

A regular meeting of the Geneseo Town Board was held on Thursday, March 8, 2012 in the conference room of the Geneseo Town Office Facility.

TOWN PRESENT: William S. Wadsworth, Supervisor
Roberta Irwin, Deputy Supervisor
Felicisimo Manapol, Council Member
Richard Taylor, Council Member
James Coniglio, Town Attorney
Larry Levey, Highway Superintendent
Jean Bennett, Town Clerk

ABSENT: Jerald Wrubel, Council Member

PUBLIC PRESENT: Rebecca McKeown, Genesee Sun
Kathy Trainor
Colton Herring
Zack Anderson
Kim Levey
Joan Herring
Spencer Herring

MEETING OPENING, APPROVAL OF MINUTES & VOUCHERS:

Supervisor Wadsworth called the meeting to order at 5:30 pm. The flag was pledged and a moment of silence was held for service men and women serving around the world.

The minutes of February 23rd were reviewed. Mr. Taylor moved and Ms. Irwin seconded the motion to approve the minutes of February 23, 2012 as presented. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin- aye; Manapol-aye. Nays: None.

Abstract #3 of vouchers was reviewed and voucher #192 was removed from the abstract. Ms. Irwin moved and Mr. Taylor seconded the motion to approve payment for vouchers #160 through #244, except #192, in the amounts indicated for the following funds:

General A - \$28,258.47
General B - \$2,578.83
Highway DA - \$9,827.50
Highway DB – \$3,572.73
Water O&M SW0 - \$5,545.95
Water Dist #1 Capital SW1 - \$45,400.00
Water Dist #2 Capital SW2 - \$89,000.00
Groveland Water Dist SW8 - \$3,533.05
Sewer SS1 - \$166.98 and
Special Light District SL - \$340.32.

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

EXTERIOR REPAIR OF THE GENESEO BUILDING:

The Board discussed the Village Board's request for financial contributions from the Town for

the exterior work needed at the Geneseo Building on Main Street. Mr. Taylor moved and Ms. Irwin seconded the motion to contribute to the exterior work at the Geneseo Building an amount not to exceed \$100,000 at the time that it is needed. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Manapol-aye. Nays: None.

PROPOSED 2012 INTERIM MORATORIUM LAW ON ALL NATURAL GAS AND OIL ACTIVITIES:

Attorney Coniglio provided the Board with a revised draft of the 2012 Interim Moratorium Law on all Natural Gas and Oil Activities and reviewed the changes made to Sections 5B, 8B and 8C. The changes were clarifications and were not substantial, so another public hearing would not be required to adopt this version of the "2012 Interim Moratorium Law". Supervisor Wadsworth stated he met with representatives of Lenape and asked Attorney Coniglio if the currently existing leases for vertical drilling could be "grandfathered in" rather than have to go through the variance process to continue. Attorney Coniglio explained that change would be a substantial change to the law that would require another hearing.

FARMERS' MARKET:

Cate Concannon reported on the success of the 2011 Farmers' Market and the committee's plans to continue holding them on Thursdays in 2012, from 3:00 PM until 6:00 PM. This has already been approved by the Village Board and the Farmers' Market committee is requesting that the Town continue to sponsor them by holding money for the Market, as the Town did for the 2011 Farmers' Market. One change for 2012 is that the Market hopes to participate in the Food Stamp program which will allow program participants to purchase eligible food products from farmers and vendors at the Market. To do this, the Market will need access to an account through a wireless card reader. It was agreed Kate should get information about the bank account and application so that it can be forwarded to and reviewed by counsel to check on the legality. No decision was made at this time.

TAX RECEIVER POSITION:

Ms. Irwin moved and Mr. Taylor seconded the motion to adopt the following resolution:

A RESOLUTION OF THE TOWN OF GENESEO TOWN COUNCIL ABOLISHING THE OFFICE OF ELECTED RECEIVER OF TAXES AND PROVIDING FOR AN APPOINTED RECEIVER OF TAXES

Whereas, pursuant to Town Law Section 11 the Town of Geneseo was reclassified as a Town of the First Class as defined by Town Law Section 10, as of January 1, 2012; and

Whereas, pursuant to Town Law Section 20(a) the Town is required to have an elected Receiver of Taxes unless the position is abolished by the Town Council; and

Whereas, Town Law Section 11(g) permits the Town Council to abolish the office of elected Receiver of Taxes and, in its alternative, create the position of an appointed Receiver of Taxes, subject to permissive referendum; and

Whereas, Town Law Section 11(g) also permits the Town Council to provide that the

Town Clerk shall also be the Receiver of Taxes.

NOW BE IT HEREBY RESOLVED AS FOLLOWS:

1. The office of elected Receiver of Taxes is hereby abolished.
2. Effective January 1, 2014 the Receiver of Taxes shall be an appointed by the Town Council.
3. Unless provided otherwise by resolution of the Town Council the Town Clerk shall also serve as Receiver of Taxes.
4. This Resolution shall be subject to permissive referendum, and the Town Clerk is directed to publish a notice of the adoption hereof in the Livingston County News in the manner required by law.

The Resolution was adopted with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Manapol-aye. Nays: None. Attorney Coniglio added that an agreement with Geneseo Central and Livonia Central Schools will be needed.

PERSONNEL MATTER:

Supervisor Wadsworth asked the Board to consider raising the previously set pay rate for the person who will take over Linda LeMoynes position from \$11/hour to a not to exceed rate of \$12.50/hour. Mr. Taylor moved and Ms. Irwin seconded the motion to hire Kaitlyn DiLaura as a part time Clerk to start work on Monday April 23rd at a not-to-exceed rate of \$12.50/hour. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye. Nays: None.

CODE ENFORCEMENT FEE SCHEDULE:

Roberta addressed the Board with proposed increases for a fee schedule for town code enforcement fees. Both Code Enforcement Officers have reviewed it and given their input. It was suggested that the current fees related to highway and water that are presently in effect be added to the schedule. Both Council Members Irwin and Taylor believe that the proposed fee schedule is still very conservative. This fee schedule will be discussed further at the next meeting.

COMPUTER SYSTEM SECURITY BREACH NOTIFICATION POLICY:

Attorney Coniglio provided a draft resolution relating to computer system security breach notification. Board members were requested to look it over for possible approval at the next town board meeting.

VFW REQUESTS:

Supervisor Wadsworth reported that he met with VFW Post Members Dick Platt, Dennis Staley and Roger Johnson. The VFW puts up American flags in and around the Town and Village for

different occasions and are lacking funds to continue to do this. They are requesting \$300 from the Town for 2012 and 2013. The Village of Geneseo has also been asked to contribute. Mr. Taylor moved and Ms. Irwin seconded the motion to approve up to \$500 per year in donations for flags. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye. Nays: None.

The Board reviewed an email from Mayor Hatheway about an inquiry from the VFW to use space in the Geneseo Building for storage. Ms. Irwin moved and Mr. Taylor seconded the motion that the Town has no objection to the VFW using storage space at the Geneseo Building. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Manapol-aye. Nays: None.

LONG POINT PARK/CONESUS LAKE:

Supervisor Wadsworth advised that St. Michaels Church has a small church building on West Lake Road which they would like to offer to the town for public use at Long Point Park. The pros and cons were discussed. No decision was made.

Mr. Manapol moved and Mr. Taylor seconded the motion to request that the Town Attorney draft a Right of First Refusal for the purchase of the Hynes property at 5352 North Point Drive, tax map # 91.36-1-17.12. Councilman Manapol requested that the signature for James Merrick, Chairman of the Livingston County Board of Supervisors also be included. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Taylor-aye; Irwin-aye. Nays: None.

MISCELLANEOUS:

Supervisor Wadsworth informed Board Members that the Board of Elections has changed the ***polling site for Voting District #2*** from the Interfaith Center to the Geneseo Methodist Church, to be effective with the Village Election on March 20th.

The 8th annual ***Oak Tree Marathon*** is planned for September 2nd. Mr. Taylor moved and Ms. Irwin seconded the motion to approve the event. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye. Nays: None.

January ***Supervisor's report*** was in Board packets.

ADJOURNMENT:

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

Jean Bennett, Town Clerk