

# Regular Geneseo Town Board Meeting

## Thursday, November 12, 2015

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A Regular Meeting of the Geneseo Town Board was held on Thursday, November 12, 2015 in the conference room of the Geneseo Town Office Facility.

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

ALSO PRESENT: Matt Griffo, Councilman-elect  
Ed Russell, Underberg & Kessler  
Courtney Kennedy, Town Clerk  
Larry Levey, Highway Superintendent  
Linda LeMoyne, Clerk  
Ron Maxwell, Code Enforcement Officer  
Robert Harris, Planning Board member  
David Parish, Town/Village Historian  
Joanne Harris  
Kim Levey  
Mark Grovanz  
Marge Delina

**MEETING OPENING, APPROVAL OF MINUTES, ABSTRACT OF VOUCHERS & OUTSTANDING INVOICES:**

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 meeting on October 8<sup>th</sup>. Councilman Wrubel moved and Councilwoman LaVigne seconded the motion to approve the minutes of October 8, 2015, as presented. Motion passed with voting as follows: Wadsworth-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None. Councilwoman Irwin abstained from voting.

The board reviewed the minutes of the meeting on October 22<sup>nd</sup>. Councilwoman Irwin moved and Councilman Manapol seconded the motion to approve the minutes of October 22, 2015, as presented. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Manapol-aye. Nays: None. Councilman Wrubel and Councilwoman LaVigne abstained from voting.

The board reviewed the minutes of the meeting on November 5<sup>th</sup>. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to approve the minutes of November 5, 2015, as presented. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye. Nays: None. Councilman Manapol abstained from voting.

After reviewing three outstanding invoices, it was determined that a letter and copy of invoice T-77-12 will be sent to the insurance company that is responsible for the property. Councilman Wrubel moved and Councilwoman Irwin seconded the motion to **write-off invoice T-62-15** in the amount of \$207.86. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None. Councilwoman Irwin moved and Councilman Manapol seconded the motion to **write-off invoice T-39-12** in the amount of \$520.99. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, LaVigne-aye, Manapol-aye. Nays: Wrubel.

The board reviewed abstract #11 of 2015. Councilwoman Irwin moved and Councilwoman LaVigne seconded the motion to approve payment for vouchers #815 through #892 on abstract #11 in the following amounts:

General A vouchers	#815 thru #892	\$122,750.66
General B vouchers	#821 thru #874	\$16,026.34
Highway DA vouchers	#818 thru #891	\$32,130.66
Highway DB vouchers	#821 thru #888	\$22,213.05
Special Lighting District voucher	#844	\$260.39
Sewer District vouchers	#814 thru #890	\$34,169.41
Water O&M SW0 vouchers	#813 thru #890	\$64,365.50
Water District #1 SW1 vouchers	#829	<u>\$27,453.82</u>
	Total:	\$319,369.83

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

**2016 BUDGET:**

Councilwoman LaVigne moved and Councilman Wrubel seconded the motion to adopt the 2016 **Town of Geneseo Salaries** with suggested changes, as presented. Hourly rate increases were approved for the following part-time hourly positions: Highway Clerk increased to \$13.00 an hour, Planning Board Secretary increased to \$13.00 an hour and 1<sup>st</sup> Assistant Court Clerk increased to \$12.00 an hour. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None.

The board discussed the 2016 tentative **budget**. Budget revisions were made to the following accounts:

<i>Budget Code</i>	<i>Tentative Budget Amount</i>	<i>Amount</i>
A1110.120 Asst Justice Clerk	\$9,600.00	\$11,232.00
A1380.490 Fiscal Agent Fee	\$0.00	\$2,300.00
A5010.110 Highway Clerk	\$10,030.14	\$11,735.14
A7110.220 Misc Equipment/Capital	\$48,000.00	\$0.00
A9030.800 Social Security	\$21,786.43	\$23,707.01
A9035.800 Medicare	\$5,095.21	\$5,544.38
A1001	\$683,653.00	\$653,653.00
Appropriated Fund Balance	\$18,603.72	\$8,610.47
DA1001	\$238,826.00	\$268,826.00
Appropriated Fund Balance	\$302,470.30	\$272,470.30
B8020.110 Planning Board Secretary	\$3,000.00	\$3,360.00
B9030.800 Social Security	\$5,872.46	\$5,911.34
B9035.800 Medicare	\$1,382.49	\$1,374.01
B1120	\$6,000.00	\$0.00
Appropriated Fund Balance	\$57,490.71	\$63,898.07
SW0-8310.110 Personal Services	\$1,139.25	\$1,332.00
SW0-5031 Interfund Transfers	\$326,558.11	\$326,750.86

Councilman Wrubel moved and Councilwoman Irwin seconded the motion to **adopt the 2016 budget** which included the 2016 salary schedule and the above changes/revised amounts. The motion to adopt the 2016 budget, as attached to the official minute book, passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None.

**TOWN/VILLAGE HISTORIAN DAVID PARISH:**

Town and Village Historian David Parish noted that November is Local History Month in New York State and requested that everyone take a look at the historic markers in their communities, Geneseo has nine. Mr. Parish stated that he finally has a volunteer. A SUNY Geneseo student will be tasked with cataloging over 500 documents and storing that information electronically on a disk. Mr. Parish provided board members with a copy of the Fall-Winter 2015 newsletter, "The Bear Facts." Mr. Parish also informed the board that he is continuing his work on "I Am Geneseo", with 225 pages completed thus far. A focus of the book will be women and minorities in Geneseo. Finally, Mr. Parish stated to the board, "I was reading the proposal for Long Point Park, what was submitted for possibilities. My dream would be to have historic markers at the bottom of Court Street for the prison/war camp. Also, Kelsey Field. One time there were championship baseball teams that played on the field, and the county fair was held there too. It would be nice to have two more historic markers. There are nine to twelve organizations that sponsor the current historic markers; maybe there would be some interest for two more." Mr. Parish thanked the board for their time while he presented this end of year report.

**ELECTRONIC DEVICES FOR TOWN BOARD MEMBERS:**

Councilwoman Irwin moved and Councilwoman LaVigne seconded the motion to purchase six HP Pro X2 2-in-1 devices from Notebook Tek, as quoted. After discussion, Councilman Wrubel moved and Councilman Manapol seconded the motion to purchase six HP Pro X2 2-in-1 devices from Notebook Tek without purchasing the service agreement. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None. The use of these devices at board meetings will begin in January.

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### **BOARD OF ASSESSMENT REVIEW APPOINTMENT:**

Councilman Manapol moved and Councilwoman Irwin seconded the motion to reappoint Marie Zea to a five-year term on the Board of Assessment Review. Ms. Zea's term of office will commence on November 1, 2015 and end September 30, 2020. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None.

### **THE HAMMOCKS:**

The board members reviewed a request from MRB Group with regard to the Hammocks at Geneseo's request for a **drawdown on the security deposit** for the grading components of work and on the Letter of Credit established for the remaining infrastructure. Councilwoman Irwin moved and Councilwoman LaVigne seconded the motion to approve the request for Drawdown #2 for the Grading Deposit totaling \$49,142.16 and Infrastructure Letter of Credit totaling \$58,000.99. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None.

The board members reviewed an additional request from MRB Group recommending that a **Letter of Credit** be approved in the amount of \$112,113.05 for Lot 2 (Phase 2 & 3) portion of work to be completed. The breakdown of the Letter of Credit is: \$48,857.00 allocated for Sanitary Sewer, \$45,850.00 allocated for Grading & Misc, and \$17,406.05 for Town Guarantees. Councilman Wrubel moved and Councilwoman LaVigne seconded the motion to approve the Letter of Credit in the amount of \$112,113.05, as recommended by MRB Group. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None.

### **PROCUREMENT POLICY:**

Councilwoman Irwin moved and Councilman Wrubel seconded the motion to adopt the revised Procurement Policy, as presented. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None.

**WHEREAS**, Section 104-B of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services that are not required by law to publicly bid and,

**WHEREAS**, comments have been solicited from all officers in the Town of Geneseo involved in the procurement process, now, therefore, be it

**RESOLVED**, that the Town of Geneseo does now adopt the following procurement policy that is intended to apply to all goods and services which are not required by law to be publicly bid.

### **PROCUREMENT POLICY FOR THE TOWN OF GENESEO**

**1.** Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public work contracts under \$35,000; emergency purchases; certain municipal hospital purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and County contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

**2.** Procurement of goods and services not subject to competitive bidding because their thresholds are lower than the thresholds set forth in Section 103 of the General

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Municipal Law will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided. Goods purchased from agencies for the blind or several handicapped pursuant to Section 175-b of the State Finance Law: goods purchased from correctional institutions pursuant to Section 186 of the Correction Law purchases under State Contracts pursuant to Section 104 of the General Municipal Law: purchases under county contracts pursuant to Section 103 of the General Municipal Law or purchases pursuant to subdivision 6 of this policy shall not be restricted to the policy set forth in this Section 2.

3. The following method of purchase will be used when required by this policy in order to achieve the highest savings.

<u>ESTIMATED AMOUNT OF PURCHASE CONTRACT</u>	<u>METHOD</u>
\$2,500 - \$4,999	2 Verbal quotations
\$5,000 - \$19,999	3 Written/fax quotations or requests for proposals

<u>ESTIMATED AMOUNT OF PUBLIC WORKS CONTRACT</u>	<u>METHOD</u>
\$2,500 - \$4,999	2 Verbal quotations
\$5,000 - \$9,999	2 Written/fax quotations
\$10,000 - \$34,999	3 Written/fax quotations or Requests for proposals

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.

5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may be challenged under any circumstances.

6. Pursuant to General Municipal Law Section 104-b(2) (f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstance, it may not be in the best interests of the Town of Geneseo to solicit quotations or document the basis for not accepting the lowest bid.

Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement policies.

In determining whether a service fits into this category, the Town Board shall take into consideration the following guidelines: (a.1) whether the services are subject to State licensing or testing requirements: (a.2) whether substantial formal education or training

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is a necessary prerequisite to the performance of the services: and (a.3) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney: services of a physician: technical services of an engineer engaged to prepare plans, maps or estimates: securing insurance coverage and/or services of an insurance broker: services of a certified public accountant: investment management services: printing services involving extensive writing, edition or art software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

7. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or alternate proposals if time permits.

8. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Town of Geneseo is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product. However, the Board has approved purchases from the New York State Office of General Services, Bureau of Federal Property Assistance. These purchases will be made according to the terms of the annual agreement between the Town of Geneseo and the Bureau of Federal Property Assistance.

9. Goods or services under \$2500. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such contracts would be awarded based on favoritism.

### **MT. PLEASANT CEMETERY:**

Councilwoman Irwin moved and Councilman Manapol seconded the motion to reimburse Mt. Pleasant Cemetery, and pay open invoice #7172 with Shafer Landscaping, for expenses incurred for mowing services, totaling \$6,440.00. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None.

### **CODE ENFORCEMENT:**

Code Enforcement Officer Ron Maxwell has informed Supervisor Wadsworth that he is unable to perform the extra work required under the ***Intermunicipal Agreement with Livingston County*** for Code Enforcement. Mr. Maxwell will complete the work that he is currently assisting on, but does not wish to continue these services in 2016. A letter of intent will not be sent to Livingston County.

Councilwoman Irwin moved and Councilman Wrubel seconded the motion to create and fill a vacancy in the code office by hiring an individual to perform ***Fire and Rental Housing inspections*** as part of the shared services agreement with the village. The individual will work two days a week, not to exceed 16 hours per week. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None.

### **WATER/SEWER:**

The board members reviewed a request from Dawn Hamsher. Ms Hamsher is hoping to purchase a parcel on Crossett Road; closing is contingent on the source of water. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to schedule a public hearing on January 14, 2016 at 7:15 p.m. to consider the request for a minor extension of Water District #1. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None. The town attorney and engineers will be consulted.

Supervisor Wadsworth informed the board members that he received 68 surveys completed by residents of ***Lima, North and Elm Roads***. Surveys are still being completed by property owners in the area whom are interested in obtaining affordable access to municipal water. The questionnaires detail issues with current water sources, such as wells and ponds. The board reviewed a map of the houses that were surveyed. It is hoped that this project will qualify for grant funding. The surveys will be electronically submitted to board members.

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Highway Superintendent Larry Levey informed the board members that he is going to discuss options for the water issue affecting a parcel on Triphammer Road with the Livingston County Highway Superintendent, the Highway Superintendent's Association and the Town of Geneseo's engineers (MRB Group) with hopes of finding a solution. Town council will be assisting with this matter.

### **MISCELLANEOUS:**

After discussion, the town board agreed to schedule the 2016 Organizational Meeting for Monday, January 4, 2016 at 7:00 p.m.

### **EXECUTIVE SESSION:**

At 7:55 p.m. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to go into executive session to discuss a negotiation, with Highway Superintendent Levey and Attorney Ed Russell remaining. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Manapol-aye. Nays: None.

At 8:10 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, LaVigne-aye, Manapol-aye. Nays: None.

### **ADJOURNMENT:**

At 8:22 p.m. Councilwoman Irwin moved and Councilman Manapol seconded the motion to adjourn the meeting. Motion passed unanimously.

Courtney Kennedy, Town Clerk