

VILLAGE OF GENESEO  
BOARD OF TRUSTEES

July 21, 2008

PRESENT:

Sandra F. Brennan, Deputy Mayor  
Bradley R. Hill, Trustee  
Thomas J. LaGrou, Trustee

Marsha B. Merrick, Clerk/Treasurer

PUBLIC PRESENT:

Corrin Strong                      Howard Appell                      Valerie & Gary Honeyford                      Amy Carpenter

1. MEETING OPENED:

Deputy Mayor Brennan opened the meeting at 7:00 PM. Review of minutes was tabled until more Board members are present.

2. CORRIN STRONG – TENNIS CLUB:

Corrin came before the Board to talk to them about a former icehouse that is on the Hartford House property. He would like to transform the icehouse into a clubhouse for a tennis club he is attempting to form. As for a tennis court, he started building a clay court two years ago and recently finished it and stated that it is the only modern clay court in Livingston County. Corrin provided the Board with photographs and a site plan of the club.

Corrin would like to share the joy of playing clay court tennis with as many people as possible. At the same time he was concerned about liability issues as he has had a hard time maintaining insurance on the property. The concept was that by forming a club, a not for profit organization, it would protect him and any other members from personal liability. The court is 60 feet x 120 feet (1/2 acre or less). By leasing that area to the club, the club would have the primary liability exposure, and corporate structure would also be afforded by doing that. Another reason was to create a sense of ownership for the members.

Corrin sent the first memo out to the Board members on June 24 and doesn't feel that the Village of Geneseo Zoning Code addresses tennis very well. But at this point he doesn't feel that a change to zoning would be the way to go. After thinking about it, and re-reading the code, he found Use Class 7 – Agricultural and Open Space includes golf courses, swimming pools and could include tennis clubs. Use Class 7 is a permitted use within zoning class R1-A. Attorney Reynolds concurred and stated that this concept evolved from a number of conversations he has had with Corrin. The quest would be to *fit* the tennis club into the definition of a golf course. Sandy asked if Tom felt that the decision of whether or not to include the idea of a tennis club into the classification under a golf course should be presented to the ZBA for their consideration. Tom sent a letter to Code Officer Maxwell, who plans to take it to the ZBA on his own for their opinion. It will not be the appeals process at this point, but rather a case of interpretation of the use class by the ZBA. Sandy and the Board concurred. Sandy said this would be a way to proceed at this point and the Board is encouraged by Corrin's enthusiasm in offering this recreational outlet to the community.

Gary Honeyford explained that the clay courts are much easier on the body than the concrete courts and that the connection is the love of the game and affection for playing on this type of court. Corrin has played on clay courts since he was six and really would like to bring this to the community. In conclusion Sandy stated that she would contact Ron Maxwell and discuss it with him further.

3. 14 CENTER STREET - UPDATE:

Per Deputy Mayor Brennan, a note from Mayor Hatheway states that the appraisal has been ordered based on the latest property configuration. When that has been completed, advertising for the

sale will take place. Trustee LaGrou mentioned that the electric pole had been moved and the driveway will be installed shortly.

4. GENESEO BUILDING ROOF PROJECT – UPDATE:

Dean O’Keefe reported to Sandy that there is only another week’s worth of work to be completed by Roth, the tin ceiling will be replaced and the gutters have been installed. However, there is more work needed on the downspouts. It might be done in a week’s time, hopefully and ahead of schedule!

Reinstating the fire horns is the next issue and a letter was received from a Second Street resident that stated they liked the recent months without the horns being activated.

5. HIGHLAND PARK GRANT - UPDATE:

According to Deputy Mayor Brennan, the DPW crew will be removing the recently installed infield fence and a temporary fence will be installed. The DPW will use the permanent fence in another location. Trustee LaGrou is not in favor of this approach. Tom is in favor of waiting to see if the parks grant goes through and then there will be more than enough room for the fence. Sandy explained that the fence was installed before anyone really realized it was happening and Tom argued that it was put in place with Village workers side by side. Sandy explained that they are trying to make the Little League whole (for what they spent on the fence) and Tom doesn’t think it’s fair to the taxpayers to shoulder that cost. The permanent fence was paid for with donations and people will be infuriated if the fence is taken down. Tom sees both points, but if there is more land obtained, it would make it okay. Tom said the Little League didn’t get the lights they wanted and doesn’t see why the fence couldn’t stay. Sandy feels that it should be brought up again with Mayor Hatheway as he made an agreement and feels that he should stick with it. Brad asked if Tom contacted Mr. Walker and Tom said that he did not. Sandy offered to go with him to talk to Mr. Walker and offered to set that meeting up. In the meantime, Sandy will ask Jason to hold off removing the fence at this time.

6. UPWP GRANT -UPDATE:

With regard to the Circulation and Parking study, the steering committee has narrowed down to three finalists (Bergmann Associates, FRA Engineering and Stuart I. Brown Associates Inc.) and the group will be interviewing them in early August and then bring a recommendation to the Board.

7. ZONING PROJECT PROGRESS - UPDATE:

One more committee meeting is scheduled for Wednesday to go through comments that have been received and comments posed at the information meeting on June 19, Deputy Mayor Brennan reported.

8. EAST SOUTH ST. (16) REQUEST:

Currently the property is up for sale. The real estate agent has a prospective buyer that would like to place a curb cut out through Country Lane so that folks don’t have to exit onto route 20A (East South Street). Streets Supt. Frazier stated that the Village does own that portion of Country Lane and that the fence is on Village property as well. As for the curb cut, it can be approved based on safety issues, as it would alleviate a hazard from backing out onto the roadway. Following discussion, Trustee LaGrou moved to approve the curb cut from the property located at 16 East South Street onto Country Lane with the cost of the improvement borne by the property owner and oversight by DPW Street Supt. Jason Frazier. Trustee Hill seconded the motion and all were in favor.

9. LIVE MUSIC REQUEST – BIG TREE INN:

Dan Mullin, manager of the Big Tree Inn, has filed for a noise permit for two different dates in July the 26<sup>th</sup> and 31<sup>st</sup>. He would like to have permission for live music from 7 to 10PM. Trustee Hill understands from conversations with Chris Cook that it will be amplified acoustic music on the new front porch. After discussion the Board approved both requests and Trustee Hill agreed to follow up with the manager.

#### 10. MISCELLANEOUS CORRESPONDENCE:

Aprile Mack wrote a letter about the parking at Highland Park and Sandy wanted to mention her concerns before the next baseball season. Trustee LaGrou said the parking issue came up last year as well. Tom said that Aprile's complaint last year made a difference from last year to this year and stated that some of the overflow did park at the old DPW garage lot and at the street curb. Sandy said the Board would keep the parking issue in mind for next year and hopefully if the grant money is obtained the issue will be alleviated. Another possibility for some additional parking area will be if the old DPW garage comes down. Tom wonders if the DPW garage would come down whether or not the grant funding is obtained and Sandy stated that there's no reason that the property can't be reconfigured in any case.

Sandy mentioned Arlene Somerville's report on website activity (geneseony.com) and the tourism committee efforts. The report illustrates a 'lot of bang for the buck', Sandy said.

The Kwik Fill gas station is interested in obtaining a curb cut onto Reservoir Road and they will be working with the Town on that. They are also planning renovations and parking lot resurfacing.

NYCOM is having a natural gas symposium for municipal officials on August 12.

Code Officer Maxwell wrote to the president of the Woodbine Park Homeowner's Association with clarification of the common area issues.

An invitation has been received from the Town to a dedication of the Walter M. Kingston Jr. museum and visitor center at Long Point Park on August 9.

General Code proposal: Sandy reviewed the proposal to provide the Village with an updated Codebook (and 9 copies) to include legislation that has been 'on hold' for several years and to update the code online. She will review the proposal further and discuss it with Clerks Merrick and Mack.

Livingston County Empire Zone: Notification has been received from the County that July 1, 2008 is the *second* anniversary of the County's Empire Zone program becoming operational. Along with the notification was an interim report card on the performance of the six designated Empire Zone boundary areas and other areas of the County previously considered for Empire Zones. The report will be on file in the Clerk's office for review.

#### 11. LEGAL ITEMS:

There was further discussion about the Hollis/Oak Valley Inn Business Development Loan.

Rental Housing: Attorney Reynolds has been in touch with Attorney Steve LaGrou and would like the Board to consider a motion to approve the stipulation. Several landlords have signed the document and for those that haven't, they can go through the administrative process to obtain the grandfathered clause, Tom explained. The motion would be to accept the settlement as it has been presented with the signatures that have been affixed.

The essence of the settlement is the rental housing law will be implemented promptly according to the terms of the stipulation circa 2005, Attorney Reynolds explained, and said and the 1989 provision for a functional family unit is gone and the Village is not appealing that decision. The benefit to the rental housing folks is that the 'grandfathered' clause goes back to 2005 rather than to 1989. The Village's benefit is to get the law moving and to get the properties registered and inspected. Trustee Hill moved to accept the proposed stipulation of settlement of the lawsuit between the Village

of Geneseo, and the Geneseo Rental Housing Association, Carman & Burnette LLC and Steve Burnette individually. Trustee LaGrou seconded the motion and the vote was as follows: Deputy Mayor Brennan-Aye, Trustee Hill-Aye, and Trustee LaGrou-Aye. The motion carried.

Temple Hill Bed & Breakfast Sign: Attorney Reynolds wrote to the ZBA about the sign for Gail White stating: *My suggestion is that the Board consider "as per sign grant application" superfluous to your resolution. ...Ms. White's property is not eligible for a sign grant and treating it, as requirement would be beyond the Board's authority.*

Attorney Reynolds sent a letter to the attorney representing Cedarwood Estates Subdivision about the *safety of the substantial dirt pile* (at the rear of 11 Steeplechase) *on their client's property*. The Code Office also wrote a letter to Brickwood Homes representative Mark VanEpps.

## 12. PUBLIC SAFETY:

Trustee Hill presented a request from Fire Chief Chanler for purchase of ambulance equipment. Three bids for the ambulance were received and the low bid was not in 100% compliance with the specifications. They would like to purchase a 2009 Type III ambulance from PL Custom Emergency Vehicles at a cost of \$162,998 and a second unit to be ordered October 1, 2008 at a cost of \$152,998. Brad explained that there is a savings realized in ordering a second vehicle shortly after the first. The second unit would not be delivered for almost a year from now. Financially this can be accomplished per Chief Chanler, with the first unit expected in January 2009 and second unit for in July 2009. After discussion Trustee Hill moved to accept the bid from PL Custom Emergency Vehicles for the first unit in the amount of \$162,998. Trustee LaGrou seconded the motion. Authorization for the second unit was in question as it had not been discussed as yet and the Board was unaware of the plans to purchase two units at basically the same time. The advertisement for the bid process had not stated that and the Board desired further clarification before proceeding. The vote to purchase the first unit was as follows: Deputy Mayor Brennan-Aye, Trustee Hill-Aye and Trustee LaGrou-Aye. The motion carried and Trustee Hill will discuss the second unit with Chief Chanler.

Motion made by Trustee Hill to accept the following changes in status of FD personnel: resignation from Janelle Sweazey, leave of absence status for George Hicks and Janet Frost and senior exempt status for Rodney Belfiore. Trustee LaGrou seconded the motion and all were in favor.

With regard to PD news, Trustee Hill reported that 46 bicycle helmets were given out at the Bicycle Rodeo held last Saturday at Highland Park. A child safety seat check is scheduled for Sunday August 3<sup>rd</sup>.

## 13. PUBLIC WORKS:

Supt. Frazier provided the Board members with a report. Trustee LaGrou highlighted the following items:

- Street patching and sealing is taking place: Country Lane, Highland, Seminole, Megan, Seneca and Temple Acres are slated.
- West Hampton will also be surfaced with the final coat.
- Grills have been installed at the River Access Park.
- Gas main replacement by RG&E is nearing completion and the boulevard areas are being re-seeded.
- Summer Festival went well and the closing of Park and Center Streets during the festival did not pose any problems.
- Surveillance cameras have been researched for Riverside Drive and found to not to be cost effective. Gates will be used as a deterrent at the bottom of the hill at the DPW shop and at the river access park, and the sewer plant.
- Sidewalk replacement will take place at the end of July and continue through August.

Contained within the 08-09 budget was allowance for the purchase of a dump truck. The 2009 International truck model 7300 is on 'state-bid' and costs \$109,181.11. The truck will have a new stainless steel box and a salt spreader and will replace the oldest medium duty truck in the fleet (which will go to auction). Budgetary breakdown for the purchase of the truck amounts to \$31,500 from the general fund street department line, \$16,000 from the water fund, \$16,000 from the sewer fund, \$20,000 to be replaced into the equipment reserve for the anticipated sale of the old vehicle and \$25,500 to come from general fund equipment reserve funds. After discussion, Trustee LaGrou moved to approve purchase of the 2009 International at a cost of \$109,181.11. Trustee Hill seconded the motion and all were in favor.

Supt. McTarnaghan has been working with the State Health Department as they evaluate the water plant. According to Trustee LaGrou, everything has been checking out great and recommendations have been given. Other than that, the crew is working on reading meters and performing necessary meter repairs.

14. TRUSTEES:

Trustee Hill: reported that he has been in contact with a person interested in the property at 14 Center Street and he will be taking them through the house.

15. CLERK/TREASURER:

Permission was granted to Bethany Feuerstein (5 Oak Street) to organize the annual Oak Street Block party to be held on August 18, 2008. Clerk Merrick will notify the Police and DPW departments.

Voucher numbers 086-191 (for general/water/sewer funds) were presented for approval. After discussion, Trustee Hill moved and Trustee LaGrou seconded the motion to approve general fund vouchers in the amount of \$202,535.01. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Hill-Aye, and Trustee LaGrou-Aye.

After discussion Trustee Hill moved and Trustee LaGrou seconded the motion to approve water fund vouchers in the amount of \$46,911.97. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Hill-Aye, and Trustee LaGrou-Aye. The motion passed.

After discussion, Trustee Hill moved and Trustee LaGrou seconded the motion to approve sewer fund vouchers in the amount of \$36,797.00. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Hill-Aye, and Trustee LaGrou-Aye.

After discussion, Trustee Hill moved to approve a Community Development voucher in the amount of \$450. Trustee LaGrou seconded the motion and the vote was as follows: Deputy Mayor Brennan-Aye, Trustee Hill-Aye, and Trustee LaGrou-Aye.

16. EXECUTIVE SESSION:

Trustee LaGrou moved to go into executive session to discuss matters relating to the *employment history of a particular employee* at 9:03PM. The motion was seconded by Trustee Hill and all were in favor.

Motion to come out of executive session at 10:03PM made by Trustee LaGrou. Trustee Hill seconded the motion and all were in favor. No official action was taken during the session.

17. MEETING CLOSE:

With no further business to discuss, Trustee Hill moved and Trustee LaGrou seconded the motion to adjourn. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Hill-Aye, and Trustee LaGrou-Aye. The motion passed and the meeting adjourned at 10:05PM.

Marsha B. Merrick, Village Clerk