

A regular meeting of the Geneseo Town Board was held on Thursday, July 14, 2011 in the Board Room of the Geneseo Building.

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

ALSO PRESENT: J. Coniglio-Town Attorney, Larry Levey-Hwy Superintendent, Ron Maxwell-Code Enforcement Officer, Dwight Folts-Planning Board Chairman, David Woods-Planning Board Member, Dawn Aprile-Premium Development

MEETING OPENING, APPROVAL OF MINUTES & VOUCHERS:

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

The minutes of June 9th were reviewed. Mr. Taylor moved and Ms. Irwin seconded the motion to approve the minutes of June 9, 2011 as presented. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye; Dwyer-aye. Nays: None.

The Board reviewed abstract # 7 and added voucher # 560 in the amount of \$150 to Finger Lakes Institute for Councilman Taylor's registration to attend a conference on shale gas development/hydro-fracking in Geneva, NY on July 21st & 22nd. Mr. Taylor moved and Mr. Manapol seconded the motion to approve payment in the amount of \$258,457.41 for all of the vouchers on abstract #7 as amended to include voucher #560. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Manapol-aye; Dwyer-aye; Irwin-aye. Nays: None.

A tentative 2012 budget calendar was in Board packets. Supervisor Wadsworth pointed out that budget workshops are planned for Wednesday morning, August 24th at 8:00 am and also on Thursday, September 8th as part of the regular Town Board meeting.

TEMPLE HILL CEMETERY REQUEST:

Supervisor Wadsworth advised the Board that he is researching what is involved if the Town were to take over a cemetery. He is trying to determine the least involvement by the Town to keep the cemetery going, and for the least amount of money. The Town would not have to sell cemetery plots, but *would* have to bury those customers already possessing a cemetery plot. They would also have to maintain the grounds. A community volunteer group could be utilized.

WORK EXPERIENCE PROGRAM:

Supervisor Wadsworth advised that the Livingston County Department of Social Services has people available for a Work Experience Program and Highway Superintendent Levey is requesting that the Town Board approve the Agreement with Livingston County to utilize these Work Experience Program clients. It was agreed Attorney Coniglio should look over the contract. Mr. Taylor moved and Ms. Irwin seconded the motion to authorize the Supervisor to sign the Agreement with Livingston County to participate in the DSS Work Experience Program upon the approval of the Town Attorney. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Dwyer-aye; Manapol-aye. Nays: None. It was suggested these workers could help to maintain the grounds at Temple Hill Cemetery if the program continues

operating. After Mr. Coniglio arrived at the meeting, the Supervisor gave him a copy of the contract to look over and approve for the Supervisor's signature.

MILEAGE REIMBURSEMENT:

It was brought up that the IRS mileage reimbursement rate increased from 51¢ to 55.5¢ per mile, effective July 1st. In January at the organizational meeting, the Town Board set the mileage reimbursement at the IRS rate of 51¢, and clarification is needed to verify if the intention of the Board was to increase it with the IRS rate increase. Mr. Taylor moved and Mr. Manapol seconded the motion to set the Town's mileage reimbursement to agree with whatever the IRS rate is set at. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Manapol-aye; Dwyer-aye; Irwin-aye. Nays: None.

REZONING REQUEST:

Dawn Aprile addressed the Board regarding an active senior housing project she is proposing for in the Gateway Overlay District. It is an upscale housing project with more amenities than the standard apartment complex, with a clubhouse that you first see as you drive into the area from Lima Road that has a media room, kitchen and conference room. There is also medical and professional offices planned for within the project. She presently has a letter of intent from a developer and they are moving toward a contract. The developer likes the area near the storm water pond and walking trails would be built within the area. Dawn is seeking the best way to achieve this project and is requesting the area be rezoned to include MUII since it could not be implemented with the current MUI zoning.

Planning Board Chairman Dwight Folts stated that the Planning Board is fully in favor of Dawn's request and added that the Town Board needs to be the lead agency on the rezoning and take responsibility for SEQR. Dawn will be completing the long form EAF for Town Board review and, Mr. Folts added, the Town Planning Board voted to grant the Town Board lead agency status.

Dawn added that it has been difficult to secure a project and she has a pressing deadline. She asked about getting a time line. Supervisor Wadsworth responded that the long EAF form is "in her court".

Planning Board Member David Woods addressed the Board. He stated that an MUII zoning would basically allow what Dawn is requesting within an approximately 14 acre subdivided area. The Town Board will have to decide if it wishes to rezone from MUI to MUII or changing what is permitted in the MUI zoning. David advised that the number of units proposed by Dawn's project is higher/denser than the current zoning law allows. Dawn added that two other issues with the current zoning that will need to be addressed are: her proposal includes 3 story apartment buildings and the maximum building height allowed by the current MUII zoning is 2 stories; and the current MUII zoning has a maximum lot coverage of 50%.

David Woods advised that multiple things have to happen. The site plan review and subdivision of the project will be the Planning Board's job. The SEQR process needs a Lead Agency, which the Planning Board has chosen to be the Town Board. If the Town Board chooses to be Lead

Agency, they will need to contact other agencies for their concurrence. Lead Agency letters should go out to other involved agencies who will have 30 days to agree or disagree. Involved agencies include the ZBA, the DEC (for their stormwater involvement), as well as others. Work could then begin on the SEQR review. Ms. Aprile has an archeological study, traffic study and drainage study. All of these studies will be transformed and included on the EAF and should be submitted with the EAF.

Attorney Coniglio advised that guesstimates on the number of units of buildings should be included on the EAF, with the guesstimate on the high side, so that whatever comes in is consistent with the EAF. The EAF form will be included with letters going out to involved agencies and Part 2 of the EAF will be the Lead Agency's responsibility.

David Woods told Board Members that the timetable is "tight" and will require everything to be done expeditiously.

Attorney Coniglio repeated that Ms. Aprile should submit whatever studies she has done with the long form EAF. He also stated that items that are only "ideas", such as a day care center or an adult care center, should not be included in the EAF, but as much as the project plan that Dawn has should be included so that the Town can look at it comprehensively rather than piece-meal.

David Woods advised that the SEQR process and rezoning can move along but the Planning Board cannot begin until the rezoning is done and projected that the subdivision would take the Planning Board past September.

It was agreed that Dawn should work on the long EAF form and file it and studies with the Code Enforcement Office. Mr. Dwyer moved and Mr. Taylor seconded the motion to declare the Town Board as Lead Agency, with letters to go out to involved agencies when the EAF form has been submitted. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Taylor-aye; Irwin-Manapol-aye. Nays: None.

ZONING CODE REVISION:

Planning Board Chairman Dwight Folts and Planning Board Member David Woods presented the Board with a letter from Planning Board Chairman Dwight Folts informing the Board that the Planning Board is recommending the Town undertake a comprehensive revision of their Zoning Code. Problems with the current code include: it is difficult to use the way it is structured with use classes within zoning districts, the code slows the planning process down, there are internal inconsistencies and it needs to be more user friendly. It is estimated that the costs for planning consultants would be between \$30,000 to \$50,000 but could be budgeted and spread over a couple years. The consultants would be supported and assisted by the Planning Board, and Member David Woods offered to write the RFP and supervise the consultant work. Mr. Folts and Mr. Woods requested the Board put money in the 2012 budget for some of the much-needed code revision work.

More discussion on revising the zoning code continued after the Town Attorney arrived at the meeting. David Woods recommended the Town “get rid” of the use classes and instead use zoning districts with the uses permitted, as well as getting rid of the inconsistencies such as multiple words for the same meaning. Attorney Coniglio agreed with the need to revise the Town’s zoning code, and advised that the revisions should take into consideration the comprehensive plan.

It was suggested a committee work with the consultants, with the committee consisting of 2 Planning Board Members, 1 Town Board Member, 1 ZBA Member, a Code Enforcement Officer and the Town Attorney. The Board agreed they would like Dwight Folts and David Woods to assist and lead the consultants, with David Woods acting as “Clerk of the Works” on the zoning code project. Mr. Dwyer moved and Ms. Irwin seconded the motion to authorize David Woods to formulate an RFP (Request for Proposals) for the comprehensive revision of the town’s zoning law. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Irwin-aye; Manapol-aye; Taylor-aye. Nays: None.

LONG POINT PARK:

Ms. Irwin reported that new *lifeguard substitutes* are needed since Margaret Betette and Brittany Kemp are no longer lifeguarding. Ms. Irwin recommended and then moved that the Board hire Kate Hochbrueckner and Megan Ehmann as substitute lifeguards at Long Point Park effective June 17th, 2011. The motion was seconded by Mr. Manapol and passed with voting as follows: Wadsworth-aye; Irwin-aye; Manapol-aye; Dwyer-aye; Taylor-aye. Nays: None. Also effective June 17th, Kathryn Nesbitt’s position changed from substitute lifeguard to lifeguard.

Ms. Irwin also reported that new *buoys* are needed to mark the swimming area. She asked if the Board would like her to purchase them or budget for them in the 2012 budget and purchase them next year. After discussion, Ms. Irwin moved and Mr. Taylor seconded the motion to purchase two (2) swim area buoys and get them installed this year at a cost not to exceed \$800. The state contract pricing will also be looked at. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Dwyer-aye; Manapol-aye. Nays: None.

Councilwoman Irwin reported that some of the area recreation programs are transporting *buses of their participants to Long Point Park* to use the beach, without notifying the Town. This creates problems with staffing since only 2 lifeguards are on duty on weekdays. Attorney Coniglio suggested that she find out which programs they are and put out a notice to them that the Town needs to be notified prior to their visit.

The Board reviewed a letter from Deborah Lemcke requesting the Board return her \$30 payment for reserving one bay at *Long Point Park pavilion* for June 24th since she canceled the reservation 4 days after the reservation was made. The Board agreed \$15 should be returned to her, as per the Board’s policy of returning 50% when a party cancels their pavilion reservation.

Councilman Manapol reported that David Provo will be **selling hot dogs**, hamburgs, etc at Long Point Park this summer.

Kiwanis will be dedicating the **barbeque structure** they built at Long Point Park on Friday, August 5th at 4:00 pm and request that any Town Board Members attend, if they are able. The time was later changed to 5 pm.

WATER/SEWER ISSUES:

The Board reviewed the **Sewer District Agreement** with the Village of Geneseo. Mr. Taylor moved and Ms. Irwin seconded the motion to approve the Sewer District Agreement with the Village of Geneseo, as attached to the official minute book. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Dwyer-aye; Manapol-aye. Nays: None. Board Members signed the agreement.

Extension #7 to Water District No. 1 was adopted subject to permissive referendum at the Town Board meeting of June 9th. Since 30 days had passed without a petition for referendum being received, Mr. Taylor moved and Ms. Irwin seconded the motion to adopt the **Final Order establishing Extension No. 7 to Water District No. 1** as attached to the official minute book. The question of the adoption of the Final Order was duly put to a vote on roll call which resulted as follows:

William S. Wadsworth	voting AYE
David Dwyer	voting AYE
Felicisimo Manapol	voting AYE
Roberta Irwin	voting AYE
Richard Taylor	voting AYE

And the Order was thereupon declared duly adopted.

The Board discussed the approximately seven (7) customers on Lakeville Road that are presently connected to the **Livingston Country Club's private water line**. It is planned that these Water District #1 customers will disconnect from the Country Club's private waterline and connect to the Town's water main on the north side of Lakeville Road. Ms. Irwin moved and Mr. Taylor seconded the motion that the customers in Water District #1 currently connected to the Livingston Country Club will be connected to the Town's watermain on the north side of Lakeville Road and will pay an \$1800 hook up fee. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Dwyer-aye; Manapol-aye. Nays: None.

Mr. Manapol moved and Mr. Dwyer seconded the motion to schedule the annual public hearing on the Town's **Water District Assessment Roll** for August 25, 2011 at 7:30 pm. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Dwyer-aye; Irwin-aye; Taylor-aye. Nays: None.

MISCELLANEOUS:

A quote from **Integrated Systems** in the amount of \$1665 for a Nomadix device and software was reviewed. This device will replace the existing wireless router system which is no longer is

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being supported. Since the existing wireless system is not working, Mr. Dwyer moved and Mr. Manapol seconded the motion to purchase the Nomadix device from Integrated at a cost of \$1665 and have Integrated install it. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Manapol-aye; Irwin-aye; Taylor-aye. Nays: None.

Supervisor Wadsworth reported on a meeting he had with Aflack representative, regarding **accident and disability insurance** that could be offered to and purchased by the Town's employees. It was the consensus of the Board that the employees can get coverage on their own.

A request from U.S. Congresswoman Kathy Hochul's office to use a room in the Town Hall as a **satellite office** was discussed. It was the consensus of the Board to offer one office as satellite office space to federal and state government legislators/representatives to be scheduled on a first come/first served basis.

Supervisor Wadsworth reported that a **meeting** has been set up with NY State Senator Patrick Gallivan and the Village Board at Miceli's Deli on August 23rd at 10 am.

The Board reviewed a letter from EnerPath regarding the Town possibly being eligible for Small Business **energy-efficient lighting upgrade program** for its RG&E account(s). It was agreed RG&E should be contacted about the specifics.

Also included in Board packets were the following: June report of building permits issued; May and June Supervisor's Reports; 2011 investment record; and Town of Avon Local Law #1 of 2011 amending the Town of Avon Zoning Code.

PERSONNEL MATTERS:

Highway Superintendent Levey advised the Board that he has hired Debbie Daggett-Pagano as his new **Highway Clerk** since his prior Clerk resigned to begin a new full-time job. Mr. Dwyer moved and Mr. Manapol seconded the motion to set the pay for the part time Highway Clerk position at \$10/hour. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Manapol-aye; Irwin-aye; Taylor-aye. Nays: None.

ADJOURNMENT:

At 9:10 pm Mr. Dwyer moved and Mr. Taylor seconded the motion to adjourn the meeting. Motion passed unanimously. Jean Bennett, Town Clerk

Attachments: Final Order-Ext #7 to WD#1; Sewer District Agreement