with the CGR report and resultant savings to the Village. Councilman Taylor suggested the Board review the budget line by line to see if there were other places to cut.

After the above discussion, Supervisor Wadsworth called for a vote on the motion on the floor to adopt the 2011 proposed budget. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Manapol-nay; Dwyer-nay.

**ADJOURNMENT:**

At 6:30 pm Mr. Dwyer moved and Mr. Taylor seconded the motion to adjourn the meeting. Motion passed unanimously.

Jean Bennett, Town Clerk

Attachments: Local Laws #4 and #5 of 2010; 2011 budget; LCWSA Water Agreement Amendment