

Regular Geneseo Town Board Meeting – Thursday, May 9, 2013

A Regular Meeting of the Geneseo Town Board was held on Thursday, May 9, 2013 in the conference room of the Geneseo Town Office Facility.

PRESENT: William S. Wadsworth, Supervisor
Jerald Wrubel, Councilman
Richard Taylor, Councilman
Felicisimo Manapol, Councilman

ABSENT: Roberta Irwin, Deputy Supervisor

ALSO PRESENT: Ed Russell, Underberg & Kessler
Larry Levey, Highway Superintendent
David Woods, Planning Board

MEETING OPENING, APPROVAL OF MINUTES & VOUCHERS:

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

The Board reviewed the minutes of April 25th. Mr. Wrubel moved and Mr. Taylor seconded the motion to approve the minutes of April 25, 2013 as presented. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Wrubel-aye; Manapol-aye. Nays: None.

The Board reviewed abstract #5 of vouchers. Mr. Taylor moved and Mr. Manapol seconded the motion to approve payment for vouchers # 1303 through #1351 on abstract #5 in the following amounts:

General A vouchers	\$69,445.79
General B vouchers	\$809.01
Highway DA vouchers	\$723.71
Special Light District vouchers	\$324.37
Sewer District vouchers	\$25,256.89
Water O&M SW0 vouchers	\$49,859.81

and totaling \$146,419.58. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Wrubel-aye; Manapol-aye. Nays: None.

ASSESSOR POSITION:

The Board reviewed the draft advertisement for the shared Assessor position for Geneseo and Groveland. Supervisor Wadsworth indicated the Town of Geneseo would pay for the ad to be run in the Livingston County News, which is the legal newspaper for both Towns, for one (1) week and the Genesee Valley Pennysaver for three (3) consecutive weeks, and will bill Groveland for a portion of that cost before the end of the year. The Supervisor advised that Livingston County is now indicating they

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are interested in contracting to the towns for this service, but he feels the Towns of Geneseo and Groveland should continue with their plan.

HYDRO-FRACKING UPDATE:

The Board reviewed an email from the Town Attorney updating the Board on the pending Town of Dryden Zoning Law which prohibited oil and gas drilling/exploration of all kinds. It seems that the Supreme Court Appellate Division has ruled that zoning laws by which municipalities ban all activities relating to exploration for, production, storage of natural gas and petroleum, are not preempted by state law, and therefore, the Town of Dryden has the home rule authority to prohibit those activities within its boundaries. It is expected that the gas companies will appeal this decision to the NYS Court of Appeals. The Supervisor and Board Members requested some guidance from the Attorney on what options the Board has on this issue, taking into account quality of life issues, so that they can give David Woods and the Zoning Code Revision Committee some direction. Ed Russell stated he will look into options.

WATER/SEWER ISSUES:

The Supervisor updated the Board on costly new state requirements for ***water quality of Conesus Lake that LCWSA will have to comply with for their sewage treatment plant.*** It involves a Total Maximum Daily Load (TMDL) calculation for Conesus Lake and the state will inform LCWSA of the standards that have to be met. Though LCWSA just finished an expensive capital project to improve the sewage treatment plant (also required by the state), another costly improvement project will have to begin. This issue will be discussed at tomorrow's meeting of the Conesus Lake Watershed Council. If this method is eventually used for the Genesee River, it may involve compliance by the Village of Geneseo for their sewage treatment plant also.

Highway/Water Superintendent Levy updated the Board on the ***Village water tank improvement project*** and reviewed the calendar for the project. It is expected that the Village will start to drain the tank on May 17th or 18th.

LONG POINT PARK:

The Board reviewed requests for ***waiving the fee for use of Long Point Park pavilion*** from the Geneseo Central School Boosters Club for their annual spring sports banquet and from the Livingston County Planning Department for their "Let's Plan" Workshop. Mr. Taylor moved and Mr. Wrubel seconded the motion to grant permission for the GCS Sports Boosters Banquet to be held at Long Point Park on Sunday, June 9th, and waive the pavilion fee, with a proper certificate of insurance to be provided. Motion passed with voting as follows: Wadsworth-aye; Taylor-aye; Wrubel-aye; Manapol-aye. Nays: None. Mr. Wrubel moved and Mr. Taylor seconded the motion to grant permission for the Planning Department to use the pavilion at Long Point Park on June 19th for their "Let's Plan" workshop, and waive the fee, with a proper certificate of insurance to be provided. Motion passed with voting as follows: Wadsworth-aye; Wrubel-aye; Taylor-aye; Manapol-aye. Nays: None.

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Councilman Manapol advised the Board that he had a call from **SUNY Geneseo Student Activities and they wish to use the pavilion** on May 23rd. Mr. Manapol suggested that the fee be waived since the Town has borrowed their staging for the Fiddlers' Picnic for the past 11 years. Mr. Manapol moved and Mr. Taylor seconded the motion to waive the fee for use of the Long Point park pavilion by SUNY Geneseo Student Activities on May 23rd, if the Town receives that request, provided a proper certificate of insurance is provided. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Taylor-aye; Wrubel-aye. Nays: None.

Supervisor Wadsworth asked if the Town Attorney could check into if allowing alcohol at Long Point Park could create any issues relating to the **Social Host Law**. Attorney Russell will check with Attorney Coniglio on this matter.

The Board reviewed the draft **Long Point Park Pavilion/Facility Request Form** that included the changes suggested by the Town's Insurance Agent. The **rules and regulations for the Park** were also amended, but still need some more work. It was agreed Councilmen Wrubel and Manapol will work on revising the park rules and regulations in the fall. Mr. Taylor moved and Mr. Wrubel seconded the motion to adopt the draft Long Point Park Pavilion/Facility Request form and amend the rules and regulations for the Park by adding rule #31, as presented. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Taylor-aye; Wrubel-aye. Nays: None.

Supervisor Wadsworth informed the board that Josie Koch has an injection to inject into Ash trees which will protect them from the **ash borer**. The Town may want to take inventory of the trees in the park to see what ash trees they want to save.

Highway Superintendent Levey advised the Board that the **new dock at Long Point** has been installed. However, it needs to be extended since the water is only 30" deep at the end of the dock. Two (2) more 16 foot sections would be sufficient and would cost around \$3500. With the 2-16' extensions, the dock would then go out 132 feet with an 8' x 10' platform on the end. Mr. Manapol moved and Mr. Wrubel seconded the motion to authorize Highway Superintendent Levey to order the two 16 foot dock extensions. Motion passed with voting as follows: Wadsworth-aye; Manapol-aye; Wrubel-aye; Taylor-aye. Nays: None.

The Board reviewed two (2) **public hearings to be held by the ZBA for variance requests** from property owners within 500 feet of Long Point Park. One hearing is for construction of a Single Family Residence requested by Patrick Cahill at 5331 North Point Drive and to be held on May 14th. The second hearing is for construction of a Single Family Residence at 5355 Creekside Lane (Joseph DiLaura) to be held on May 28th. The Town Board had no comments for either hearing at this time.

FARMLAND PROTECTION PLAN:

David Woods reported that an RFP (Request For Proposals) went out to various planning firms for assistance in development of the Town's Farmland Protection Plan and are due back on Friday, May

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17th. On Monday morning May 20th, Supervisor Wadsworth, Councilman Wrubel, Planning Board Chairman Dwight Folts, Harold Stewart and Mr. Woods will be meeting at 9:00 am to review the proposals.

Mr. Woods continued that also on Monday May 20th, at 10 pm, the Steering Committee for the Zoning Revision Project will have their first meeting with John Steinmetz.

One of the issues expected to be brought up during the public input session is hydrofracking and, as discussed earlier in this meeting, the committee will need some direction from the Town Board on this issue.

MISCELLANEOUS:

Highway Superintendent Levey reported that Dick Gallivan approached him about the road that the **Temple Hill Cemetery** wants built to access their grounds for burials. Mr. Levey asked if the Town Board is moving forward with this request. Town Board Members agreed Larry can provide an estimate of the cost, but it was the consensus of the Board that the Cemetery Board should come to a Town Board meeting with their proposal, and should also have a progress report on their fund-raising campaign.

Supervisor Wadsworth advised the Board that an issue came up with **Fred Yates' retirement**. It seems that when he was originally hired, the payment to the NYS retirement system for his first week of employment was not paid by the Town and he ended up having to pay it. With interest, this charge amounted to \$157.99 plus Fred spent \$19.95 for an overnight mailing of the payment. It was the consensus of the Board that since it was the Town's responsibility to submit the payment to NYS Retirement, Fred should be reimbursed for it.

Also included in Board packets were: 1) the April Code Enforcement Report; 2) thank you card from Wadsworth Library for allowing them to advertise their book sale in the parcel across from Wegmans; and 3) thank you card to the Town Board and staff from Fred Yates for his retirement luncheon and gift cards.

A thank you from the Town Board to the Garden Club for donating a tree for Long Point Park was in the local newspaper this past week.

ADJOURNMENT:

At 6:15 pm Mr. Taylor moved and Mr. Manapol seconded the motion to adjourn the meeting. Motion passed unanimously.

Jean Bennett, Town Clerk