

VILLAGE OF GENESEO
BOARD OF TRUSTEES

September 8, 2008

PRESENT:

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

PUBLIC PRESENT:

Howard Appell	Scott Durso
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1. MEETING OPENED:

Mayor Hatheway opened the meeting at 7PM. The minutes of the August 18, 2008 regular meeting were reviewed. Deputy Mayor Brennan moved and Trustee Hill seconded the motion to adopt the minutes as amended. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-aye, and Mayor Hatheway-Aye.

The minutes of the August 25, 2008 special meeting were reviewed. Trustee Fox moved and Trustee Hill seconded the motion to adopt the minutes as presented. The vote was as follows: Trustee Fox-Aye, Trustee Hill-Aye, Mayor Hatheway-Aye, and Deputy Mayor Brennan and Trustee LaGrou-Abstain.

2. SCOTT DURSO – 24 MAIN ST. SEWER UNITS:

Scott apologized to the Board for missing the Sewer Grievance hearing held on August 25th and thanked the Board for considering his request to have the units for 24 Main Street remain at 4 instead of increasing to 6. He stated that a hot water heater was leaking and draining into the sump pump reservoir and that was the reason for the high reading in February (prompting Clerk Mack to suggest an increase of 2 units). The Board reviewed the consumption history, finding that records indicated that the two-unit increase was justified. Trustee Fox considered an average of the consumption and it computed to 6 units. Scott contends that the water coming from the hot water heater was not going through the sanitary sewer system but rather being pumped outside the house into the storm sewer by the sump pump. After further discussion, Scott asked that if the units must be increased, he would like them increased to 5 instead of 6.

3. CIRCULATION & PARKING STUDY CONTRACT:

A proposed agreement between the Village of Geneseo and Stuart I. Brown Associates, Inc. for performing a circulation and parking study was prepared by Stu Brown and submitted to the Genesee Transportation Council (the entity providing grant funding for the study) for their review. Deputy Mayor (and member of the Steering Committee for the project) Brennan verified that the total amount of Brown's compensation (\$61,468) is less than the grant amount of \$65,000. Sandy stated that she reviewed the document and liked that the cost would vary depending on the number of meetings attended. The total grant was \$65,000 including \$2,500 cash from the Village, and another \$2500 for 'in-kind' services, according to Mayor Hatheway. Dick talked with Julie Gotham who reviewed the document for the Genesee Transportation Council. They wanted to assure that what was presented in their original proposal was what was in the proposed agreement. As a result of approval from GTC, Sandy moved that the Village Board accept the agreement for services between Stuart I. Brown Associates and the Village of Geneseo to perform the circulation and parking study of the Court

Street/Main Street/ North street corridor at a cost of \$61,468 (including 7 evening meetings, workshops and/or hearings) with an increase or deduction depending on the number of meetings held at a cost of \$400 per meeting), and authorize the Mayor to sign. Trustee Hill seconded the motion. The timeline for the project is one year, Mayor Hatheway stated. The steering committee will remain active but Stu Brown will be running the project from now on. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

4. LEGAL ITEMS:

Attorney Reynolds advised the Board to designate lead agency status for the zoning code review and schedule public meetings. Deputy Mayor Brennan moved that the Village of Geneseo Board of Trustees is hereby declaring lead agency status for the purpose of SEQR review. 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. Letters to interested parties will go out and the consultant will prepare the SEQR long form per Sandy. Attorney Reynolds said that two public hearings were necessary. The Board agreed that the courtroom would suffice for the public hearings and discussed the date for one public hearing to be on the 22nd of September at 6:30PM (with a stenographer). The regular Village Board meeting will be moved to the 29th and the time will be 5:30PM for that meeting.

With regard to the sale of 14 Center Street, the abstract of the property is being re-dated by Monroe Title Insurance Corp. The closing on the property will likely occur in mid October. A survey of the property as it will be divided has been ordered according to Dick and Trustee Fox. The Code Office will then be involved in supervising a *parcel combination* with the portion adjoining the municipal lot. Attorney Reynolds assured the Board that the process of the sale is on schedule.

Nothing new on the rental housing since it was turned over to Justice Anne Marie Taddeo last month.

5. DOH ANALYSIS:

Recently the State Health Department performed a thorough review of the water treatment plant. They subsequently spent three days at the plant with Steve and have submitted a preliminary report to the Board. The report (received last week) has high praise for plant operation and water quality, but does offer some items for improvement, Mayor Hatheway stated. Trustee Fox wondered if there is a requirement to respond. We don't know at this stage Dick said. Both Matt and Steve McTarnaghan were copied and a copy will be sent to Ryan Colvin at MRB Group. If we eventually write a response, Trustee Fox would like an opportunity to review it before it is submitted to DOH.

Trustees Fox and LaGrou asked about the supplemental water supply connection to Hemlock Lake (Monroe County Water Authority) and Mayor Hatheway gave them a brief history of that improvement that was made a couple of years ago.

6. COURT GRANT APPLICATION:

Financial Secretary to the Town Supervisor Linda LeMoyné, working with Deputy Mayor Brennan, submitted an application on behalf of the Town and Village of Geneseo to the 2008 Justice Court Assistance Program, with assistance from Court Clerk Paula Pieper and Village Clerk Merrick. The grant will fund up to \$30,000 of expenses from each of the entities (Town and Village) to buy items such as a judge's bench, courtroom furniture, a high-volume photocopier, telephone equipment, and surveillance equipment. The money can be used for the courts, wherever they are located, Deputy Mayor Brennan stated.

7. HIGHLAND PARK:

Mayor Hatheway expressed his disappointment with a recent Livingston County News article entitled: *Geneseo Little League gets the Boot* written by sports editor Chris Metcalf. By way of an explanation of his position, Mayor Hatheway proceeded to give a history of the Geneseo Little League and participation of the Village of Geneseo in making Highland Park the place to play baseball. When Geneseo Little League started in the mid 1980's, there was a dirt infield, no fences, and very little backstop. Between Cub Scouts, Boy Scouts, Little League and the Village participation and cooperation, Highland Park is now a place we can be proud of. There are updated bathrooms, a concession stand, and well-maintained fields. Little League has a place to play baseball. They have expanded the number of teams and the schedule over the years. The program has evolved in a very good way, he feels. At the same time, he continued, other groups use the park, and we must accommodate them as well. No one has explained what the impact will be or has been for removing the permanent fence (that was installed last fall) and replacing it with a temporary fence. Dick feels that the article was lacking in facts and inflammatory.

Trustee LaGrou responded that the Little League folks don't think the temporary fence that was available for display will hold up with regular use. He also feels that if the people were to vote, they would vote overwhelmingly to have kept the permanent fence. The fence went up with donated money, Tom said, and there is frustration on all sides. Mayor Hatheway stated that last year the Village spent \$13,000 for improvements to the park largely to enhance baseball programs. Additionally, there has been no evidence of Little League regulations in terms of fencing requirements, Dick said. Tom feels that it was the voice of a few people to take the fence down and there has been misinformation presented to both sides.

Deputy Mayor Brennan said she thinks the Board did the best they could with the information that was given. She would have liked to have the sports editor contact both sides and get the full story.

Trustee Fox added that both parties clearly exploring the options for fencing might have avoided the frustration and should be conducted before a final decision is made on the temporary fencing. Dick said the entire issue could have been avoided if Little League had followed the Board's directive in August 2007, and explored the idea of temporary fencing.

8. GENESEO BUILDING – NEXT STEPS?

Mayor Hatheway asked the Board members to think of ways to get the building renovation project moving forward. Discussion followed. A concept plan shows room for the clerk's office and the police on the main floor with a meeting room. The question still remains, where will the courts be located? After further discussion the Board agreed to sit down and review the latest set of plans and cost estimates on September 29th beginning at 5:30PM with the regular meeting following at 6:30PM.

9. SEWER UNITS – FINAL ADJUSTMENTS:

Sewer grievance day was held on August 25th. Deputy Clerk Mack has made recommendations based on account information and customers filing their explanations for the increased water usage in the February quarter. The information was distributed to the Board members for their consideration. The Board agreed with all of the recommendations for either a sewer unit increase or decrease for 12 of the 13 accounts affected. In the case of 24 Main Street (see above item), Trustee Fox would like to make *sure* that the sump pump water is NOT going into the sanitary sewer system and only then would he agree to change the number of units to 5 rather than the suggested 6. Trustee LaGrou moved to amend the sewer units on the 13 accounts (with the stipulation for 24 Main as stated) as per Deputy Clerk Mack's recommendations. Trustee Hill 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.

10. NOISE PERMIT APPLICATIONS (2):

Two applications were received, one for 24 Wadsworth Street for live music 2-6PM on September 12th. Brad will contact the host and make sure the performance stays on schedule and that the entire event will cease at 10PM.

The other was for October 25 from 10:30AM until 1:30PM, for an outdoor performance by a band at St. Mary's Church after the Ramon Rocha Run/Walk event. The board was supportive.

11. MISCELLANEOUS CORRESPONDENCE:

Trustee Fox reported that YMCA representative Wess Audsley will be contacting the Mayor to discuss how the summer recreation program went along this year.

The next Association of Village Boards of Livingston County meeting will be held a week from Wednesday in Lima.

An event calendar from the Chamber of Commerce was received highlighting many upcoming events.

SUNY Geneseo sent information on the Homecoming celebrations to be held the weekend of September 27th.

Mayor Hatheway reported that the Livingston Cares group is planning four trips to Biloxi January, February, March and May to help with hurricane Katrina relief efforts.

Mayor Hatheway reported that insurance consultant Brian Baty sent a copy of a letter written to Insurance Agent Chanler about the policy issuance from Fireman's Fund. The services of the consultant have proven very helpful, as he is able to decipher the policy and report any discrepancies between what was proposed and what was actually delivered.

Chief Osganian sent along notification of an award from the MADD (Mother's Against Drunk Driving) organization.

With regard to Appeals Board and Planning Board training, the Village Board has passed a resolution stating that members of the PB and ZBA must accrue 4 hours of training in a calendar year. The County has kept records of that training. Mayor Hatheway will review those records to make sure the training is being accomplished.

12. PUBLIC SAFETY:

Chief Osganian received a resignation from one of the part-time officers and is presently reviewing applications for a replacement for that officer, per Trustee Hill.

Brad also reported that *Quality of life (nuisance law)* arrests have numbered 23 or 24 so far.

The new police vehicle has been placed in service.

The Board reviewed Fire Department resignations and new appointments. Trustee Fox moved to accept the resignation of Lindsay Borglum, James Sheflin, Alex Schneider and Corrin Strong and the installation of new member Roland Page. Deputy Mayor Brennan seconded the motion and all were in favor.

Trustee Fox reported that the Fire Department is in the planning stages of acquiring a new rescue pumper. The truck will replace the one currently in service since 1990.

13. PUBLIC WORKS:

Sidewalks will be completed in front of Hick's Funeral Home and the Big Tree Inn according to Trustee LaGrou.

Supt. Frazier received three bids for tree trimming and removal ranging from \$8,876 to \$22,922. Trustee LaGrou moved to accept the bid from Ken's Tree Service in the amount of \$8,876 upon recommendation of Supt. Frazier. Trustee Fox seconded the motion and all were in favor.

Deputy Mayor Brennan reported that there was more sewer line smoking completed on September 3rd and 4th on various streets. The dumpster pad and final tank were also finished at the wastewater treatment plant, all according to Supt. McTarnaghan.

14. TRUSTEES:

Deputy Mayor Brennan reported that she is planning to attend the shared services grant program workshops to be held in Rochester on September 24.

David Parish wrote to Sandy about a reference to the Preserve America Community Grant Program. She plans to meet with him to discuss that program.

Sandy shared that she was asked from the Village of Potsdam Planning Dept. to give some guidance on working with Wal-Mart as they built a store in that community. She did that and subsequently received a note of appreciation for her input along with pictures of their Wal-Mart (that opened August 13th) bearing a striking resemblance to the store here in Geneseo.

Trustee Fox is still going through information provided by the Village Office staff with regard to historic water and sewer rate structures. At some point he would like to talk through the water/sewer billing process. He thinks it would be interesting at some point to look at what would the revenue would be if the sewer charges were based on consumption rather than on a per-unit rate structure.

Trustee Hill reported that tonight is the FAIR (Fundamentals of Alcohol Intoxication Recognition) training that is done once a year in conjunction with the Sheriff's Department, local merchants and the Healthy Campus Coalition.

Trustee Hill met with Attorney Reynolds, Chief Osganian, Code Officer O'Keefe and Clerk Lund to process the nuisance abatement law items. The law will need to be amended at some point, he stated.

Sandy and Brad met to come up with guidelines to handle future requests for police security details. Eric would like the ability to review future road race requests in terms of logistics etc.

Trustee LaGrou – no further report.

15. CLERK/TREASURER:

Clerk Merrick asked the Board to consider a sign grant application from Nothnagle Realtors (128 Main Street) in the amount of \$1,000. The Planning Board approved the sign on 8/27/08. Deputy Mayor Brennan moved approval of the grant in the amount of \$1,000 for Nothnagle Realtors 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.

Clerk Merrick advised the Board that the proprietor of the Vital Spot, Paul DeVelder, has reapplied for their liquor license. The effective dates of the renewal are October 1, 2008 to September 30, 2010.

Clerk Merrick has finished and submitted the Annual Update Document for fiscal year 2007-2008. The paper format of the document is on file in her office for review.

Chief Osganian has replaced the six-year old portable phones in his office with new ones. The old phones will be disposed of. The Board was supportive.

16. NEW/OLD BUSINESS:

Trustee Fox asked about the idea Chief Osganian had to request a reduction of the speed limit from 45 mph to the Village speed limit of 30 mph on Route 20A in a westerly direction from the Village line. (Currently there is a section from the area of Denny's Restaurant east that changes from 30 to 45 mph.) Mayor Hatheway stated that a resolution of that request could come from the Village Board and be forwarded to the Livingston County Traffic Safety Board for consideration. Trustee Fox

so moved with second from Deputy Mayor Brennan. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

With regard to the trees on 20A in the vicinity of the Livingston County Millennium Drive Complex, Trustee Fox would like to move them to the northern side of the sidewalk. Dick mentioned that he had already spoken with Supt. Frazier and that the County has given permission for that also.

Trustee LaGrou mentioned that he received a call from a local resident regarding the use of Kelsey field. He would like to see other groups (SUNY etc.) charged for use of the field. Clerk Merrick was unaware of any group requesting regular use of the field other than the Central School modified soccer team. Mayor Hatheway will check with Chief Osganian to see if he could stop by and find out what group is using the field in the afternoon on a regular basis and ask them to 'register' with the Village Office.

17. MEETING CLOSE:

With no further business to discuss, Trustee Fox moved and Trustee LaGrou 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 9:33PM.

Marsha B. Merrick, Village Clerk