

Approved

A regular meeting of the Geneseo Town Board was held on Thursday, October 11, 2012 in the conference room of the Geneseo Town Office Facility.

TOWN PRESENT: William S. Wadsworth, Supervisor
Roberta Irwin, Deputy Supervisor
Felicisimo Manapol, Councilman
Richard Taylor, Councilman
Jerald Wrubel, Councilman
James Coniglio, Town Attorney
Larry Levey, Town Highway Superintendent
Ron Maxwell, Code Enforcement Officer
Jean Bennett, Town Clerk
Dwight Folts, Planning Board Chairman
David Woods, Planning Board Member

ALSO PRESENT: Rebecca McKeown, Genesee Sun News

MEETING OPENING, APPROVAL OF MINUTES AND VOUCHERS:

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

The Board reviewed the minutes of September 27th. Mr. Taylor moved and Mr. Wrubel seconded the motion to approve the minutes of September 27, 2012 as presented. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Wrubel-aye; Irwin-aye; Manapol-aye. Nays: None.

The Board reviewed the abstract of vouchers. Ms. Irwin moved and Mr. Taylor seconded the motion to approve payment for vouchers #734 thru #816 on voucher abstract #10, in the following amounts:

General A vouchers #735 thru #816	\$38,398.71
General B vouchers #758 thru #810	\$3,466.78
Highway DA vouchers #734 thru #814	\$10,927.06
Highway DB vouchers #741 thru #814	\$29,319.33
Special Light District voucher #779	\$318.99
Sewer District vouchers #754 thru #766	\$91.08
Water O&M SW0 vouchers #738 thru #805	\$4,542.18
Water District #1 SW1 voucher #777	\$559.41

and totaling \$87,623.54. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Manapol-aye; Wrubel-aye. Nays: None.

Equal Opportunity Employment, Acceptable Internet Use and Monitoring of Employee Internet Use

The Board reviewed the draft policies for Equal Opportunity Employment, Acceptable Internet Use and Monitoring of Employee Internet Use. Mr. Wrubel moved and Mr. Taylor seconded the motion to adopt the following Town policy for Equal Opportunity Employment and include it in the Employee Handbook as appendix F:

**APPENDIX F
EMPLOYEE REFERENCE HANDBOOK**

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TOWN OF GENESEO
Equal Employment Opportunity Policy

The Town of Geneseo is an Equal Opportunity Employer. Discrimination on the basis of race, color, sex, religion, age, national origin, marital status, disability, veteran status, sexual orientation, gender identity or any other lawfully protected category will not be tolerated.

This policy applies to all terms and conditions of employment, including but not limited to employment advertising, hiring, placement, compensation, training, promotion, demotion, termination, layoff, transfer, disciplinary actions, leave of absence or any other benefits. Discrimination based on any of the above is strictly prohibited and any supervisor, administrator or employee who engages in or tolerates such behavior subject to disciplinary action in accordance with the Civil Service Law, collective bargaining agreements and/or any other applicable State or Federal Laws.

If employees believe they have encountered violations of this policy, they may advise their Department Head. In addition, an employee can file a written complaint with the Geneseo Town Supervisor, 4630 Millennium Drive, Geneseo, NY 14454, telephone number (585) 991-5005. In the event that the complaint cannot be made to the Department Head or Town Supervisor, the complaint may be made to the Town Attorney, Town of Geneseo, 4630 Millennium Drive, Geneseo, NY 14454, telephone number (585) 991-5000. Retaliation against the complainant will not be tolerated. Knowingly false accusations will be treated as a disciplinary offense and may result in discipline, up to and including immediate termination.

The Town of Geneseo's policy is to investigate all such complaints. If an investigation confirms that a violation has occurred, the Town of Geneseo will take corrective action, including any discipline that is appropriate, up to and including immediate termination of employment.

This municipal policy shall not be construed as a creation of higher legal standard of safety or care with respect to any claims.

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

The draft **Acceptable Internet Use Policy** was amended as follows: 1) in section 3.2.3 the word "should" changed to "must"; 2) in section 3.2.3 item #4 deleted; 3) section 3.2.3 renumbered after omitting #4; and 4) the monitoring of internet use added as section 3.5. Ms. Irwin moved and Mr. Manapol seconded the motion to adopt the Acceptable Internet Use Policy as amended and incorporate it in the Employee Handbook as Appendix G as follows:

Town of Geneseo Internet Acceptable Use Policy

1.0 Purpose

The purpose of this policy is to outline the acceptable use of computer equipment at The Town of Geneseo. These rules are in place to protect the employee and town. Inappropriate use exposes The Town of Geneseo to risks including virus attacks, compromise of network systems and services, and legal issues.

2.0 Scope

This policy applies to employees, contractors, consultants, temporaries, and other workers at The Town of Geneseo, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by the Town of Geneseo.

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3.0 Policy

3.1 General Use and Ownership

1. While the Town of Geneseo's network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the corporate systems remains the property of the Town of Geneseo. Because of the need to protect the Town of Geneseo's network, management cannot guarantee the confidentiality of information stored on any network device belonging to the Town of Geneseo.
2. Employees are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of Internet/Intranet/Extranet systems. In the absence of such policies, employees should be guided by departmental policies on personal use, and if there is any uncertainty, employees should consult their supervisor or manager.
3. For security and network maintenance purposes, authorized individuals within the Town of Geneseo may monitor equipment, systems and network traffic at any time, per the town's Audit Policy.
4. The town of Geneseo reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

3.2 Security and Proprietary Information

1. Employees should take all necessary steps to prevent unauthorized access to information.
2. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. System level passwords should be changed quarterly, user level passwords should be changed every six months.
3. All PCs, laptops and workstations must be secured with a password-protected screensaver with the automatic activation feature set at 10 minutes or less, or by logging-off (control-alt-delete for Win2K users) when the host will be unattended.
4. Postings by employees from a Town of Geneseo email address to newsgroups should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of the town's unless posting is in the course of business duties.
5. All hosts used by the employee that are connected to the Town of Geneseo's Internet/Intranet/Extranet, whether owned by the employee or the town, shall be continually executing approved virus-scanning software with a current virus database unless overridden by departmental or group policy.
6. Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, e-mail bombs, or Trojan horse code.

3.3. Unacceptable Use

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a host if that host is disrupting production services).

Under no circumstances is an employee authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing the Town of Geneseo owned resources.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

The following activities are strictly prohibited, with no exceptions:

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the town..
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the end user does not have an active license is strictly prohibited.

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3. Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
4. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
5. Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.
6. Using a computing asset owned by the town to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
7. Making fraudulent offers of products, items, or services originating from any town account.
8. Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
9. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes. to the town. Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
10. Circumventing user authentication or security of any host, network or account.
11. Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).
12. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
13. Providing information about, or lists of, the Town of Geneseo employees to parties outside the town.

Email and Communications Activities

1. Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
2. Any form of harassment via computer, telephone, cell phone or any other device, whether through language, frequency, or size of messages.
3. Unauthorized use, or forging, of email header information.
4. Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
5. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.
6. Use of unsolicited email originating from within the Town of Geneseo's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by the Town or connected via the Town's network.
7. Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).

3.4. Blogging/ Texting or Other Similar Activities

1. Blogging, texting or other similar activities by employees, whether using the Town's property and systems or personal computer systems, are also subject to the terms and restrictions set forth in this Policy. Town's Confidential Information policy also applies to such activities.
2. Employees are prohibited from making any discriminatory, defamatory or harassing comments when blogging, texting or other similar activities and/or otherwise engaging in any conduct prohibited by the Town of Geneseo's Non-Discrimination and Anti-Harassment policy.
3. Employees may also not attribute personal statements, opinions or beliefs to the Town of Geneseo when engaged in blogging, texting or other similar activities. Employees assume any and all risk associated with blogging.

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4. Apart from following all laws pertaining to the handling and disclosure of copyrighted or other protected materials, the Town of Geneseo's logos and any other intellectual property may also not be used in connection with any blogging, texting or other similar activities.

3.5. Monitoring of Internet Sites

Twice a year, the Town Clerk will print off internet logs from Dell's Viewpoint Reporting software (reports history of websites visited through the Town's internet account) and give those logs to the Town Supervisor. The Town Supervisor will review the logs for any misuse, as defined in this policy.

4.0 Enforcement

Any employee found to have violated this policy may be subject to disciplinary action, up to and including immediate termination of employment.

5.0 Adopted October 11, 2012

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

ZONING CODE REVISION & FARMLAND PROTECTION PLAN PROJECTS:

David Woods updated the Town Board on the Zoning Code Revision and Farmland Protection Plan projects. The two projects are set up as 2 separate but closely related projects due to a reluctance on the part of NYS Ag & Markets to have the 2 projects combined and, also because combining them would have limited the number of consultant firms with the expertise to submit an RFP for both.

David reviewed a calendar/timeline for the **Zoning Code Revision Project**, as follows: The RFP (Request For Proposals) was issued to 11 firms about 3 weeks ago. Two (2) firms have declined to submit a proposal, so there will be a maximum number of 9 proposals. A pre-proposal meeting is scheduled for next Thursday for any questions the firms may have. The proposals are to be received by November 2nd and will be reviewed and reduced to 3 or 4 proposals to be considered. The 3 or 4 firms being considered will be interviewed by a committee consisting of Dwight Folts (Planning Board Chairman), 1 Town Board Member and himself. It is hoped that a decision for recommendation will be ready and made to the Town Board around Thanksgiving, with a final contract signed in December and a steering committee appointed and planning firm ready to proceed before or at the start of the new year.

David talked about **the Farmland Protection Plan project**. When Ag & Markets receives the information sheet that has been mailed from the Town, they will send the Town a contract. At that time, the work program and budget for the project will need to be finalized. For this grant, the state will provide \$25,000. The local grant match is \$8,334, of which \$1,667 is in cash, \$1,667 is in-kind services from the Town, and \$5,000 is from in-kind services from Livingston County. David recommended that one item that should be accomplished with the Farmland Protection grant is an update of the Town's GIS program. The current GIS program does not include Ag District parcels and a strong justification can be made for having Ag District parcels on a current updated GIS program. Updated utilities can also be added to the GIS. It was agreed Supervisor Wadsworth will consult with Livingston County to see if they are willing/able to "share" their GIS system.

David continued that he will not do much work on the RFP for the Farmland Protection grant until the work program is accepted by NYS Ag & Markets. Meanwhile, Code Enforcement Officer Ron Maxwell

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will obtain a copy of the Town of Groveland’s RFP for the Farmland Protection Plan project that they completed.

In the future, the Town Board will have to appoint an “Advisory Committee” for the Farmland Protection project that includes representatives from Agricultural Agencies as well as some (David recommended 4) “Active” Farmers. David expects that this project will “follow” the Zoning Code Revision project by a couple months and he expects to return to the Board for further direction on this project.

WATER/SEWER ISSUES:

Councilman Taylor moved and Councilwoman Irwin seconded the motion to authorize ***the levy of the Town of Geneseo’s unpaid water and sewer bills to the 2013 Town tax bills.*** Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye; Wrubel-aye. Nays: None.

Councilman Wrubel moved and Councilman Manapol seconded the motion to ***adopt the following sewer unit charge changes for commercial properties,*** effective with the November, 2012 billing, as follows, and contingent on the Village doing likewise:

Changes in sewer units to be effective with the November, 2012 billing:

<i>Commercial Business Name/Owner</i>	<i>Current Sewer Units</i>	<i>Sewer Units effective 11/2012</i>	<i>Account Number</i>
Bruckel, Peter (Car Wash)	44	48	12-1189
Colony Dry Cleaners	13	16	12-1187
Dollar Tree Stores	2	1	12-1847
Morgan Estates ACF	36	43	12-1168
Tran, Darlene	3	2	12-1178
Wegmans	57	68	12-1181

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

The Board discussed ***the “Chanler” waterline*** which was installed many years ago. The line starts at the Doty Building in the Village and continues out to Dewey Hill, then splitting and one section of waterline proceeding out to Sweetbriar and the other section continuing to Craig Wadsworth’s residence, supplying water to Town customers only. Highway Superintendent Levey reported that the Village has

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installed a new master meter at the Doty Building but Mr. Levey questioned if the Town has any legal authority or can have ownership in a waterline that is located in the Village, and in particular, on SUNY property. Attorney Coniglio suggested that the Town get authorization from SUNY since the master meter is on their property, as well as authorization from NYSDOT since the waterline crosses three state roads/highways: Mary Jemison Drive, NYS Route 20A and NYS Route 63. Attorney Coniglio will start that process.

EXECUTIVE SESSION:

At 6:20 pm Ms. Irwin moved and Mr. Taylor seconded the motion to go into Executive Session to discuss a personnel issue. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Taylor-aye; Manapol-aye; Wrubel-aye. Nays: None.

At 6:45 pm Ms. Irwin moved and Mr. Wrubel seconded the motion to come out of Executive Session and go back into Regular Session. Motion passed with voting as follows: Wadsworth-aye; Irwin-aye; Wrubel-aye; Manapol-aye. Nays: None. Mr. Taylor did not vote as he had left the meeting temporarily and returned right after this vote. It was reported that no action was taken during Executive Session.

2013 BUDGET:

The Board discussed the public hearing to be held on the 2013 budget. Mr. Taylor moved and Ms. Irwin seconded the motion to schedule the **public hearing on the 2013 budget** at 7:15 pm on Thursday October 25th. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Irwin-aye; Manapol-aye; Wrubel-aye. Nays: None.

Raises for non-union employees for 2013 were discussed by the Board. Mr. Taylor moved and Mr. Manapol seconded the motion to **budget a 2% raise “across the board”** for all non-union employees for 2013, including members of all boards. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Manapol-aye; Irwin-aye; Wrubel-aye. Nays: None.

Supervisor Wadsworth suggested that when the Assessor retires, the Town look at other options such as **sharing an assessor with another municipality** (ies) and/or having an assessor at the county to save on cost.

CONESUS LAKE/LONG POINT PARK

A \$5,000 FLOWPA grant is available for a 20ft x 20ft **rain garden** and on-site educational sign at Long Point Park. A rain garden will help to slow the pathway of storm runoff into the lake as well as filter out pollutants carried by storm water flow, thereby benefitting water quality. The grant funds would cover the garden plants and landscaping materials, the sign and educational brochures for individuals who wish to install their own rain garden. Mr. Manapol suggested the rain garden be located at the north end of the park, near the entrance to the neighboring driveway. Mr. Manapol moved and Mr. Taylor seconded the motion to authorize Livingston County to apply for the \$5,000 grant for a Rain Garden at Long Point Park. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Taylor-aye; Irwin-aye; Wrubel-aye. Nays: None.

Planning Board Chairman Dwight Folts advised the Board to cut down some of the **ash trees at Long Point Park** “sooner rather than later”, and plant another species, since it is a waste of money to treat the ash trees for the emerald ash borer. He will check into what trees should be planted at the Park and advise the Board.

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Councilman Taylor updated the Board on the Conesus Lake Association's concern about the invasive plant "**hydrilla**" which is in the canal systems but is not yet in Conesus Lake. He advised that the CLA may be requesting assistance from the 4 towns for prevention of hydrilla's transfer into Conesus Lake.

MISCELLANEOUS:

The Livingston County Treasurer is now **taking credit cards** for tax payments. The Town Clerk would also like to take credit/debit cards for routine town fees, as well as for taxes, provided the credit/debit card fees are paid by the customer. It was the consensus of the Board that they agreed with the idea of taking credit and debit cards and that the Town Clerk should look into this.

Also included in Board packets were the following items: August Supervisor's Report; September Code Enforcement Office report; and Town of Groveland Notice of public hearing to override the tax levy limit.

ADJOURNMENT:

At 7:10 pm M. Taylor moved and Ms. Irwin seconded the motion to adjourn. Motion passed unanimously.
Jean Bennett, Town Clerk