

VILLAGE OF GENESEO  
BOARD OF TRUSTEES

August 18, 2008

PRESENT:

Richard B. Hatheway, Mayor	Marsha B. Merrick, Clerk/Treasurer
Sandra F. Brennan, Deputy Mayor	J. Thomas Reynolds, Attorney
John Fox Jr., Trustee	Eric Osganian, Police Chief
Bradley R. Hill, Trustee	
Thomas J. LaGrou, Trustee	

PUBLIC PRESENT:

Howard Appell	Phyllis & Clifford Barbarito
Linda Poste	Scott Ledwith

1. MEETING OPENED:

Mayor Hatheway opened the meeting at 7:00 PM. The minutes of the June 24, 2008 special meeting were reviewed. Deputy Mayor Brennan moved and Trustee Fox seconded the motion to adopt the minutes as presented. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Mayor Hatheway-Aye, Trustees Hill and LaGrou-Abstain.

The minutes of the July 7, 2008 regular meeting were reviewed. Trustee Fox moved and Trustee LaGrou seconded the motion to adopt the minutes as presented. The vote was as follows: Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, Mayor Hatheway-Aye, and Deputy Mayor Brennan-Abstain.

The minutes of the July 21, 2008 regular meeting were reviewed. Trustee Hill moved and Deputy Mayor Brennan seconded the motion to adopt the minutes as presented. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Trustee Fox and Mayor Hatheway- Abstain.

The minutes of the July 24, 2008 special meeting were reviewed. Deputy Mayor Brennan moved and Trustee LaGrou seconded the motion to adopt the minutes as presented. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Trustee Fox and Mayor Hatheway-Abstain.

The minutes of the August 4, 2008 regular meeting were reviewed. Deputy Mayor Brennan moved and Trustee Fox seconded the motion to adopt the minutes as amended. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, and Mayor Hatheway and Trustee LaGrou-Abstain.

2. PHYLLIS & CLIFFORD BARBARITO – 3 GROVELAND ROAD:

Mr. Barbarito approached the Board to ask them to consider re-zoning the area where his house is located. The house has been on the market for about a year now and potential buyers are reluctant to purchase the house due to the proximity of the property to Route 20A. Traffic concerns and the potential of the Groveland Road/Route 20A/Temple Hill roundabout scare them off. Mr. and Mrs. Barbarito think that the house might sell better as an office building.

Mayor Hatheway said the traffic circle is kind of ‘pie in the sky’ at this point even though engineers have suggested that it is a good idea for that intersection. Mayor Hatheway also pointed out that the Village Board is in the process of reviewing the entire zoning code. On the proposed zoning map (formed in the process of the review), the Barbarito property at 3 Groveland Road would fall near the *mixed-use* zoning that would allow the professional office occupancy. Deputy Mayor Brennan said if the Village Board chose to, the mixed-use zoning could be extended to Groveland Road, with that

street as a boundary line. The current driveway exits onto South Street (Route 20A) and does not have access to Groveland Road. Sandy then read through the description of the mixed-use classification. Mrs. Barbarito mentioned speaking with Code Officer Maxwell who stated that perhaps the RPSO (Residential, Professional Service, Office) zoning classification could be extended to the west under the current zoning to include the Barbarito property.

In conclusion, Mayor Hatheway said that the way to proceed is to take the matter of re-zoning 3 Groveland Road up during the public hearing that will occur soon as part of the zoning revision process. One way to do that would be to have the Barbaritos write a letter to the office explaining their situation so that it could be taken into consideration. Mr. & Mrs. Barbarito thanked the Board for their consideration.

### 3. PEDESTRIAN SAFETY COMMITTEE FOR ROUTE 20A:

Deputy Mayor Brennan stated that the committee consists of a broad range of people: Lisa, General Manager from Denny's Restaurant, Dave Walters from the UPS Store, Cynthia Oswald from the Chamber of Commerce, Linda Poste, homeowner on 20A, Claren Kruppner, retired NYS DOT engineer, Bob Freiburger, Village Planning Board member, Hop Manapol from the Town Board, Kathy Trainor from SUNY, Liz Porter, Village resident and possible members including Tom Curtin from the Town Planning Board and Angela Ellis from the County Planning Board. As was highlighted in the report distributed by Sandy, the committee developed four areas that need attention: 1) sidewalks on the north side of the street from Temple Hill to the Center Street intersection, 2) four way crosswalks at the Reservoir Road intersection, 3) four way crosswalks at the Volunteer Road light, and 4) four way crosswalks at Millennium Drive with a pedestrian initiated change device. Chief Osganian would also like to see the speed limit lowered (from 45 mph to 30 mph) in the area of Denny's.

The information was also passed to the Town Board members who are looking at ways to improve pedestrian safety in the area as well. Trustee Fox wondered if sidewalks could be placed on the south side of the road and Sandy stated that is a possibility as well and one that former Village Supt. Welch had explored. The north sidewalk now ends at Ryan Drive and should go all the way to Volunteer Road.

The next meeting of the committee is scheduled for September 9<sup>th</sup> at 9:30AM in the Village Building. Sandy said the charge for the committee is for six months only; recommendations will be made in that timeframe.

### 4. LEGAL ITEMS & EXECUTIVE SESSION:

Trustee Fox moved to go into executive session to discuss matters relating to the *employment history of a particular employee* at 7:34PM. Trustee Hill seconded the motion and all were in favor.

Motion to come out of executive session at 8:17PM made by Trustee Fox. Trustee Hill seconded the motion and all were in favor. No official action was taken during the session.

Motion to offer part-time Police Officer Melody Gates the opportunity to resign her position with the Village of Geneseo or to be terminated for cause was made by Trustee LaGrou with second from Trustee Hill. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

### 5. SCOTT LEDWITH:

Scott reported that fifty trees have been planted and the benches are ready for installation at the River Access Park as part of his Eagle project. Jason Frazier supervised the tree planting and the installation. Trustee Fox moved to accept the recommendation of Trustee Hill and Supt. Frazier to

approve the completion Scott Ledwith's Eagle Scout project and authorize Mayor Hatheway to sign the documentation. Trustee LaGrou seconded the motion and all were in favor.

6. POLICE DETAILS:

A request has been received from the Red Cross for GPD police security at the Craft Show in November. Mayor Hatheway said when the officers are present at the antique show they are compensated by the Kiwanis Club. Dick says it is a strain on the police budget to pay a GPD officer overtime (approximately \$35 per hour) to cover such an event. Chief Osganian provided the Board with a list of details that they are expected to attend to. Dick thinks some thought should be given to the extent of the details that the officers are expected to cover. Discussion followed and suggestions were made. Deputy Mayor Brennan and Trustee Hill volunteered to work on guidelines to handle requests in the future.

7. LEGAL ITEMS:

Center Street: Mayor Hatheway stated that an appraisal of the property has been completed and wondered how the Board felt about hiring a real estate agent to handle the sale. A real estate agent would show the property and remove the Board members from the process. The Board concurred.

Nuisance Law enforcement: Attorney Reynolds will work further with Trustee Hill and Chief Osganian on that issue as well as with the Code Office.

8. GENESEIO BUILDING:

The roof project is complete, Dick reported. He suggested that everyone check it out from the Center Street angle; it looks very attractive and is a definite improvement to the building.

9. 14 CENTER STREET – NEXT STEPS:

Discussed under legal items.

10. ZONING PROJECT UPDATE:

The code is ready to be transferred to the Village Board. Sandy distributed copies to the Board members along with a memo outlining the process thus far. Letters are going to go to Premium Development and to Bill Brummett thanking them for their comments. Copies of the revisions will be available at the Library, the Village Office and the Town Office as well as online at the [geneseony.org](http://geneseony.org) website.

Sandy would like the Board to digest the revisions together and in that way thoroughly understand the changes proposed. The Board agreed to meet for a one-hour work session on September 8<sup>th</sup> at 6PM (prior to the Board meeting beginning at 7PM).

11. ONGOING ENGINEERING PROJECTS - RECAP:

Dick met with Ryan Colvin last Thursday who reported that the infiltration and inflow study is nearing completion and they will make a report as to what was found at a meeting in the near future.

The water-mapping project is nearing completion. Doug Welch has gone out with the surveyor and identified all the lines. The project is now in the hands of the engineer.

12. UPWP – UPDATE (Study of the Court/North/Main Street intersection):

The steering committee met and interviewed three firms to perform the study and is waiting for a contract to present to the Village Board.

### 13. MISCELLANEOUS CORRESPONDENCE:

There is concern at the State level as to what will happen to the aid to municipalities, according to information Mayor Hatheway received.

After reading an article in the newspaper about sales tax revenue increasing due to the high cost of gasoline and groceries, Mayor Hatheway asked Clerk Merrick to review the Village revenue. It is roughly the same in 2008 as it was at the same point in 2007.

The grand opening of the Big Tree Inn held last Wednesday was very nice, Dick commented.

The 2008 Rochester Omnium bike race took place last Sunday and was smaller than what was anticipated, but tied up GPD, the State Police, and SUNY police departments as the race went through town.

A thank you note has been received from the Conesus Lake Association for the Craft Show banner display.

Notification has been received from the Chamber of Commerce that the Livingston County Tourism website is being re-launched on September 8<sup>th</sup>.

Jason Frazier and Dick met with RG&E regional representatives (public relations and street lighting) at their request last week. It was very informative and worthwhile.

The VFW had their groundbreaking ceremony for the improvements to the memorial last Saturday. Mayor Hatheway attended.

### 14. PUBLIC SAFETY:

Trustee Hill reported that the Police Department is gearing up for SUNY to open this weekend with extra details scheduled for Friday and Saturday nights.

As was reported in the local paper, Senator Volker stopped by to see Rosko, the new police dog.

Beginning August 15<sup>th</sup> the force is cracking down with other departments in New York State on DWI patrol through Labor Day.

The PD hosted a canine demonstration at the Highlands Apartments this past week. The public relations event was well received.

Trustee Fox said that the Fire Chief is anxiously awaiting the return of their SUNY volunteers for coverage in the fire and ambulance service. SUNY students on the rolls number approximately 20.

### 15. PUBLIC WORKS:

Trustee LaGrou reported that the crew is working on completing the sidewalk project at the corner of Main and Court Streets and will soon begin the work at the corner of Main and 20A.

The outfield fence has been taken down at Highland Park (the new fence installed this spring) and a sample of the replacement 'temporary' fence was taken to Sean Ledwith tonight. The old fence will be used and a quote was received for the new temporary fencing in the amount of \$4,845.

Fifty new trees (2' tall pines) have been planted at the River Access Park. Trustee Hill said the Scouts purchased them from McNair Nurseries in Dansville after consultation with Supt. Frazier.

Deputy Mayor Brennan said that the leaks in the wastewater digester covers were repaired.

Supt. McTarnaghan worked overtime while the State folks were inspecting the water treatment facility and they were impressed with the way it was managed. When they asked him to respond, Steve couldn't think of one thing that could make it better; it is operating very well.

Notification has been received from Cathy McPherson, Public Health Sanitarian, that Matthew McTarnaghan has completed coursework necessary to obtain the Grade IIA, Water Operator Certification. That documentation was sent to the New York State Dept. of Health in Troy for his license to be issued. The Board congratulated Matthew for obtaining this certification.

#### 16. TRUSTEES:

Deputy Mayor Brennan: Board members were present at Long Point Park last week to participate in the dedication of the Walter Kingston Jr. Museum.

With regard to the Residence Advisor event, 120 students participated and were divided into 14 groups. Participants visited the various merchants and restaurants and learned a lot about what the Village has to offer. A very successful event, Sandy reported.

Sandy stated that this year's *Destination Downtown* conference will be held on October 21 and promises to be an excellent replay of the one that was held last year. *How to thrive in a slowing economy* is one topic to be addressed by Rick Segal, an excellent presenter who participated last year.

With regard to the Code of the Village of Geneseo, Sandy stated that the Board talked at a couple of meetings about the code supplementation services and the Board received copies of the proposal for updating the book after the last meeting. According to the proposal, the cost for providing thirty copies of the updated book would be approximately \$7,000. There has been discussion as to whether or not to update the codebook now (with changes dating back to 2003) or wait until the zoning code is finalized. Following further discussion, Deputy Mayor Brennan moved to go ahead and ask General Code Publishers to update the Village Codebook in paper format as well as online and provide the Village with thirty copies of the book at a cost of between \$5,330 and \$5,810 for the updating and ten copies and an additional \$65 each for twenty copies. Trustee Fox seconded the motion and the vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. The motion carried and Code Publishers will be notified.

Trustee Fox: had a call from a Village resident that lives on Wadsworth Street with regard to a sewer line issue that exists between Main Street and Wadsworth Street. Supt. McTarnaghan explained the history behind the issue to John and Trustee Hill further explained the situation.

With regard to the Courtside apartments sewer billing issue, Attorney Reynolds said that the statute of limitations is six years for collection of the unpaid sewer unit costs. The municipality can right the mistake and expect collection of the funds. No discussion has yet taken place with them.

Trustee Fox and the Board discussed the SUNY sewer billing process and the water billing computations.

#### 17. CLERK/TREASURER:

Clerk Merrick asked the Board to surplus the circa 1996 electric coin counting machine. The Village Treasurer's office no longer uses the machine and Clerk Merrick would like to donate it to the Town for counting the quarters from the water tank vending operation. The board was supportive.

Nationwide Retirement Solutions would like to continue servicing the Village of Geneseo's 457 Deferred Compensation (Retirement savings) Plan for the employees. In order to do that, they need to have an administrative agreement in place. Clerk Merrick provided copies of the agreement for the Board to review prior to the meeting. After discussion, Trustee Fox moved to approve the *Deferred Compensation Plan Administrative Agreement* as stipulated by Nationwide Retirement Solutions. Trustee LaGrou seconded the motion and all were in favor.

Clerk Merrick advised the Board that she received a letter from Laurie VanSickle (Geneseo Central School Athletic Department) requesting use of Kelsey Field for the Modified Boys and Girls Soccer program this fall. Field use will amount to weekdays afternoons and Saturday mornings from September 3 through October 24, 2008. After discussion Trustee LaGrou moved to allow the GCS Modified Boys and Girls soccer teams to use Kelsey Field for this purpose. Trustee Hill seconded the motion and all were in favor.

Clerk Merrick asked the Board to consider changing the September meetings to the 8<sup>th</sup> and 22<sup>nd</sup> instead of the 1<sup>st</sup> (Labor Day) and the 15<sup>th</sup>. The Board was supportive of that change.

Voucher numbers 192-311 (for general/water/sewer funds) were presented for approval. After discussion, Trustee Hill moved and Deputy Mayor Brennan seconded the motion to approve general fund vouchers in the amount of \$206,124.35. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye and Mayor Hatheway-Aye.

After discussion Deputy Mayor Brennan moved and Trustee Fox seconded the motion to approve water fund vouchers in the amount of \$88,483.61. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. The motion passed.

After discussion, Trustee Fox moved and Trustee Hill seconded the motion to approve sewer fund vouchers in the amount of \$47,591.39. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

Clerk Merrick asked the Board to amend the voucher amounts for July 2008 due to a voucher presented during that month that was already paid. The voucher number was 07-08-186 in the amount of \$90 changing the General Fund abstract total to \$202,445.01. The water fund abstract for the month of July should total \$46,856.97 due to voucher number 07-08-186 being cancelled (also for a bill previously paid). The Board approved of those amendments.

18. OLD BUSINESS:

Board members discussed Center Street property configuration and future resurfacing of the municipal lot.

Board members discussed the school resource officer position and noted that no new information has come forth from the Central School.

19. EXECUTIVE SESSION:

Trustee LaGrou moved to go into executive session to discuss matters relating to sale/purchase of property at 10:05PM. Trustee Fox seconded the motion and all were in favor.

Motion to come out of executive session at 10:53PM made by Trustee Fox. Trustee Hill seconded the motion and all were in favor. No official action was taken during the session.

Following discussion, Trustee Brennan moved that the Village retain Youngs and Linfoot Inc to represent the Village on the sale of our property at 14 Center Street, and authorize the Mayor to sign the appropriate documents. Trustee LaGrou seconded the motion. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. Trustee Fox will communicate the decision to John Linfoot.

20. MEETING CLOSE:

With no further business to discuss, Trustee Fox moved and Trustee Hill seconded the motion to adjourn. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. The motion passed and the meeting adjourned at 10:55PM.

Marsha B. Merrick, Village Clerk