

Regular Geneseo Town Board Meeting

Thursday, June 11, 2015

A Regular Meeting of the Geneseo Town Board was held on Thursday, June 11, 2015 in the conference room of the Geneseo Town Office Facility.

PRESENT: William S. Wadsworth, Supervisor
Roberta Irwin, Deputy Supervisor
Jerald Wrubel, Councilman
Felicisimo Manapol, Councilman
Patti LaVigne, Councilwoman

ALSO PRESENT: Larry Levey, Highway Superintendent
Courtney Kennedy, Town Clerk
Ronald Maxwell, Code Enforcement Officer
David Woods, Planning Board member
Robert Irwin, Planning Board member
Robert Harris, Planning Board member
Linda LeMoyne, Clerk to the Supervisor
Christine Lennington
Conrad Baker, Genesee Sun
Joanne Harris

ARRIVING LATE: Ed Russell, Underberg & Kessler
Joseph DiLaura Marianne DiLaura
Betsy O'Mara Daniel O'Mara

MEETING OPENING, APPROVAL OF MINUTES & ABSTRACT OF VOUCHERS:

Supervisor Wadsworth called the meeting to order at 7:00 p.m. Councilman Manapol led the pledge to the flag and a moment of silence was held for men and women serving around the world.

The Board reviewed the minutes of the special meeting on May 14th. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to approve the minutes of May 14, 2015, as presented. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye. Nays: None. Councilman Manapol and Councilwoman LaVigne abstained from voting as they were not present at the special meeting on May 14, 2015.

The Board reviewed the minutes of the regular meeting on May 28th. Councilwoman Irwin moved and Councilwoman LaVigne seconded the motion to approve the minutes of May 28, 2015, as presented. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, LaVigne-aye. Nays: None. Councilman Manapol and Councilman Wrubel abstained from voting as they were not present at the regular meeting on May 28, 2015.

The Board reviewed the minutes of the special meeting on June 3rd. Councilwoman LaVigne moved and Councilman Manapol seconded the motion to approve the minutes of June 3, 2015, as presented. Motion passed with voting as follows: Wadsworth-aye, Manapol-aye, LaVigne-aye.

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Nays: None. Councilwoman Irwin and Councilman Wrubel abstained from voting as they were not present at the regular meeting on June 3, 2015.

The Board reviewed abstract #6 of 2015. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to approve payment for vouchers #384 through #452 on abstract #6 in the following amounts:

General A vouchers #384 thru #451	\$76,464.00
General B vouchers #384 thru #448	\$ 1,498.90
Highway DA vouchers #384 thru #452	\$70,773.52
Highway DB vouchers #384 thru #435	\$39,909.14
Special Light District voucher #439	\$ 201.78
Sewer District voucher #384 and #442	\$ 157.05
Water O&M SWO vouchers #384 thru #439	<u>\$ 5,165.38</u>
Total	\$194,169.77

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

RESERVES FOR FUTURE PURPOSES:

Councilman Wrubel moved and Councilwoman Irwin seconded the motion to accept the resolution for the creation of a **road improvement** reserve account, as presented. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF GENESEO ESTABLISHING A CAPITAL RESERVE FUND PURSUANT TO GENERAL MUNICIPAL LAW SECTION 6-C TO BE KNOWN AS THE ROAD IMPROVEMENT FUND

RESOLVED, THAT PURSUANT TO Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Road Improvement Reserve Fund" (hereinafter "Reserve Fund") in an amount not to exceed \$250,000. The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of capital improvement. The type of capital improvement to be financed from the Reserve Fund is the construction and/or repair of Town roads.

The chief fiscal officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Chief Fiscal Officer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Geneseo. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Chief Fiscal Officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the

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approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.

Councilwoman Irwin moved and Councilman Manapol seconded the motion to accept the resolution for the creation of a **highway equipment** reserve account, as presented. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF GENESEO ESTABLISHING A CAPITAL RESERVE FUND PURSUANT TO GENERAL MUNICIPAL LAW SECTION 6-C TO BE KNOWN AS THE HIGHWAY EQUIPMENT RESERVE FUND

RESOLVED, THAT PURSUANT TO Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Highway Equipment Reserve Fund" (hereinafter "Reserve Fund") in an amount not to exceed \$500,000. The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of capital equipment. The type of capital equipment to be financed from the Reserve Fund is the purchase of highway equipment.

The chief fiscal officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Chief Fiscal Officer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Geneseo. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Chief Fiscal Officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.

Councilwoman LaVigne moved and Councilwoman Irwin seconded the motion to accept the resolution for the creation of a **building** reserve account, as presented. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF GENESEO ESTABLISHING A CAPITAL RESERVE FUND PURSUANT TO GENERAL MUNICIPAL LAW SECTION 6-C TO BE KNOWN AS THE BUILDING RESERVE FUND

RESOLVED, THAT PURSUANT TO Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Building Reserve Fund" (hereinafter "Reserve Fund") not to exceed \$750,000. The purpose of this Reserve Fund is to accumulate moneys to finance the

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cost of a type of capital improvement. The type of capital improvement to be financed from the Reserve Fund is the construction, reconstruction and/or acquisition of municipal buildings.

The chief fiscal officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Chief Fiscal Officer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Geneseo. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Chief Fiscal Officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.

FENCE REGULATION – PUBLIC HEARING:

At 7:10 pm Supervisor Wadsworth opened the Public Hearing on the proposed fence regulation and asked if there were any comments.

Joseph DiLaura of 5355 Creekside Lane addressed the board: “I served four years in the Navy to preserve our freedoms. I resent those freedoms being infringed on by the stroke of a pen. My feeling, we do not need new laws, we need to eliminate laws. I do have a question for the board; over the years how many complaints has the board received from neighbors bordering those with fences?” Councilwoman Irwin replied “two”. Mr. DiLaura continued to say “If I compare that to the number of properties in the town, I do not believe there is a need for it. If there aint a problem, don’t fix it. Thank you for your time.”

Marianne DiLaura of 5355 Creekside Lane read a letter she prepared. A copy of the letter is attached in the official minute book.

Supervisor Wadsworth asked if there was any one else present that would like to be heard on the matter. No questions were brought forth. The floor was left open for anyone wishing to be heard.

With no additional questions or comments on proposed Local Law #1-2015 Councilwoman Irwin made a motion to close the public hearing at 7:33 p.m. The motion was seconded by Councilman Manapol. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

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GCS CAPITAL PROJECT:

Councilman Wrubel moved and Councilwoman Irwin seconded the motion to give consent to the Board of Education of the Geneseo Central School District to act as **Lead Agency** pursuant to the provisions of 6 NYCRR Part 617. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

LONG POINT PARK:

Councilwoman Irwin moved and Councilman Manapol seconded the motion to approve **Grace and Truth Christian Fellowship's** request to waive the pavilion rental fee, contingent on the church supplying the Town Clerk with an insurance certificate that meets all of the Town's requirements and their payment of the security deposit. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

The board reviewed a request from Chuck Doerflinger for permission to rent out and launch **kayaks and paddleboards** from Long Point Park, as he did last year. Councilman Wrubel moved and Councilwoman Irwin seconded the motion to give permission to Chuck Doerflinger with the same provisions as in 2014 and meeting requirements of the Town Attorney and Insurance Agent. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

HIGHWAY/WATER/SEWER:

The board members reviewed a letter from Livingston County Water and Sewer Authority regarding Court Street Complex, LLC being **over charged** for their water usage. The letter stated that their meter was replaced on April 10th, 2013; however, the billing calculations were never changed from cubic foot to 1000 gallons. Councilman Wrubel moved and Councilman Manapol seconded the motion to reimburse Court Street Complex, LLC for their overpayment on LCWSA account #13867 in the amount of \$1,570.20. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

Highway Superintendent Levey informed the board that the water meter that serviced 4234 Country Club Road has been replaced. Mr. Levey stated that the price to **analyze a water meter** is estimated to be \$125.00 plus shipping. The town will be sending in multiple meters for analysis and will absorb the cost of the Country Club Road meter. The result of the analysis will be provided to the O'Mara's.

Highway Superintendent Levey reported the results of the **bid opening for refuse removal from the Transfer Station** for the remainder of 2015. One bid was received from LT Disposal, as follows:

<u>Company</u>	<u>Compactor Bid</u>	<u>Open Top Bid</u>
<u>LT Disposal</u>	<u>40 yd</u>	<u>40 yd</u>
	\$50/month rental	\$50/month rental
	\$600/pull up to 13T	\$450/pull up to 13T
	\$50/T over 13T	\$50/T over 13T

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Councilman Manapol moved and Councilman Wrubel seconded the motion to award the bid for refuse removal for the Transfer Station for the remainder of 2015 to LT Disposal. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

The board members discussed the possibility of holding a **shredding event** at the Transfer Station. The matter will be researched and discussed at a future meeting.

EXECUTIVE SESSION:

At 7:36 p.m. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to go into executive session regarding the employment history of a specific individual. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

At 7:50 p.m. Councilwoman Irwin moved and Councilman Manapol seconded the motion to come out of executive session, with no action taken. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

ADJOURNMENT:

At 7:51 p.m. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to adjourn the meeting. Motion passed unanimously.

Courtney Kennedy, Town Clerk