

VILLAGE OF GENESEO
BOARD OF TRUSTEES

June 02, 2008

PRESENT:

Richard B. Hatheway, Mayor
Sandra F. Brennan, Deputy Mayor
John Fox Jr., Trustee
Bradley R. Hill, Trustee
Thomas J. LaGrou, Trustee

J. Thomas Reynolds, Attorney
Debra Lund, Acting Secretary

PUBLIC PRESENT:

Howard Appell
Joan Ballard
Kurt Cylke

1. Meeting Opened:

Mayor R. Hatheway opened the meeting at 7:00 p.m. He noted there were no minutes presented for review.

2. A.P.O.G. Project & 14 Center Street:

Joan Ballard, the A.P.O.G. president, reported the 14 Center Street property steering committee has begun the project. The main focus of the committee is to find a reasonable use for the property and to preserve a building of historic interest. She presented the Board members with a sheet containing historic information on the property- the original portion of the house was built in 1837 and is a Greek Revival style one and one-half story structure.

One possibility for the use of 14 Center Street would be as a community center for various-not-for profit organizations such as A.P.O.G., Rotary, G.U.M.A., Garden Club, Kiwanis, Food Pantry and so forth. It would provide a central location with several of the larger rooms being adequate for meetings and smaller ones for the storage of materials. K. Cylke, a co-member, noted there has been support and interest from several of these groups. The Community Players would like a place to hold scheduled meetings and store minutes and archival items. J. Ballard commented currently members are storing materials in their residences. Restoration money would be sought through grants with the hope of the organizations interested providing work-in-kind. A. P.O. G. has the most money of the various organizations but it is not a lot.

S. Brennan asked if the main thrust of the committee was to keep the building from being torn down and would A.P.O.G. entertain other ideas for the property. J. Ballard noted the group would like to preserve the building and would entertain other ideas. Mayor R. Hatheway wondered if the group would object to the property being put on the market for commercial, retail or office space. It was noted A.P.O.G. would not object. J. Fox, Jr. would like to see the property re-evaluated, appraised and marketed for sale. He remarked the Geneseo Building would have possible space for a community center when renovated.

J. Ballard stated many other communities have historic welcome centers and it would be nice to preserve 14 Center Street for this purpose. S. Brennan remarked that Stu Brown, the Village grantsman, recommended going to the legislature for grant money. J. Ballard asked if this grant was similar to the one for the park and S. Brennan noted it was; perhaps matching grant money could be found for Center Street. J. Ballard said the various interested groups have many volunteers who would be willing to provide work as money-in-kind. They would like to see the Village retain the property and the groups have use of it.

Mayor Hatheway suggested A.P.O.G. keep looking for viable solutions but added the Village is not willing to spend more money. Another issue is the fire code regulations limiting how many people may be in a building at any one given time. J. Ballard was aware that other code issues and constraints would need to be looked into as well. She inquired into the arrangement the Village has with Teresa House. Mayor Hatheway noted Teresa House has a lease with the Village, provides its own insurance, pays its own bills, and maintenance of the property is the organization's responsibility.

The mayor has spoken with D. Welch regarding RG&E relocating the utility pole in the driveway slated to go into the space created by the west wing removal. Hedges will be removed at the same time. J. Ballard wondered if the exposed holes left by the demolition work could be covered over to further protect the structure. Mayor Hatheway responded that could be done.

J. Fox, Jr. suggested the property appraisal be updated; the cost of a reappraisal with the original appraiser should not be as expensive as the original. S. Brennan noted C. Aprile had suggested an appraiser from Warsaw. Mayor Hatheway said one of the two appraisers was from Avon. B. Hill suggested the Village determine how much of the property should be retained for the driveway access to the municipal lot. The Mayor stated it would be a non-conforming lot and would need to be sub-divided.

B. Hill was glad to have A.P.O.G.'s view and to know they were not opposed the sale of the property, but only to demolishing the building. J. Fox, Jr. has heard concerns that it might become student housing. Only two residences on that portion of Center Street are still occupied by the owners. S. Brennan has heard from the in-laws of the couple next door and they are concerned it will become rental property as well. She felt a good use of the building would be office space. It was mentioned that the house, like Main Street is commercial with apartments above the businesses permitted. Attorney T. Reynolds was asked if stipulations regarding use could be placed in the selling contract. He stated this could be done but would be subject to zoning regulations; variances must be obtained for changes. B. Hill wondered if commercial or residential, owner-occupied could be stipulated. T. LaGrou commented a parent might buy the property for a college child and only own it four years; the Village would have no control over future sales of the property. J. Fox Jr. suggested the Village get the appraisal first. T. LaGrou stated the first step should be determining lot size and B. Hill commented the area of the driveway need to be determined. J. Fox Jr. will contact the DPW for the maps of the parcel. B. Hill remarked the property would be more marketable with four parking spots left with it. J. Fox, Jr. said the property might sell better with the other wing removed and the drive moved to the east side of the house; a curb cut already exists there. The Village will explore these possibilities.

3. A.P.O.G. Fund-raiser:

K. Cylke informed the Board of A.P.O.G. plans to hold its annual fundraiser on June 20 from 8-10 p.m. The traditional event is to be held at the Porter residence on Center Street. Jeremy Grace and a couple of his friends will provide the music and plan to play for about one and one-half hours. K. Cylke wondered what permits were needed and about a possible parking variance for the evening. Mayor Hatheway said a noise permit application could be obtained in the front office and to call Chief E. Osganian regarding the parking situation.

H. Appell remarked the Art Stroll was taking place earlier in the evening; he didn't think they had gone through the formality to request a noise permit. Mayor Hatheway responded that because the Art Stroll is partially Village sponsored, no permit is necessary.

4. Bear Fountain Traffic Issues:

J. Fox, Jr. commented more tractor-trailers seem to be using Main Street recently. H. Appell feels this may be due to GPS systems showing the shortest but not always the best routes. J. Fox Jr.

also has concerns over the number of vehicles cutting the corner making a left turn onto Center Street. J. Ballard noted it is a “round-about”. J. Fox, Jr. wondered if signage could be placed on the fountain showing the direction for traffic flow. It was noted this was done in the seventies and all agreed that is not a viable solution.

5. Highland Park:

A memo was received from W. Lofquist on the Csapo easement (tax parcel Id # 81.9-1-1.11); he tried to contact Frank Csapo and the appraiser but was not able to reach him. The appraisal should be in by the end of the week and the easement should be for about forty feet. Mayor Hatheway stated D. Welch would like a storm drain easement. He suggested it should be to one side or the other of the property to allow for a drive should a house eventually be built on the property, the north side neighbor is rental property. T. Reynolds remarked the easement would take up approximately one-half of the parcel; however, the easement would not affect use of the property. He will redraw the contract taking the easement into account once he gets the appraisal.

J. Fox, Jr. asked if the storm retention pond would be located in this area and was answered in the affirmative. B. Hill wondered if the retention area would be a pond or just a swampy area. Mayor Hatheway commented it is shown only as ‘stormwater facility’ on the proposed plans. Stu Brown had stated a retention pond is necessary if more than one acre of land is disturbed. A further consideration is that the amount of water leaving the park can not be at a greater rate than the present rate so the water must be retained for a short time.

J. Fox, Jr. asked if additional parking would be on that side of the park. S. Brennan said several neighbors had expressed the opinion they would rather have on-street parking for a few games in the summer than more parking area. MRB Associates feel that part of the old DPW paved area could become additional parking with the least disturbance to the park.

J. Fox, Jr. noted C. Chiara (tax parcel Id # 81.13-1-8) would like to sell the area east of his sheds, as he doesn’t use that land. S. Brennan thought W. Lofquist had spoken with the appraiser and she would contact him. She noted the Heaps first choice is to subdivide the lot. S. Brennan will check with Clerk Merrick for a more detailed map of the area showing a better layout and property lines. They would like a guarantee of no lights in that portion of the park. Although lights are unlikely, no guarantee can be given. Fitzpatrick (tax parcel Id# 81.9-1-8) would like the Village to consider two appraisals from him- one now as the property currently is and one as it would become if the Village purchased a portion. The first appraisal is for \$14, 700, which he maintains is too low.

T. Reynolds stated the Csapo property is appraised at \$37,000 for the whole parcel. S. Brennan found it interesting that some land locked parcels had more value than those with street access. J. Fox, Jr. asked what some of the other appraisals were. The Simms property (tax parcel id# 81.9-1-10-9) is \$39, 400 for the whole property and Chiara’s (tax parcel Id # 81.13-1-8) is an area of about 66’ x 180’, approximately 12,000 square feet or \$5,160.00 at \$.49 per square foot. T. Reynolds remarked most of the appraisals are around the \$.40 figure.

S. Brennan noted there were two resolutions regarding the park that should be addressed. The first is a report of needs and priorities of the park.

RESOLUTION ACCEPTING THE RECREATIONAL NEEDS AND PRIORITIES REPORT

WHEREAS, the Village Board has adopted a Comprehensive Plan to guide growth and development and to establish policies for the delivery of community services, and

WHEREAS, the Comprehensive Plan includes goals and objectives to maximize the use of existing parks and contains a recommendation to upgrade Highland Park and to consider the provision of additional recreational opportunities that will draw together different generations, and

WHEREAS, the Comprehensive Plan does not provide specific details for action, the Village Board authorized a follow up report to specify needs and priorities for recreational improvements, and

WHEREAS, this report, which contains an action plan for improvements at Highland Park, was presented and considered by the Village Board on April 5, 2008.

NOW THEREFORE BE IT RESOLVED, that the Village Board determines that the action plan is consistent with the objectives of the Comprehensive Plan and, as such, hereby accepts the plan and directs the Mayor to take the necessary steps to implement the action plan as it relates to improvements at Highland Park.

J. Fox, Jr. moved to accept the resolution as presented, S. Brennan seconded the motion. The vote was as follows: Mayor R. Hatheway – aye; T. LaGrou – aye; S. Brennan- aye; B. Hill – aye; and J. Fox, Jr. – aye. The motion passed.

S. Brennan presented and moved to accept the following park resolution:

RESOLVED:

That, Richard Hatheway, as Mayor of the Village of Geneseo, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in the amount not to exceed \$ 600,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this Village of Geneseo for Highland Park improvements and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

J. Fox, Jr. seconded the motion. The vote was as follows: Mayor R. Hatheway – aye; T. LaGrou – aye; S. Brennan- aye; B. Hill – aye; and J. Fox, Jr. – aye. The motion passed.

6. Rental Housing Agreement:

T. Reynolds stated the rental housing agreement should be delivered to the Village office by Steve LaGrou sometime this week. Members of the organization will be notified to stop and sign the agreement.

7. K-9 Unit:

T. Reynolds said there had been an agreement reached between Police Chief E. Osganian, Attorney D. Lippitt, and the Police Union regarding the Canine Officer’s work schedule. Previously the officer worked at his discretion but will now work at the Chief’s discretion with some provisions on constraints for work shifts and overlapping shifts. B. Hill reported Chief Osganian would proceed with the dog purchase, he has found an officer.

Mayor Hatheway asked for Board acceptance to the Memorandum of Agreement submitted.

The Board agreed. B. Hill moved to accept the Memorandum of Agreement as follows. J. Fox, Jr. seconded the motion. The vote was as follows: Mayor R. Hatheway – aye; T. LaGrou – aye; S. Brennan – aye; B. Hill – aye; and J. Fox, Jr. – aye. The motion passed.

MEMORANDUM OF AGREEMENT BY AND BETWEEN THE VILLAGE OF GENESEO
("The Village")
AND
THE GENESEO POLICE BENEVOLENT ASSOCIATION, COUNCIL 82,
AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES
AFL-CIO ("the Union")

WHEREAS, bargaining unit employees' ("officer") terms and conditions of employment are subject to collective bargaining agreements between the Village and the Union;

WHEREAS, the Village is considering reinstating its canine program, through the purchase of a canine with funds provided by the State;

WHEREAS, if the program is reinstated, the Village will assign an officer duties related to the canine, including care of the canine;

WHEREAS, the Village and Union acknowledge that, during the time the canine is assigned to an officer, the officer will engage in care of the canine at his/her home and during times which are not part of the officer's regular working hours, and the time spent in such care is considered working time for the purposes of the Fair Labor Standards Act;

WHEREAS, the Village and the Union now wish to resolve in an amicable manner all issues and potential disputes relating to the selection of an officer for canine duties, and the compensation of that officer for his/her care of the canine at his/her home and during times which are not during regular working hours;

NOW, THEREFORE, the Village and the Union voluntarily agree to the following, after consulting with advisers and /or legal counsel of their choice:

1. The Village and Union agree that reinstatement and continuation of the canine program is within the sole discretion of the Village;

2. The Village and Union agree that the Chief of Police has absolute discretion to select which officer will be assigned canine duties, and to modify such selection from time to time;

3. The Village and Union agree such selection and assignment will not be subject to the provisions of Section 7.2 (Work Week and Work Shifts) of the collective bargaining agreement, in its entirety;

4. The selected officer must comply with the guidelines of Departmental Policy O14.

5. The Village and Union agree that when the canine is in an officer's care, caring for the canine at home and outside of regular working hours will average one hour per day on days the officer is working as an officer and one and one-half hours on those days an officer does not perform regular duties as an officer (e.g. on days off).

6. The Union agrees that if the average hours of an officer's caring for the canine at home and outside of regular working hours, as set forth in numbered paragraph 5 of this Agreement, change significantly it will immediately notify the Village's Chief of Police of such in writing.

7. The Village and the Union agree that when the canine is an officer's care, the officer will be compensated at the rate of \$7.15 per hour (regular rate) and \$10.73 per hour (overtime rate) for care of the canine at his/her home and during times which are not part of his/her regular working hours, in accordance with numbered paragraph 5 of this Agreement. The parties understand these rates reflect the current minimum wage requirements for employees in New York State, and if the minimum wage applicable to the canine offer is increased, the regular and overtime rates will be increased to reflect the increase in the minimum wage.

8. The Village will pay for, or reimburse the selected officer, for the canine's food, veterinary expenses, and other necessary expenses which are related to the care of the canine while the canine is in the selected officer's care. Reimbursement will only be provided for items for which advance approval has been obtained in writing from the Chief of Police.

9. This Agreement shall be binding on the Village and the Union, unless modified by a written agreement signed by all parties.

10. This Agreement shall not be effective until approved by the Village's Board.

8. Geneseo Building:

Mayor Hatheway commented the roof project is coming along well. The new shingles were delivered on Friday. The project should finish in August as anticipated.

The Mayor asked the Board to examine their expectations for the building and then set up a meeting with the town to see if they will continue to help with the restoration.

J. Fox, Jr. suggested the building be done in manageable sections with attention paid to wise construction decisions. S. Brennan agreed and would like it evaluated for a reasonable suggestion. Stu Brown could be consulted and Jon Norris is a historic preservation architect and might have knowledgeable recommendations for possible available grants. Mayor Hatheway noted grants have been applied for in the past and one might be updated.

T. LaGrou stated the first step should be making the building structurally sound. He understood there were issues with the second floor. J. Fox, Jr. commented he thought the basement needs to be re-evaluated. Mayor Hatheway responded the building is in good structural condition. It was evaluated a few years ago when the roof was stabilized. The front columns do need work and brickwork needs repointing but these are not structural issues. The concrete floor in front, extending to the courtroom, is eighteen inches thick and in good shape.

B. Hill noted a good plan is needed before meeting with the Town Board to see if they are willing to continue sharing the renovation cost. S. Brennan felt the Town might wish to use the Geneseo Building for some of their meetings. J. Fox, Jr. has talked with several town board members and they are in favor of allowing us to use their building as swing space during the

renovation process if needed. Mayor Hatheway stated several drawings of possible interior configurations have been done. A recent proposal has the police occupying the current front office space, while clerical and administrative offices are in the center and back, with the court occupying the upstairs. The judge's bench would be mobile and could be moved out of the way allowing the space to double for other functions. The Mayor suggested the need for a joint Town/Village meeting to determine their interest in the continued renovation plans.

9. Summer Festival

Kathleen Jones is in charge of assigning vendors to locations and would like to close Center Street from Main to Second Street from 8:00 a.m., July 11th to 6 p.m., July 12th. Chief Osganian passed this on to the Board. S. Brennan suggested it not be closed overnight but done as in the past. B. Hill commented part of Center Street will be closed for Art Stroll and has been closed for festival in years past; it has been used for games and vendors. Vendors move their wares and booths at night and come back during the daytime stated S. Brennan. J. Fox, Jr. suggested nothing is beyond the alley entrance to the Idle Hour. It was agreed the street may close during the daytime but re-open for the overnight hours.

10. Youth Related Activities:

The Geneseo Summer Recreation ad has been in the Pennysaver. J. Fox, Jr. reported the YMCA Shared Focus Study Committee is looking into housing a "Y" in Geneseo. The steering committee has interviewed nine separate groups such as educators, the aging, and government officials. The report will summarize who would use it, when they would use it and why they would use it and to create a dialogue between the community, the municipality and the university. The findings explain the need for a shared use "Y" campus in Geneseo. Noyes Hospital has expressed an interest in the shared space for services, especially for the cardiac unit. They would be willing to partner with the "Y" and the University and have approximately ten acres of land that might be used for this purpose. Mayor Hatheway added the need for a teen center has been mentioned in the past.

Mayor Hatheway stated the Thirteenth Annual Teen Recognition Awards Banquet sponsored by Livingston County Youth Board honored four Geneseo youths: Angela Foster, Jena Thielges, Janelle Veazey, and Garland "Buck" Young.

11. Conesus Lake Watershed Council:

The Council is responsible for protecting the watershed and has recently received the yearly report of the Watershed Inspector. The Village pays \$40,000 annually to the County to help fund the position. The Council meets about four times.

12. Water/Sewer Dept.: Smoke Testing:

J. Fox Jr. reported the Village will start conducting smoke testing to look for stormwater infiltration into the sanitary sewer system beginning June 10th and ending July 3rd. The Mayor stated the annual water report is finished, and that S. McTarnaghan did an excellent job in its preparation. This last year saw only three percent unaccounted for water, which is a remarkably low amount.

13. Corridor Traffic Study:

The Mayor reported the kick-off meeting for the Route 39/Main Street/Court Street/ North Street Intersection Study has taken place. Angela Ellis, the county planner, drafted the request for proposals. Federal money is funneled through the state to the local level. The RFP is ready to go to Contractor Reporter to seek services of a consultant. The grant available is \$60,000 with the

Village paying \$2,500 and work in-kind. This study must be done before any construction can take place. The Request for Proposals is an agreement to look at the intersection and make suggestions for what may be done. The study was originally scheduled to be finished in October but is now scheduled to be completed by September, 2009.

14. Public Safety:

B. Hill stated that Fire Chief Andrew Chanler reported the Department is ready to seek bids for a new ambulance. The Department is looking for authorization to do this. It takes about six months to construct a new ambulance. They typically replace an ambulance every three to five years and feel they do better by offering a trade-in as part of the bid. The last purchase was in 2006 and they usually average 120,000 miles before replacement. J.Fox, Jr.moved to authorize advertisement for an ambulance bid. B. Hill seconded the motion. The vote was as follows: Mayor Hatheway- aye; T. LaGrou – aye; S. Brennan – aye; B. Hill – aye; and J. Fox, Jr. – aye. The motion carried. B. Hill asked that two new members be added to the Fire Department roster: Brenden Clift and Tracy McDonald. J. Fox, Jr. moved Brenden Clift and Tracy McDonald be approved for membership in the Geneseo Fire Department. S. Brennan seconded the motion. The vote was as follows: Mayor Hatheway – aye, T. LaGrou – aye; S. Brennan – aye; B. Hill – aye; and J. Fox, Jr. – aye. The motion passed.

J. Fox, Jr. reported the Police Department is interviewing a prospective replacement part-time officer. B. Hill stated two full-time positions might be available by the end of the summer. The part-timer is interested in full-time employment and may transition into one of these spots.

J. Fox, Jr. stated the police responded in May to 611 calls for service, up from 522 in April. There were 250 traffic citations tickets issued. Arrests were down from 37 to 29. The police put an antenna on the County tower. E. Osganian’s report stated the connection has more wireless capacity and Geneseo Police share a licensed frequency with the Sheriff’s Department, which is available only to the two departments. B. Hill stated Officer J. Szczesniak attended training in Albany for the plate reader.

15. Department of Public Works:

Due to recent incidents, D. Welch is examining the feasibility of installing a security camera on Riverside Drive where the road forks to the facility and the River Access Park. S. Brennan said the crews have begun paving work. B. Hill commented the boat launch has been scooped out and cleaned up. The Boy Scouts will be making a presentation to the Kiwanis to raise money for their project. They will be speaking to D. Welch to see what type of trees are preferred for planting and the picnic tables will be built with pressure treated lumber.

16. Draft Code Revision:

S. Brennan said the draft copies of the revision were here and she would be happy to meet with individual members to go over it. B. Lofquist is also available.

17. Dump Truck Resolution:

Mayor Hatheway stated there was need to act on a resolution for the purchase of a new dump truck as per the paperwork from Clerk Merrick. J.Fox, Jr. moved to accept the following resolution:

RESOLVED, that the Board of Trustees of the Village of Geneseo hereby authorizes the expenditure of up to \$52, 000 towards the purchase of a dump truck, skid steer loader, auger and rock hound from the General Fund Equipment Reserve.

S. Brennan seconded the motion. The vote was as follows: Mayor Hatheway- aye; T. LaGrou – aye; S. Brennan – aye; B. Hill – aye; and J. Fox, Jr. – aye. The motion carried.

18. Personnel Issues:

S. Brennan moved to enter into executive session at 8:55 p.m. to discuss personnel issues (medical, financial, credit or employment history of a particular person, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion or suspension). T. LaGrou seconded the motion. All were in favor.

The Board returned to open session out at 9:15. Mayor Hatheway reported that the Board was in unanimous agreement that Jason Frazier should be appointed ASAP to the Village Streets Superintendent position to be vacated by D. Welch on July 3. The only hitch is that J. Frazier is willing to start work on June 9, but he can't be designated as Streets Superintendent because D. Welch is still occupies that title. We have been in contact with the County Personnel Office to seek their guidance, but have not heard back from them as yet.

S. Brennan moved to appoint J. Frazier to the DPW position, the exact title of which will be determined once we hear from Personnel. T. LaGrou seconded the motion. During discussion it was noted that J. Frazier was at the top of the Civil Service list, that his references were supportive, and that he did an excellent job during his interview with the Board. The vote was as follows: Mayor Hatheway – aye; T. LaGrou - aye; S. Brennan – aye; B. Hill –aye; and J. Fox, Jr. – aye. The motion passed.

19. Meeting adjourn:

With no further business, J. Fox, Jr. moved the meeting to adjourn the meeting. The motion was seconded by B. Hill and all were in favor. The meeting was closed at 9:20 p.m.

Debra Lund
Acting Secretary