

A regular meeting of the Geneseo Town Board was held on Thursday, October 13, 2011 in the Conference Room of the Geneseo Town Office Facility.

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

ALSO PRESENT: Jim Coniglio-Town Attorney, Larry Levey-Highway Superintendent, Linda LeMoynes-Secretary to Supervisor, Harold Stewart, Rocco Dragoni, Dan Faulkner, Tim Anderson, Ava Pascalar, Leo Pascalar

MEETING OPENING, APPROVAL OF MINUTES & VOUCHERS:

At 7: 00 pm Supervisor Wadsworth called the meeting to order. Councilwoman Irwin led the pledge to the flag and a moment of silence was held for our servicemen and women serving around the world.

The minutes of September 22nd were reviewed. Ms. Irwin moved and Mr. Taylor seconded the motion to approve the minutes of September 22, 2011 as presented. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Manapol-aye; Taylor-aye. Nays: None. Mr. Dwyer abstained from voting as he was absent from the 9/22 meeting.

The Board reviewed abstract # 10 of vouchers. Ms. Irwin moved and Mr. Manapol seconded the motion to authorize payment in the amount of \$157,090.45 for vouchers #710 through #790. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Manapol-aye; Dwyer-aye; Taylor-aye. Nays: None.

2012 BUDGET:

Supervisor Wadsworth handed out an information sheet to Board Members on different scenarios for the 2012 budget and their effect on the tax rate.

LONG POINT PARK:

The Board reviewed Dr. Matlin's letter of support for making **Long Point Park a tobacco free recreation area**. As requested at the last meeting, Councilman Manapol reported that his recommendation for an area to be designated as a "smoking area" at Long Point Park is between the garage and the barbeque grill. Signage at the information kiosk and the pavilion will direct smokers to the smoking area. It was the consensus of the Town Board to add "smoking in designated area only" to the Long Point Park rules and regulations.

Mr. Manapol reported that the **informational kiosk at Long Point Park** will be built by BOCES. The materials must be purchased by December 31st and the kiosk must be completed by August 1, 2012. The Agreement for the Kiosk funding/construction between the Town and Livingston County was discussed. Attorney Coniglio reported he had reviewed it and found no issues with it. Mr. Manapol moved and Ms. Irwin seconded the motion to approve the Intermunicipal Agreement with Livingston County for the informational kiosk to be constructed at Long Point Park and authorize the Supervisor to sign it. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Irwin-aye; Dwyer-aye; Taylor-aye. Nays: None. Attorney Coniglio indicated he may be able to find a Scout to build the kiosk as an Eagle Scout project, as was originally planned.

PREMIUM DEVELOPMENT REZONING:

Attorney Coniglio provided Board Members with a draft local law for the rezoning of a portion of the Premium Development property in the Gateway District to extend the Mixed Use II Use classification. The draft local law also proposed increasing maximum building height in MUII to 3 stories and increasing the density allowed in MUII to 14 units.

Mr. Dwyer moved and Mr. Taylor seconded the motion to introduce Local Law No. 3 of 2011 amending Sections 106-13 B (17) [d] [3] [a] [ii] [B] and [d] [i] and Section 106-27 (2) of the Code of the Town of Geneseo to amend certain density and height regulations applicable to the Mixed Use II Use Classification and to amend the boundaries of the Gateway Overlay District to extend the Mixed Use II district, and schedule the public hearing for November 10, 2011 at 7:15 pm. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Taylor-aye; Irwin-aye; Manapol-aye. Nays: None.

TEMPLE HILL CEMETERY REQUEST:

The Board reviewed a request from Temple Hill Cemetery for a surplus lawn mower. Since the Town does not have an available lawn mower to be declared as surplus at this time, no action was taken on this request. Councilman Taylor will investigate the cemetery’s damaged lawn mower to see if it can be salvaged.

Highway Superintendent Levey reported that the highway department mowed and weedwacked the Temple Hill Cemetery to get an idea of cost of managing the cemetery. It took 62 man hours for this mowing/weedwacking. Supervisor Wadsworth stated that the idea of offering “in-kind” services may be preferable to taking over the cemetery.

HIGHWAY:

A letter from David Goehring, NYS DOT Regional Traffic Engineer, was reviewed by the Board. The letter indicated that they studied traffic conditions on Lima Road and determined that the establishment of a lower speed limit on Lima Road is not warranted at this time.

WEST LAKE ROAD STREET LIGHT:

The Board discussed the options for relief of the street light at 5353 West Lake Road. It was the consensus of the Town Board that no action will be taken.

WATER & SEWER ISSUES:

Mr. Dwyer moved and Mr. Taylor seconded the motion to adopt the following sewer unit charge changes for commercial properties, effective with the November, 2011 billing, as follows:

Commercial Business Name/Owner/Address	Current Sewer Units	Sewer Units <i>effective 11/2011</i>	Account Number
Ballillo Group LLC (Giovanni’s Pizza) 4281 Genesee Valley Plaza	1	2	#12-1183

Bohunk Ent LLC (Laundromat) 4271 Genesee Valley Plaza	15	13	#12-1187
Bruckel, Peter (PEMM) (Mini Mart) 4310 Lakeville Road	6	5	#12-1190
Dollar Tree Stores 4343 Genesee Valley Plaza	1	2	#12-1847
Morgan Estates ACF 4588 Morgan View Rd	32	36	#12-1168
Wegmans 4283 Genesee Valley Plaza	55	57	#12-1181

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

PUBLIC HEARING – PROPOSED WATER RATE INCREASE:

At 7:15 pm, Supervisor Wadsworth opened the public hearing on the increase of water rates from \$4.20 to \$4.50 per 1000 gallons consumed. Supervisor Wadsworth advised that the rate charged to us by the Village had increased in 2011 and thus an increase to Town customers was also needed. There were no comments from the public at this time, so the Board continued with regular business.

EXECUTIVE SESSION:

At 7:20 pm Mr. Dwyer moved and Ms. Irwin seconded the motion to go into Executive Session to discuss personnel issues. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Irwin-aye; Manapol-aye; Taylor-aye. Nays: None.

At 7:30 pm, Mr. Dwyer moved and Mr. Taylor seconded the motion to come out of Executive Session and go back into Regular Session. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Taylor-aye; Irwin-aye; Manapol-aye. Nays: None. It was reported that no action was taken during Executive Session.

PUBLIC HEARINGS – PROPOSED WATER BILLING STRUCTURE CHANGE & EXTENSION# 8 TO WATER DISTRICT NO. 1:

At 7:30 pm, Supervisor Wadsworth opened the public hearing on Extension #8 to Water District #1 and explained the reason for and identified the location of the proposed extension. No comments or concerns were given at this time.

Also at 7:30 pm Supervisor Wadsworth opened the public hearing on changing the water billing structure. A quarterly base fee of \$30 is currently charged to each account/ each meter and is proposed to be charged for each use/dwelling unit. Supervisor Wadsworth asked if the public wished to voice any concerns or comments.

Dan Faulkner advised that he had a single family residence at 4214 West Lake Road. Years ago he put an in-law apartment in the basement that his daughter now lives in. The Assessor came in and evaluated it and changed the residence to a 2-family. Mr. Faulkner continued that Time Warner judges the residence based on the number of electric meters, gas meters, and water meters. Since Mr. Faulkner only has 1 gas meter, 1 electric meter and 1 water meter, he feels he has a single family residence and should only have one \$30 base fee. Supervisor Wadsworth will call Mr. Faulkner to meet with him about Mr. Faulkner's residence this Saturday.

Supervisor Wadsworth advised that the Town Board is looking at this issue, since the question has come up and other municipalities do their billing this way. However, he continued, no decision has been made.

Leo and Ava Pascalar stated they have the same situation at 4458 West Lake Road, at the corner of Reservoir Road and West Lake Road. Leo stated that he doesn't feel this change should be made, the town is pricing themselves out of the water business and people, himself included, will just drill a well. Money is getting tight and people will not be able to afford the town's water. Mr. Pascalar requested that they would like to be at the next meeting when this issue is decided. Supervisor Wadsworth told the Pascalars that they will be informed when this issue comes back on the agenda.

Rocco Dragoni stated he is Manager of Riverside Apts-Highrise LLC on Court Street, a 15 unit apartment building. He is stunned that the Town of Geneseo is proposing this change. Mr. Dragoni stated he is not sure what the definition of a unit is, but he feels if a unit doesn't use any water, they should not be charged. There is no requirement to use any water, he doesn't see how the Town can charge a base fee and feels that any water charges should be tied to water consumption. Mr. Dragoni continued that this fee puts a serious burden on the landlord who cannot rent every unit and the elderly person who uses very little water, especially in these economic times.

Rocco Dragoni questioned how much a single family residence pays in a base fee for water to which Supervisor Wadsworth responded \$30. Mr. Dragoni asked if a single family residence pays the same fee as a multi-residence, to which Supervisor Wadsworth responded yes, that is what is happening. Mr. Dragoni asked when this proposed change had come up. Supervisor Wadsworth replied that it has come up multiple times/years at budget time and this year the board is looking at it seriously and considering it.

Mr. Dragoni had also submitted written comments which will be attached to the official record/minutes of the meeting.

Tim Anderson stated he is at tonight's meeting representing Morgan Estates, both the Adult Care Facility (ACF) and the senior apartments. He asked how the Assisted Living Facility would change. Supervisor Wadsworth stated that since the ACF is one use, the base fee would not change, and it would continue to be charged one \$30 base fee. Mr. Anderson stated that there are 86 apartments at Morgan Estates, and it is estimated the annual increase for the apartments would be \$8,000. That fee would have to be passed on to the seniors living in the apartments and it is a tough economic time to be increasing fees.

Supervisor Wadsworth explained that the Board is looking at all options on the \$30 quarterly base fee for water and will not be making a decision on that tonight.

PUBLIC HEARING – PROPOSED WATER RATE INCREASE:

At 8:00 pm, since there were still no comments on the proposed increase of water rates, Mr. Taylor moved and Ms. Irwin seconded the motion to close the public hearing. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Dwyer-aye; Manapol-aye. Nays: None.

Mr. Dwyer moved and Mr. Taylor seconded the motion to increase water rates from \$4.20 to \$4.50 per 1000 gallons consumed (plus \$30 base fee), effective with the February 2012 water billing. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Taylor-aye; Irwin-aye; Manapol-aye. Nays: None.

PUBLIC HEARINGS – PROPOSED WATER BILLING STRUCTURE CHANGE & EXTENSION# 8 TO WATER DISTRICT NO. 1, continued:

At 8:05 pm, since there were no further comments on the proposed changes to the water billing structure, Mr. Manapol moved and Mr. Taylor seconded the motion to close that public hearing. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Taylor-aye; Dwyer-aye; Irwin-aye. Nays: None.

Additionally, since there were no comments on the proposed Extension #8 to Water District #1, Mr. Taylor moved and Ms. Irwin seconded the motion to close the hearing at 8:05 pm. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Dwyer-aye; Manapol-aye. Nays: None.

ADJOURNMENT:

At 8:05 pm Ms. Irwin moved and Mr. Taylor seconded the motion to adjourn the meeting. Motion passed unanimously. Jean Bennett, Town Clerk

Attachments: R. Dragoni's public hearing comments