

A regular meeting of the Geneseo Town Board was held on Thursday, November 10, 2011 in the conference room of the Geneseo Town Office Facility.

PRESENT: W. Wadsworth, R. Irwin, D. Dwyer

ABSENT: F. Manapol, R. Taylor

ALSO PRESENT: Jerry Wrubel-Councilman-Elect, James Coniglio-Town Attorney, Larry Levey-Highway Superintendent, Ron Maxwell-Code Enforcement Officer, David Parish-Town/Village Historian, Kim Levey, Rebecca McKeown, Darcy Young, Gloria Betlem, Cindy Carestio, Andrew Timm, Don McLane, Marcia Ballard, Catherine Evershed, Sharyn Duffy, Sally Fox, Amy Carpenter, M. Corrin Strong, Jean Trescott, Ryan Riehm-Premium Development, Alison DeNarco, Julie Burnett

MEETING OPENING, APPROVAL OF MINUTES & VOUCHERS:

Supervisor Wadsworth called the meeting to order at 7:00 pm. Councilwoman Irwin led the pledge to the flag and a moment of silence was held for servicemen and women serving here and abroad. Councilman-Elect Jerry Wrubel was congratulated and welcomed to the meeting.

The Board reviewed the minutes of October 27th. Ms. Irwin moved and Mr. Dwyer seconded the motion to approve the minutes of October 27, 2011 as presented. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Dwyer-aye. Nays: None.

The Board reviewed abstract #11 of vouchers. Voucher # 809 was pulled out since further information was needed. Ms. Irwin moved and Mr. Dwyer seconded the motion to authorize payment in the amount of \$ 167,735.18 for vouchers # 795 through # 863 on abstract #11, except voucher #809. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Irwin-aye. Nays: None.

2012 BUDGET:

The Board discussed the 2012 preliminary budget. There were no changes on it from the draft submitted for the public hearing. Councilman Dwyer stated he has talked with Chris Mueller of Time Warner and since it is so late in the year, even if the Town decides to expand cable in the Long Point Road area in exchange for the franchise fees, the Town will still be receiving the franchise fees that are budgeted for 2012. It was agreed this issue should be put on the agenda for the next regular meeting.

Ms. Irwin moved and Mr. Dwyer seconded the motion to adopt the 2012 budget, with salary schedule, as attached to the official minute book. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Dwyer-aye. Nays: None.

CODE ENFORCEMENT AGREEMENTS:

The Board reviewed two (2) proposed agreements for Code Enforcement services, one with the Village of Geneseo and the other with the Town of Groveland. Mr. Dwyer moved and Ms. Irwin seconded the motion to approve the Code Enforcement

Agreement with the Village of Geneseo, as on file in the Town Clerk's Office. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Irwin-aye. Nays: None. Signatures from all Town Board Members will be obtained on the document. Ms. Irwin moved and Mr. Dwyer seconded the motion to approve the Intermunicipal Agreement for Code Enforcement services with the Town of Groveland, as on file in the Town Clerk's Office, and authorize the Supervisor to sign it. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Dwyer-aye. Nays: None.

2011 FINAL ASSESSMENT REPORT:

The 2011 Final Assessment Report was in Board packets. It will be posted to the Town's website.

TOWN/VILLAGE HISTORIAN UPDATE:

Town/Village Historian David Parish advised the Board on the following items:

- the Court Street Committee anticipates producing a 60 page history of Italian Americans on Court Street;
- the Horatio Jones book he has written is expected to be done in 6 months;
- when the Horatio Jones book is done, David expects his next project to be on "Geneseo Giants", 200 years of residents who were the backbone of the Geneseo community;
- more copies are being printed of David's book entitled "Ellen's World";
- David provided copies of his most recent fall edition of "Bear Facts".

PUBLIC HEARING ON LOCAL LAW AMENDING ZONING CHAPTER 106:

At 7: 15 pm Supervisor Wadsworth opened the public hearing on the proposed local law 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.

Don McLane asked about the proposed amendment to the law to allow for three (3) stories in this area. He understands that 3 stories is needed for elevators for senior housing and wondered if after this area is rezoned and allows for 3 stories, could it be 3 story housing for other-than senior housing? Mr. McLane added that increasing the density from 10 units/acre to 14 units/acre would increase traffic in the already congested roadways in that area. Mr. McLane added that Jaycox Creek has "backed up" and has times when it cannot contain any more water and asked when these additional units go in, what will the Town do about the runoff? Mr. McLane repeated his questions asking what the Town will do about the traffic problems and drainage. Supervisor Wadsworth responded that these issues will be addressed by the Town Planning Board. Attorney Coniglio added that if the proposal triggers the NYS stormwater regulations, the developer would have to establish a drainage plan that is approved by the DEC.

Corrin Strong asked how many acres are being rezoned and what the current unit/acre allowed is. He estimated an increase from 10 units/acre to 14 units/acre would have the potential for an increase of 400 additional units. Corrin asked if it is required for this rezoning to be reviewed by the Town Planning Board and suggested this be done. He stated these proposed zoning changes have the appearance of a “back-door” deal with one owner and feels this is “spot zoning”.

Sally Fox asked if all of the planning that has already taken place for the Gateway District so far has been poorly thought out that it now needs to be revised? She commented that with Route 20A at capacity and increased traffic on Lima Road, she feels that it doesn't make sense to increase the population density in this area without making plans for creating the infrastructure to handle these additional demands.

Sally asked if any consideration is being given to green space and power/utility lines being put underground and if any traffic studies have been done. Attorney Coniglio responded that though the acreage is proposed to be changing, the greenspace regulations of the Gateway district stay in place. Supervisor Wadsworth added that the Town Board has no say in power lines being underground.

Sally Fox asked if the proposed zoning change has any stipulations or restrictions on the type of housing development that is built.

Sharyn Duffy stated she would have liked to see more advertising of this public hearing, including the a-frame signage that is sometimes put out at the property in question. Sharyn has heard that the proposed apartments are supposedly for senior citizens, not low-income, but what is to keep it from being low-income after the property is rezoned? She also asked if apartments could be on both sides of the road.

Sharyn Duffy asked if there would be public water and sewer. She also stated that the increased density that is proposed means less greenspace, more Lima Road traffic, more blacktop, more runoff water for Jaycox Creek. Additionally there will be a need for increased police protection, increased ambulance services and increased Fire Protection.

Sharyn stated that the Town has spent a long time creating a Master Plan and now the Board is going to change it with such little community input.

Lima Road resident Cathy Evershed addressed the board. She feels the town has spent a lot of time and effort on the Gateway, getting public input, and should not make these changes. She believes the current 2 story height regulations should be maintained and she is concerned about traffic. Cathy asked what year the last traffic study was done. Ms. Evershed also expressed disappointment in the lack of an a-frame sign advertising this public hearing.

Marcia Ballard stated she has been a Lima Road resident for 25 years. She has her private business in her home and has been required to have an a-frame sign advertising all of the public hearings held on her business. Traffic on Lima Road has increased dramatically in those 25 years and Ms. Ballard suggested that 4-way stops at each intersection on Lima Road may reduce the traffic. Marcia added that allowing more residential units on Volunteer Road will increase the cost for increased demands on town services.

Written comments from Dawn Aprile of Premium Development and Greg Lamb regarding the proposed local law amending Chapter 106 were received and in Board packets. These comments will be attached to the official minutes.

At this time there were no additional comments so the Board continued with other agenda items.

HYDRO-FRACKING:

Gray Road resident Darcy Young addressed the Board. She presented concerns about hydro-fracking to the Town Board and requested that the Board consider adopting a moratorium on gas drilling permits and on acceptance of gas drill waste water at any treatment plants within Geneseo. She recommended the moratorium be in effect until appropriate regulating legislation is in place and a full EPA analysis is published. Ms. Young urged the Board Members to become educated on all of the issues surrounding hydro-fracking and to do all they can to protect the environment of Geneseo, Genesee Valley and the Finger Lakes Region. Ms. Young provided a folder of reading material for each of the Board Members.

Other visitors from the public supported Ms. Young's statements and also voiced their concerns with hydro-fracking, including toxic waste water, damage of roads by truck traffic involved with the process, destruction of well water in the area, a seeming "economic boom" becomes instead a tax burden with a school impact, rental impact and hospital/health care impact. The visitors to the meeting supported adoption of a moratorium, stating the gas has been there for thousands of years, and it will still be there in a year, after study and analysis by the EPA.

HIGHWAY ISSUES:

SNOW & ICE CONTROL – STATE ROADS:

Mr. Dwyer moved and Ms. Irwin seconded the motion to adopt the following resolution relating to ***Snow & Ice Control on State Roads***:

RESOLVE, that the agreement which became effective July 1, 1974, between the County of Livingston and the Town of Geneseo, relating to the control and ice on the State Highways within this Town, and such adjacent territory within said County as might be agreed upon by the County and the Town Superintendent of Highways, and the changes and modifications of said agreement heretofore

approved by this Town, be and the same hereby are extended for an additional period of one year, until June 30, 2014.

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

Councilman Dwyer reported that he talked with Bill Mills, the Town's Representative on the Livingston County Traffic Safety Board. Bill Mills indicated that the concerns referred to NYS DOT on the **Route 39 striping and speed limit increase** in front of the Geneseo Central School will be taken care of by the DOT.

PUBLIC HEARING ON LOCAL LAW AMENDING ZONING:

At 8:20 pm, Supervisor Wadsworth asked if there were any further comments or concerns on the proposed local law. Sharyn Duffy asked if the Town Board is going to decide right now. Supervisor Wadsworth responded that the County Planning Board will be reviewing this proposal at their December 8th meeting and the Town will be waiting for their response before taking action.

Mr. Dwyer moved and Ms. Irwin seconded the motion to close the public hearing on the proposed local law to amend Chapter 106, and to keep the comment period open for written comments until 4:30 pm on Monday, November 28th. Motion passed with voting as follows: Wadsworth-aye; Dwyer-aye; Irwin-aye. Nays: None.

MISCELLANEOUS:

Also included in Board packets were the following items: September and October monthly Supervisor reports; and a letter from Garald Mitchell commenting on the proposed water billing structure changes for mulit-family residential properties.

ADJOURNMENT:

At 8: 30 pm Ms. Irwin moved and Mr. Dwyer seconded the motion to adjourn the meeting. Motion passed unanimously. Jean Bennett, Town Clerk

Attachments: 2012 Budget; Dawn Aprile public hearing comments; Greg Lamb public hearing comments