

Regular Geneseo Town Board Meeting

Thursday, July 9, 2015

A Regular Meeting of the Geneseo Town Board was held on Thursday, July 9, 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: James Coniglio, Town Attorney
Larry Levey, Highway Superintendent
Courtney Kennedy, Town Clerk
Ronald Maxwell, Code Enforcement Officer
Tammy Baker, Assessor
Robert Harris, Planning Board member
Ken Book, Zoning Board of Appeals member
Conrad Baker, Genesee Sun
Al Dietrich
Peter Jacobson
Nancy Chapman
Marianne & Joseph DiLaura
Sandie & Dean Pendergast
Carol & John Genzken
Joanne Harris
Nancy & Norman Anderson
Robert Horrocks
Robert & Lois Morris
Tamara & Tony Gullo

MEETING OPENING, APPROVAL OF MINUTES & ABSTRACT OF VOUCHERS:

Supervisor Wadsworth called the meeting to order at 7:00 p.m. Councilman Wrubel 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 meeting on June 11th. Councilwoman Irwin moved and Councilwoman LaVigne seconded the motion to approve the minutes of June 11, 2015, with a correction to a word in Mr. DiLaura's statement. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

The board reviewed abstract #7 of 2015. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to approve payment of abstract #7 with the addition of a voucher for payment to the Livingston County Chamber of Commerce in the amount of \$1,000 for the grant match for the Fiddlers Picnic. Abstract #7 consisted of the following amounts:

General A vouchers #452 thru #540	\$44,893.73
General B vouchers #454 thru #539	\$ 1,664.66
Highway DA vouchers #454 thru #542	\$25,078.61
Highway DB vouchers #454 thru #529	\$98,896.18
Special Light District voucher #534	\$ 218.40
Sewer District voucher #454 and #541	\$ 104.64
Water O&M SW0 vouchers #453 thru #541	\$ 3,231.68
Water District #1 voucher #465	<u>1,570.20</u>
Total	\$175,658.10

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

PROPOSED LOCAL LAW REGARDING FENCE REGULATIONS:

Councilwoman LaVigne moved and Councilman Wrubel seconded the motion to adopt Local Law #1 of 2015 as presented:

Town of Geneseo Local Law No. 1 of the year 2015

Section 1. The Town Council of the Town of Geneseo has determined it is in the public interest to create Code Section 106.64 to provide fence regulations for the Lake Shore District.

Regular Geneseo Town Board Meeting

Thursday, July 9, 2015

Section 2. Section 106.64 is created to read as follows:

§106.64 Lake Shore District Fence Regulation

A. Definitions:

- (1) "Fence" shall have the same meaning as contained in the definition contained in §106-6 of this Chapter.
- (2) "Lake Shore District" shall mean the "L" Zoning District as set forth on the Zoning Map of the Town of Geneseo pursuant to §106-8 of this Chapter.
- (3) "Front" shall mean that portion of a lot facing either a public highway, or facing a private drive used for ingress and egress for more than one (1) residence.
- (4) "Mean Water Line" shall have the same meaning as "Mean Conesus Lake Level" set forth in §106-6 of this Chapter.
- (5) "Side Yard" as used in this Section shall mean that part of a lot which begins at a point on a boundary line that is parallel to the rear portion of a Principal Structure and extends to the front set-back line.

B. Permit Requirement:

- (1) No Fence may be installed or constructed on lots containing direct shoreline frontage in the Lake Shore District unless a permit has been issued by the Town Code Enforcement Officer.
- (2) No permit for a Fence shall be issued unless the proposed Fence shall comply with the standards contained in this §106-64.
- (3) An application for a Fence Permit shall be made to the Code Enforcement Officer on forms prescribed by the Code Enforcement Officer and shall be accompanied by a current survey map depicting the proposed location of the Fence and also depicting the Mean Water Line.

C. General Standards:

- (1) Each Fence shall be constructed so that the decorative side of the Fence shall directly face the abutting property line.
- (2) Fences located between the Mean Water Line and the rear building line of a principal structure, including decks and porches, shall be comprised of materials which are at least sixty percent (60%) transparent, as viewed from an angle of Ninety (90) degrees.
- (3) Fence materials for fences or portions of fences located in Side Yards may be opaque.
- (4) Fences located between the Mean Water Line and the rear building line of a principal structure, including decks and porches, shall not exceed four (4) feet in height.
- (5) Fences located in Side Yards may have a height in excess of four (4) feet but shall not exceed six (6) feet in height.
- (6) Fences adjacent to driveways which intersect public highways or private right-of-ways and fences adjacent to intersections of public highways or private rights-of-ways or any combination thereof shall not obstruct the vision of operators of motor vehicles traveling on such public highway or private right-of-ways or of vehicles entering the same from intersecting driveways.
- (7) Fences may be constructed from the following materials: wood, chain link, stone, rock, brick, masonry brick, wrought iron, vinyl, and aluminum.
- (8) No fence shall be constructed from the following materials: cast-off, secondhand, and other items not originally intended to be fencing, plywood less than ¾ inch thick, low-grade plywood, particle board, paper, foam board, plastic, tarps (and similar materials), razor wire and other dangerous materials, sheet metal, roll metal, corrugated metal, or concrete block.

D. Variances:

- (1) Applicants claiming hardship may apply to the Zoning Board of Appeals for limited relief from the requirements of this section upon a showing of an unnecessary hardship which are entirely due to unique conditions and circumstances affecting only the lot in question, and which are not due to general conditions and circumstances affecting other properties within the Lake Shore District.
- (2) Upon a showing of an unnecessary hardship the Zoning Board of Appeals may grant only the minimum variance necessary to grant relief from the hardship.

Regular Geneseo Town Board Meeting Thursday, July 9, 2015

Motion passed with voting as follows: Wadsworth-aye, Wrubel-aye, Manapol-aye, LaVigne-aye.
Nays: Irwin.

PLANNING BOARD POSITIONS:

Supervisor Wadsworth informed the board members that Marcea Tetamore has resigned from her position on the Planning Board due to relocating outside of Geneseo; therefore, two vacancies exist on the Planning Board. After discussion, Councilwoman LaVigne moved to appoint **Charles Maxwell** to fulfill the remainder of Tom Curtain's term, expiring 12/31/2020, on the Town of Geneseo Planning Board. The motion was seconded by Councilman Manapol and passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye. Manapol-aye, LaVigne-aye.

Councilman Wrubel moved and Councilman Manapol seconded the motion to appoint **Robert Lennington** to fulfill the remainder of Marcea Tetamore's term, expiring 12/31/2015, on the Town of Geneseo Planning Board. Motion passed with voting as follows: Wadsworth-aye, Wrubel-aye, Irwin-aye, Manapol-aye, LaVigne-aye. Nays: None.

Councilwoman Irwin moved to adopt proposed Local Law #2 of 2015 as presented; and to schedule the Public Hearing for September 10, 2015 at the Geneseo Town Office Facility, 4630 Millennium Drive, Geneseo, New York at 7:10 p.m. The proposed local law will create the position of **alternate Planning Board member**. Councilwoman LaVigne seconded the motion. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Manapol-aye, LaVigne-aye, Wrubel-aye. Nays: None.

INTEGRATED SYSTEMS:

Councilwoman Irwin moved and Councilman Wrubel seconded the motion to replace the **wireless internet access points** in the Town Office due to the existing equipment no longer being supported by the manufacturer, and reaching its end of life. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Manapol-aye, LaVigne-aye, Wrubel-aye. Nays: None.

Integrated Systems has requested Supervisor Wadsworth's signature on an "**Application Hosting Contract Agreement**." In November of 2013, the Geneseo Town Board approved entering into this contract and permitted Supervisor Wadsworth to sign and accept Integrated Systems' terms. A contract detailing the terms is now being provided. The contract will expire in 2016. Councilman Wrubel moved and Councilman Manapol seconded the motion to allow Supervisor Wadsworth to sign the contract agreement with Integrated Systems. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Manapol-aye, LaVigne-aye, Wrubel-aye. Nays: None.

GENESEE VALLEY PLAZA APPRAISAL:

The board members were informed that the owners of the Genesee Valley Plaza have challenged their assessment. The parcel is currently assessed at \$13,480,400; Gailileo Apollo IV Sub LLC is seeking a reduction to \$6,199,000. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to hire Midland Appraisal Associates to **perform a trial appraisal**. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

HIGHWAY/WATER/SEWER:

Highway Superintendent Levey informed the board members of a **large culvert job on Lima Road** between the village and Volunteer Road. Mr. Levey would like to look into bidding this out due to the amount of work currently for highway, water, FEMA.

Councilman Wrubel and Highway Superintendent Levey will be looking into the organization of **shredding and Freon event(s)** at the Transfer Station. This type of event will allow residents of Geneseo to bring their personal documents to a secure location for proper handling. The disposal of items containing Freon is not currently permitted at many locations. Both services will be at a cost to residents. The board members discussed possibly holding an event twice a year. This will be discussed at a future meeting.

MISCELLANEOUS:

The board members reviewed drafts of the Long Point Park Rules and Regulations and Fund Balance Policy. These items will be discussed at a future meeting.

Regular Geneseo Town Board Meeting Thursday, July 9, 2015

Councilwoman Irwin moved and Councilman Wrubel seconded the motion to authorize Supervisor Wadsworth to sign a letter in support of *Livingston County Historical Society* in their application for a grant for the museum on Center Street in the village of Geneseo. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

EXECUTIVE SESSION:

At 7:31 p.m. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to go into executive session regarding proposed, pending, or current litigation. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, Manapol-aye, LaVigne-aye. Nays: None.

At 7:42 p.m. Councilwoman Irwin moved and Councilman Wrubel 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 7:43 p.m. Councilman Wrubel moved and Councilman Manapol seconded the motion to adjourn the meeting. Motion passed unanimously.

Courtney Kennedy, Town Clerk