

VILLAGE OF GENESEO  
BOARD OF TRUSTEES

January 28, 2008

PRESENT:

Richard B. Hatheway, Mayor	Marsha B. Merrick, Clerk/Treasurer
Sandra F. Brennan, Trustee	J. Thomas Reynolds, Attorney
Bradley R. Hill, Trustee	
William S. Lofquist, Trustee	
Robert D. Wilcox, Deputy Mayor	

PUBLIC PRESENT:

Howard Appell	Bob Brougham	Virginia Brougham	Jane Dulmage
Elizabeth Savard	Tom Wilson	Margaret Duff	Alan Case
Gregg Hartvigsen	Meredith Drake	Bobbie Steinhauer	Dana Robertson
Sharri Anderson	James Walker	Thomas Lynch	Joan Ballard
Barbara Scoville	Geri Quirk	Diony Young	Barb Walker
Liz Parker	Rosemarie Visco	Dan Dimpfl	Jim Allen
Joe Shanahan	Kathy Shanahan		

1. MEETING OPENED:

Mayor Hatheway called the meeting to order at 7:30PM (meeting time changed due to other use of the building) from 6:30 to 7:30PM). The minutes of the January 7, 2008 meeting were reviewed. Trustee Lofquist moved and Trustee Brennan seconded the motion to adopt the minutes as presented. The vote was as follows: Trustee Brennan-Aye, Trustee Hill-Aye, Trustee Lofquist-Aye, Deputy Mayor Wilcox-Aye, and Mayor Hatheway-Aye. The motion passed.

2. JAMES WALKER – HIGHLAND PARK CONCERNS:

Mayor Hatheway summarized the status of the Little League proposal from the Board's perspective. He stated that it should *not* be a highly controversial topic that will split the community—that a compromise is possible. Little League representatives approached the Board last fall about the possibility of installing another field and some lights in the park. They noted that the program has doubled since the 1980's and they needed an additional playing field; in essence, the interest in the program had outgrown the present facilities. Trustee Brennan suggested that the Planning Board be involved to consider the proposal; subsequently the PB held a public meeting on January 9, which was after the fencing had already been installed (without approval of the Village Board). At this juncture the Planning Board has not reported findings or recommendations on the proposal to the Village Board as yet. The Village Board is reluctant to take any action until the Planning Board submits a report.

As for neighbors versus neighbors, Mayor Hatheway continued, there has been no *finger pointing* thus far and folks with opposing views have respected each other's opinions during the discussion. It has been a worthwhile process. The basic issue is that we have ONE village park and that village park happens to be in a residential neighborhood. That presents some advantages and some disadvantages. Some folks are able to have their children walk or ride their bikes to the park, while others have to use vehicles. The park, however, belongs to the entire community, from those that live on Court Street to those who live on Highland Road. It is conceivable that the little league proposal is more than what is possible to be accommodated at this time. Purchasing more land, while an attractive solution is not a realistic option at this point.

Many improvements have occurred at the park over several years with little input from the Board or the general public, Mayor Hatheway stated. For example: the fence around the tennis courts,

the tennis courts lights (in the 80's), the fencing around the current baseball diamond, the dugouts, the playground improvements made by community groups and local citizens and the bathrooms have been additions to the park over the years. Not everything that happens at the park requires a public hearing.

As for this particular issue, the Board members plan to take all aspects under consideration and make a determination; what has occurred thus far has been a valuable conversation, in which thoughts have been exchanged in an open manner; we are making every effort to avoid the issue becoming divisive. Mr. Walker asked to address the board and is on the agenda, but this meeting is not a public hearing on the proposal, Dick concluded.

The Board has been given copies of all correspondence that has been sent or dropped off at the office as well as Mr. Walker's material.

Mr. Walker asked to read a prepared statement, which he also handed out. Mr. Walker commented in response to the statement that changes have taken place over the years at the park with little public input, that neighbors watched the depot come in and the ship that eventually rotted away. Those changes seemed to be appropriate for the size of the park. Earlier changes were appropriate for the park, which is charming, versatile and multi-purpose. The sheer volume: 426 feet of fencing – 136 feet of it 10' high along the foul lines presents a significant intrusion into the five plus acre plot. The possibility of four 60' high light poles is horrifying, he stated. This informality in terms of park improvements in the past has been for the general good, but now a project of this size *demand*s public input.

Mr. Walker included a copy of a recent ad from the Pennysaver, inviting 13, 14, 15, 16 year olds from outside the Village to sign up during Little League registration next weekend. Mr. Walker asked about the SEQR process that was mentioned in the 8/6/07 Village Board minutes and other concerns, including:

- Little League representatives implied that permanent fencing was a requirement in order for Little League to hold sanctioned games and/or tournaments and lights would also be necessary. Neither of those items is necessary according to Little League rules.
- No space is presently left for any other sports or activities now that the new outfield fencing of the second baseball field has been installed.
- The comment made that the park is used primarily for little league is historically inaccurate.
- Mr. Walker would like to see a compromise – leave the current fencing for the one field where it is, remove the recently installed outfield transecting fence and replace it with a temporary fence for the second field. He feels that *this would be a much better solution than forever preventing the south field from being used for anything other than baseball.*

Deputy Mayor Wilcox stated that he sees the beginnings of some common ground that can be addressed and shared between the parties involved. Trustee Brennan responded to the SEQR question, stating that usually there are several forms to be completed. The first form the applicant fills out and then the deliberating body would review the document and have to complete part II of the form. After that a decision would be reached. The main question would be if the action proposed is going to make a significant impact on the environment or not. We have not received the form from the Little League representatives and so we have not started that process.

Dick stated that Mr. Walker went through some of the criteria contained within the SEQR document and how it would apply to this project. In each one of these instances the governing body must take into account the immediate impacts, future impacts etc. and public input is significant in the SEQR process.

Dick re-stated that the Board would not be making a decision tonight and acknowledged that the issue is certainly something the Board has to wrestle with. The first step in that process is to receive input from the Planning Board. He added that in conversations with Little League officials, they have indicated they would continue to volunteer their efforts for Little League no matter what the

decision is on the additional field and lights. No one has advocated that Little League leave Highland Park, but all recognize there is a space constraint. In conclusion Dick thanked everyone for their input and Mr. Walker thanked the Board for their consideration.

3. GENESEO BUILDING:

Ads have been in the local paper and other publications for the roof project. Bidders have until February 15<sup>th</sup> to submit a proposal. A walk-through will be held tomorrow for prospective bidders.

4. CODE OFFICE REQUEST:

Code Officer O'Keefe would like the Board to consider a 'rapid entry system' for businesses in the Village to enable fire and police personnel entry into their shops in the event of an emergency. One system is called the "Knox-Box Rapid Entry System". He distributed information to the Board members. There would be no cost to the village for this; merchants would each pay for their own lock box to be installed on the face of their building. The benefit to the building owner would be to give emergency personnel immediate access to the building without having to break a window or door.

5. SUNY GENESEO ACTIVITIES COMMISSION REQUEST:

A request has been made about the possibility of using the Village Park for their April 26 *Spring Fest* from noon to 8PM. In light of the efforts the Tourism Committee and the Supporters of Main Street have made to involve the College with Main Street businesses, the Board was supportive of this initiative. Dick will respond that the Board is supportive and is looking forward to working with them on the event.

6. ELECTION ISSUES:

The Board of Elections sent a letter informing that there will be increased cost for the "vote America" act that will affect us in 2009. They realize that the Village budget process is going to be underway soon. The increased costs will not affect the March 18<sup>th</sup> Village Election this year.

Polling places for the March 18<sup>th</sup> election will be at the same places used during previous elections. Districts 1-5 are utilized with polling places as follows:

- District 1 – St. Mary's Parish Center
- District 2 – Interfaith Center on Franklin Street
- Districts 3 & 4 – Geneseo United Methodist Church
- District 5 – Highland Park Depot

Clerk Merrick asked that the Board consider the following election inspectors, to be compensated \$100 each for the day: Dolores Zabrocki, Marge Wilkie, Lynn Kennison, Elizabeth Porter, Betsy Ferrero, Janis Gilbert, Jean Mantel-Miller, Elizabeth Savard, John Morris, June Little, Mary Adamson, Alena Farmer, Joseph Kane, Josephine Orlando, Beth Rhodes, Susan Rabe, Charlotte Olsen, Sandra Seeber, Connie English, and Sue Roark-Calnek. Trustee Brennan moved to approve the list of election inspectors with second from Trustee Lofquist. All were in favor.

7. 14 CENTER STREET:

Mayor Hatheway reported that one thought is to declare the house as surplus and put it up for sale with the stipulation that it be removed from the property. At least one potential buyer has expressed an interest, but the Board understands that proper steps must be taken so that *all* interested persons have a chance to submit bids. (See also executive session below.)

Sandy has spoken with APOG president Joan Ballard who stated that it would most likely be APOG's desire to have SHPO consulted regarding relocation of the house. It is Sandy's understanding that SHPO is not an 'involved' but rather an 'interested' agency. She hopes that moving

the building would be a means of preserving its historical integrity and satisfy any concerns from SHPO.

8. GTC (Genesee Transportation Council) NOTIFICATION:

Trustee Lofquist reported that with Stu Brown's assistance a grant application was put together and submitted for a study of the Main/North/Court intersection in the amount of \$60,000. Notification has been received that so far the grant application has made it through the first stages of the approval process and is *on the list* for further consideration.

9. CIVIL SERVICE ACTIONS:

Mayor Hatheway stated that Clerk Merrick has informed us that the end of the probationary period for two recent appointments is approaching, and these employees need to be considered for permanent appointment. They are Steve McTarnaghan as Senior Water & Sewer Treatment Plant Operator, and Douglas Welch as Village Streets Superintendent. Noting that the Board has been more than satisfied with their job performances, Trustee Lofquist moved to approve the permanent appointments of both Steve McTarnaghan and Douglas Welch, and to authorize Mayor Hatheway to sign the County Civil Service forms. Trustee Hill seconded the motion and all were in favor.

10. JUSTICE RESIGNATION:

The Board regrettably accepted the resignation tendered by Justice John Linfoot effective January 23, after serving the Village for almost 12 years. John has taken a position with the advancement office at the college, which presents a conflict of interest with his elected position as Justice. Dick spoke with Justice Bushnell, who is willing to accept the responsibility of filling the vacancy through Village elections in March and subsequent mandatory training. John's term of office will expire on March 31 and will be filled during the election on March 18. The Mayor stated he would not be appointing a Justice on an interim basis.

11. UPCOMING CONFERENCES:

A local grants workshop is scheduled at the Government Center.

The next Conesus lake watershed council meeting has been scheduled for later this month.

"2008 Reducing Youth Violence in New York State" conference will be held in Albany, February 4-6.

"Storms Over the Urban Forest", a seminar dealing with weather related tree damage is to be held in East Aurora on February 28.

The NYCOM Main Street Economic Development Conference will be held in Buffalo in May.

The NYCOM Winter Legislative Meeting will be held in Albany on February 24-26.

A Preservation League-sponsored conference to enhance utilization of second floor spaces on main streets is being considered for the spring to target municipalities from rural southwestern NY. Plans are in the formative stages.

12. MISCELLANEOUS ITEMS:

Notification has been received that the In Between intends to renew its liquor license.

Notification has been received from the Town that they intend to honor their earlier agreement for the Code Office expenses as were originally budgeted at approximately \$72,000 for 2008.

13. EXECUTIVE SESSION:

Deputy Mayor Wilcox moved to enter into executive session to discuss *the proposed acquisition/sale/lease of real property when publicity might affect value*. Trustee Hill seconded the motion at 8:42PM and all were in favor.

Trustee Hill moved to come out of executive session at 9PM. Deputy Mayor Wilcox seconded the motion and all were in favor.

Following discussion during executive session, it was agreed that Attorney Reynolds has been instructed to prepare a resolution to enable the Village to dispose of the house on Village property at 14 Center Street, and put in motion plans to offer the house for sale and removal from the premises. The original intent on purchasing the property was to enable the Village to create an additional entrance to the municipal parking lot, and to respond to Main Street merchants' request to address parking problems.

14. PUBLIC SAFETY:

Police Department Annual Report: Deputy Mayor Wilcox highlighted the report submitted by Chief Osganian and stated that the terrific part is that it is clear to him that the activities of the police force are coming to fruition in terms of reduced calls and reduced arrests. Service calls were up 50% over the last four years but have now leveled off. Accidents are down by 40%. No pedestrian accidents have occurred since 2005, partly due to stepped up enforcement of pedestrian crosswalk regulations. The consensus was that the force is doing a great job and should be commended.

Deputy Mayor Wilcox moved to approve the following new members to the Fire Department: Tyler Massaro, Winnie Eng, Kyle Wasserman, Darya Larine, Angela Chu and Megan Cosgrove, and accept Kimberly Parker's resignation. Trustee Lofquist seconded the motion and all were in favor.

Chief Manzo inquired about Village and State regulations regarding purchase of a replacement ambulance, with the provision that specifications for new equipment be equivalent to those of existing equipment in order to keep them uniform. Clerk Merrick provided the Chief with guidelines from the financial management guide provided by the Comptroller for *standardizing* a particular item in terms of purchasing requirements. The Fire Department will decide whether or not to pursue that course of action, in order to have all three ambulance standardized.

15. PUBLIC WORKS:

No report.

16. TRUSTEES:

Trustee Brennan: A second meeting with Stu Brown has taken place and all of the merchants that were at the first meeting were invited to meet with Stu in a private session prior to that meeting. The only one responding was Charlie Aprile who came prepared with a list of questions about the Small Cities Grant Program and how it could benefit his property. In the end, he was unable to commit to promising a letter of intent by the February 15<sup>th</sup> deadline.

Other merchants were contacted and have small projects in mind, but nothing really large enough to pursue through the grant program. It appears that the only way the program will work for the Main Street area at this time is with Mr. Aprile on board. The private sector must be involved for this particular program to be successful. There are, however, other grant programs available. Bob and Sandy will continue to pursue options with grantsman Stu Brown.

The Supporters of Main Street group is continuing to work with interns and planning programs for this fall, according to Sandy.

Louise Wadsworth has asked Sandy, as a member of SMS to look at a potential good neighbor project – between the College and the Village such as a means of 'recycling' unwanted furniture items

at the end of the school year. Dick is aware of a program whereby a college serves as a repository for no longer needed furniture in the spring, stores it over the summer and offers it in the fall. Sandy said that Kathy Trainor is on the committee, and added that there is also a program being examined for transferring unwanted pets at the end of the school year.

Trustee Hill: Brad has circulated drafts of 'nuisance letters' for the Board to review. One is an informational letter about the process and the other is a notice of occurrence to be used during the trial period (February 1 through August 15, 2008). Dean from the Code Office wondered if the letter should be targeted to all property owners, not just those who own rental property. Brad spoke with a rental property owner who suggested a couple of minor changes to the letter. Clerk Merrick said that the letter could go out with the water bills this week and the Board was supportive.

Trustee Lofquist: Proposed code reviews have been approved by the committee and are now being reviewed by counsel. The next step is to present them to the Board for review, before presentation to the general public. Planning is taking place as to how to present the information as clearly as possible to the public.

Deputy Mayor Wilcox: The deadline for the recreation director applications is February 4<sup>th</sup>. He will convene the ad-hoc committee to review the applications.

Sherry Keihl asked that the Board consider inclusion of a soccer tournament (occurring in conjunction with their soccer camp previously approved for January) into the Youth Recreation Program roster; the Board was supportive. The request was made through recreation liaison Wilcox.

#### 17. CLERK/TREASURER:

Clerk Merrick provided the Board with the December financial report, which the Board received.

February marks the beginning of budget season, Clerk Merrick reported, and presented the Board with a budget timeline encompassing the next few months.

Voucher numbers 702-811 (for general/water/sewer funds) were presented for approval. After discussion, Deputy Mayor Wilcox moved and Trustee Brennan seconded the motion to approve general fund vouchers in the amount of \$95,478.42. The vote was as follows: Trustee Brennan-Aye, Trustee Hill-Aye, Trustee Lofquist-Aye, Deputy Mayor Wilcox-Aye, and Mayor Hatheway-Aye. The motion passed.

After discussion Trustee Brennan moved and Trustee Lofquist seconded the motion to approve water fund vouchers in the amount of \$55,841.81. The vote was as follows: Trustee Brennan-Aye, Trustee Hill-Aye, Trustee Lofquist-Aye, Deputy Mayor Wilcox-Aye, and Mayor Hatheway-Aye. The motion passed.

After discussion, Trustee Brennan moved and Deputy Mayor Wilcox seconded the motion to approve sewer fund vouchers in the amount of \$13,919.07. The vote was as follows: Trustee Brennan-Aye, Trustee Hill-Aye, Trustee Lofquist-Aye, Deputy Mayor Wilcox-Aye, and Mayor Hatheway-Aye. The motion passed.

After discussion, Trustee Brennan moved and Trustee Lofquist seconded the motion to approve HR-9 (WWTP) vouchers in the amount of \$66,333.37. The vote was as follows: Trustee Brennan-Aye, Trustee Hill-Aye, Trustee Lofquist-Aye, Deputy Mayor Wilcox-Aye, and Mayor Hatheway-Aye. The motion passed. Dick noted that these are the last two vouchers for the project that began in 2002.

#### 18. OLD BUSINESS:

A question was raised regarding the status of the Town's commitment to install a master meter on the upgraded water line on the western end of Court Street. Trustee Brennan will inquire.

19. MEETING CLOSE:

With no further business to discuss, Trustee Brennan moved and Trustee Hill seconded the motion to adjourn. The vote was as follows: Trustee Brennan-Aye, Trustee Hill-Aye, Trustee Lofquist-Aye, Deputy Mayor Wilcox-Aye, and Mayor Hatheway-Aye. The motion passed and the meeting adjourned at 10:00PM.

Marsha B. Merrick, Village Clerk