

Geneseo Town Board Meeting

Thursday, August 11, 2016

A Regular Meeting of the Geneseo Town Board was held on Thursday, August 11, 2016 at Long Point Park.

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

ALSO PRESENT: Larry Levey, Highway Superintendent
Courtney Kennedy, Town Clerk
Ed Russell, Underberg and Kessler
Robert Harris, Planning Board Member
Ronald Maxwell, Code Enforcement Officer
Linda LeMoynes, Clerk to the Supervisor
Joe Ferrero Jim Bailey Jim Becker
Miranda Reid Anna Kowalchuk Joanne Harris
Tony Infantino Kim Infantino John Stanley
Al Dietrich Jean Trescott Dan Faulkner
Ruth Henry Jean Henchen Ann Meagher
Gene Bolster Howard Appell Vince DiSalvo

MEETING OPENING, APPROVAL OF MINUTES & ABSTRACT OF VOUCHERS:

Supervisor Wadsworth called the meeting to order at 7:00 p.m. The flag was pledged and a moment of silence was held in memory of Madilene Peri and Elisabeth Folts.

Councilman Wrubel moved and Councilwoman Irwin seconded the motion to approve the minutes of July 14, 2016, as presented. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Nays: None. Councilman Griffo abstained as he was not present at the July 14th meeting.

Councilwoman Irwin moved and Councilman Wrubel seconded the motion to approve payment for vouchers #512 through #603 on abstract #8 in the following amounts:

General A vouchers	#512 thru #603	\$38,561.07
General B vouchers	#512 thru #601	\$1,350.82
Highway DA vouchers	#512 thru #602	\$222,683.76
Highway DB vouchers	#512 thru #596	\$13,378.18
Special Lighting District voucher	#546	\$229.50
Sewer District vouchers	#512 thru #600	\$36,837.24
Water O&M SW0 vouchers	#512 thru #603	\$53,762.70
Water District #1 voucher	#600	<u>\$3,082.20</u>
Total:		\$369,885.47

Councilman Wrubel questioned voucher #590, Palmiter's Garden Nursery. Mr. Wrubel stated, "The simple fact that we are even considering approving these items is not only unfortunate but even more so, it's something that never should have made it to this point. I am of the understanding during his long tenure on the Council; Mr. Manapol has been reminded on more than one occasion to go through the proper channels when committing Town funds to vendors. The fact that he ignored those directives as a Council member and, now, no longer a member of the Council, has done so again, is unacceptable. The Town Council is tasked with assuring taxpayers that their taxes are being spent wisely and in a proper fashion. If we pay these invoices it should represent a gesture of good will to our valued vendors. In no way should payment be construed as an endorsement of Mr. Manapol's actions. In fact, an argument could easily be made that he should be held personally liable for these invoices. The Council should take explicit steps to prevent this from happening again and inform these and other vendors that no purchases can be made without prior approval from an authorized Town Official." Councilwoman Irwin followed, "it also puts us in a position where we would have to accept any unauthorized individual who makes a purchase, and could leave us fiscally in jeopardy. We need to follow procedures on this. If we have to set up steps to avoid this happening again, we should do it as soon as possible." Supervisor Wadsworth explained that this conversation was had at the last meeting, and the board decided a letter should be sent to Mr. Manapol. A first draft of the letter has been provided and is being reviewed. Mr. Wadsworth asked if there were any additional comments or questions about abstract #8. Councilman

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Griffo stated that he would like the letter to come from the town board, not the town's attorney. Supervisor Wadsworth stated, "Efforts by the town board to communicate this in the past have failed, we want a record to show that we take this seriously and we can't just let anyone make purchases. This is a matter of procedure, state law, and audit requirements. We need to be the best representative of the tax payer that we can be." Councilwoman LaVigne stated, "I am in support of sending a letter to Mr. Manapol to reinforce that he shouldn't be purchasing on behalf of the town without proper authorization. In my conversation with him there was an attempt on his part to follow procedure. There were errors, places on our part where procedures failed. I do not believe this was a blatant attempt to bypass procedure. I do agree with Jerry that we need to make sure this doesn't happen in the future." Further discussion about the policies and procedures relating to purchasing revealed that sufficient internal controls are in place to ensure only department heads have the authority to purchase items with town funds. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

Supervisor Wadsworth provided a brief overview of the Quarterly Report and encouraged board members to look over the report and visit Linda LeMoynes at the Town Office if they had any questions.

Supervisor Wadsworth informed board members that the 2017 Budget Calendar has been created. The first meeting will be Tuesday, August 16th. The purpose of this meeting is to discuss budget requests with department heads.

LOCAL LAW #2-2016-PUBLIC HEARING:

At 7:18 p.m. Supervisor Wadsworth opened the public hearing on a proposed local law regarding residency requirements as applicable to the position of Town Clerk. Supervisor Wadsworth asked if there was anyone present that would like to be heard on the matter. No questions were brought forth; the floor was left open for any comments or questions.

At 8:21 p.m., Supervisor Wadsworth asked if anyone wished to be heard on the proposed law. Joanne Harris questioned why this law was being considered. Supervisor Wadsworth stated that amending residency requirements for the position of Town Clerk would allow the town to pursue qualified applicants that may not meet the current residency requirements, shall the position become vacant. Additionally, it would permit the current clerk to live outside of Geneseo. With no additional questions or comments on proposed Local Law #2 of 2016, Councilman Wrubel moved and Councilwoman Irwin seconded the motion to close the public hearing. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

Councilwoman Irwin moved and Councilman Wrubel seconded the motion to adopt Local Law #2 of 2016 as presented:

1. Authority. This local law is enacted pursuant to the Authority granted to the Town Council by NYS Municipal Home Rule Law Section 10(a).
2. Purpose. The purpose of this local law is to permit a sitting Town Clerk that previously was qualified as an elector of the Town to continue in office notwithstanding a subsequent change of residence.
3. Subject to the previous condition it is hereby declared that the office of Town Clerk need not be an elector of the Town.
4. This local law shall become effective upon its filing in the Office of the New York Department of State.

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

ANNA KOWULCHUK, LIVINGSTON COUNTY HISTORICAL SOCIETY:

Anna Kowulchuk provided an overview of an upcoming production, "Wicket Ways." Ms. Kowulchuk explained that she had applied for, and was awarded, a grant for this production. Thus far, approximately half of the required funds have been raised. The Historical Society is requesting a one time contribution of \$500.00 from the town board. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to contribute \$500.00 to the Livingston County Historical Society for the production of "Wicket Ways." Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

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COMPREHENSIVE REZONING:

A final draft of the Zoning Code Update has been provided and is ready for public review. This draft must be referred to county planning again due to the number of revisions. Councilman Wrubel moved and Councilwoman Irwin seconded the motion to refer the draft Town of Geneseo Zoning Code Update to the Livingston County Planning Board for their review. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

PUBLIC HEARING EXTENSION #10 TO WATER DISTRICT #1:

At 7:30 p.m. Supervisor Wadsworth opened the public hearing on **Extension #10 to Water District #1** to supply public water to tax map parcel 82.-2-9.1. Councilwoman LaVigne informed the board that the hearing notice provided by council contained the wrong tax map number. There were no comments at this time and the hearing was left open for further comments.

At 8:22 p.m., with no additional questions or comments on the Extension to Water District #1, Councilman Wrubel moved and Councilwoman LaVigne seconded the motion to close the public hearing. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

Councilman Griffo moved and Councilwoman LaVigne seconded the motion to extend public water to tax map parcel 82.-2-9.1. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

HIGHWAY/WATER/SEWER MATTERS:

Councilwoman Irwin moved and Councilman Wrubel seconded the motion to appoint Jennifer Bow as the **Highway/Water Clerk** at an hourly rate of \$11.00. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

Councilman Wrubel moved and Councilman Griffo seconded the motion to schedule the annual public hearing on the Town's **Water District Assessment Roll** for September 8th at 7:15 p.m. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

HOWARD APPELL, FIDDLERS PICNIC:

Mr. Appell approached the board to express his appreciation for their support. Mr. Appell stated that the music was wonderful and the weather was perfect for this year's **Fiddlers Picnic**. He continued to say that he has always felt that the town has given the picnic so much in terms of resources such as; support from the Highway Department employees, the Town Clerk's Office, and assistance from Patti LaVigne. Each year the budget for the Fiddlers Picnic breaks even without the town having to contribute any funds. Funds are raised through grants, donations and contributions from local businesses and organizations. Mr. Appell closed by saying, "The town does so much for us. I really wanted to express my appreciation to the board."

CONESUS LAKE/LONG POINT PARK:

The board reviewed the draft **Alcohol Use Policy**. Comments will be received and this policy will be reviewed at a future meeting.

Councilwoman Irwin moved and Councilman Griffo seconded the motion to adopt the Long Point Park **Donation Policy** as follows:

**TOWN OF GENESEO
DONATION POLICY
POLICY RULES AND REGULATIONS (adopted 8/11/2016)**

Policy Statement: The Town of Geneseo reserves the right to accept or deny any gift that is offered as a donation.

The Town of Geneseo will seek the advice of legal counsel in matters relating to the acceptance of gifts when appropriate.

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

Councilman Wrubel moved and Councilwoman Irwin seconded the motion to approve **Geneseo Central School's** request to use the pavilion for their annual picnic on August 23, 2016, with the fees waived,

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contingent on the organization supplying the Town Clerk with an insurance certificate that meets all of the town's requirements. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

Miranda Reid of the **Conesus Lake Watershed Council** provided an overview of programs and projects that the Watershed Council oversees. Ms. Reid informed the board that the Watershed Council applied for a grant and received three years of funding for watercraft steward programs.

Councilwoman LaVigne provided an overview of the **Long Point Park Master Plan**. It is hoped that the draft will be reviewed by the town board in September for a final decision on the Master Plan.

Councilman Griffo moved and Councilwoman LaVigne seconded the motion to extend for one year, and to authorize Supervisor Wadsworth to sign, the **Boathouse Agreement with SUNY Geneseo Student Association** on behalf of the SUNY Crew Club. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

GENESEO FOOD PANTRY:

Councilwoman LaVigne informed the board members that she met with Betsy Matthews to discuss the issues the Geneseo Food Pantry is experiencing due to their location in the basement of St. Mary's Church. The main concern is that the space is not handicap accessible and a lot of people that volunteer need that access. The Geneseo Food Pantry currently services 25-30 families. Ms. LaVigne and Ms. Matthews discussed what type of space the food pantry would need and that it must be in the town of Groveland or Geneseo. Ms. LaVigne stated that it was very educational to go down there and that it is a worthy project to get involved in.

EXECUTIVE SESSION:

At 8:36 p.m. Councilwoman Irwin moved and Councilman Wrubel seconded the motion to enter into Executive Session to discuss the employment history of a particular person. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

At 9:05 p.m. Councilman Wrubel moved and Councilwoman Irwin seconded the motion to exit Executive Session, with no action taken. Motion passed with voting as follows: Wadsworth-aye, Irwin-aye, Wrubel-aye, LaVigne-aye, Griffo-aye. Nays: None.

ADJOURNMENT:

At 9:06 p.m. Councilwoman Irwin moved and Councilwoman LaVigne seconded the motion to adjourn the meeting. Motion passed unanimously.

Courtney Kennedy, Town Clerk