

VILLAGE OF GENESEO
BOARD OF TRUSTEES

February 9, 2009

PRESENT:

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

PUBLIC PRESENT:

Howard Appell Ryan Colvin Hank Latorella
Daphne Allen Julie Matthews Liz Porter
Gretchen Roth Jeff Rose

1. ATTORNEY GENERAL'S OFFICE REPRESENTATIVE – CONSUMER PROTECTION:

Debra Martin (Assistant Attorney General in Charge) from the Attorney General's Office visited the Village Board meeting to offer help with consumer protection issues including: Planning Your Healthcare in Advance, Credit/Debt/Identity Theft, Safeguarding your Future (College Planning), Project Sunlight (A Public Integrity Initiative), Consumer Tips, and Smart Seniors.

2. MEETING OPENED:

Mayor Hatheway opened the meeting at 7PM. The minutes of the January 26, 2009 regular meeting were reviewed. Trustee Hill moved and Deputy Mayor Brennan 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.

3. CONCERT IN THE PARK PRESENTATION:

Hank Latorella approached the Board as a member of a committee that includes Sandy Brennan, Liz Porter, Dick Gallivan, Ken Book, and Howard Appell. This ad-hoc group has been discussing the possibility of organizing a summer concert series in the Village Park. They asked about placing a 20' x 40' tent west of the log cabin for this season and about the possibility of constructing a gazebo. The series would consist of six concerts (June 6, 19, July 18, August 1, 15, 29). Target genres would be bluegrass, jazz, and barbershop, among others. The goal is to schedule the concerts at around 4PM on a Saturday afternoon to attract folks to Main Street.

Funding for the series would be in the form of business sponsorship and typical costs per concert would range between \$750 and \$800. They would also need funds for advertising and a brochure. Businesses that might be approached include Five Star Bank, Wegmans, Wal-Mart, and American Rock Salt. Handling the funding would be an issue and Mr. Latorella turned to the Village for assistance with that. Perhaps funneling it through APOG might be an avenue to explore, Board members suggested, or setting up a Geneseo arts fund.

Mr. Latorella asked the Board to consider granting permission for this activity in the park and include liability insurance. Insurance Agent Chanler has been consulted and agreed this is an acceptable use of the park, thus coverage would be afforded through the Village liability policy. Electricity would be available through the log cabin.

With regard to a future gazebo, Lowe's has a grant program that would fund up to \$25,000 and have expressed an interest in helping out. The City of Canandaigua has a 100-year gazebo that cost

about \$46,000 but the group will research other options as well. With regard to placement of the gazebo (26' diameter) several options have been explored.

With respect to restrooms, Hank has researched restroom trailers and would like to look into that further with perhaps the thought that a service group could purchase a trailer and then rent it out.

After further discussion, the Board was supportive of the tentative concert dates for this summer and encouraged the committee to continue their pursuit.

4. RYAN COLVIN – WADSWORTH & COURT STREETS PROJECT:

MRB engineer Ryan Colvin reviewed what has taken place in terms of the Village-wide infiltration and inflow (I&I) study.

The Village has been undertaking an I&I study to identify sources of storm water entering the Village sanitary sewer system. As of this date, 60% of the Village has been evaluated through the use of flow meters and smoke testing of the sanitary sewer lines at manhole points. In prioritizing the areas already investigated, Upper University Drive, Wadsworth Street and lower Court Street were identified as high priority targets that contribute significant I&I. In addition, a sanitary sewer line on Main Street is currently positioned inside a storm tunnel, which conveys storm water westerly from Main Street toward Court Street and ultimately to the Genesee River. The existence of the sanitary line in the same structure is problematic. In addition, several residences and businesses located on the west side of Main Street between University Drive and Court Street share various laterals that are connected to the Wadsworth Street sanitary sewer. Water mains in the area are also aged and in a deteriorated condition and a master meter at the point of connection to the University is needed. The Village has expressed an interest through Supt. McTarnaghan and Supt. Frazier to design an infrastructure project in this area and achieve “shovel ready” status for any federal stimulus funding that may be on the horizon.

A first step in order to achieve that would be for MRB to produce an engineering report and explore funding application assistance. In order to do that, local surveyor Donald R. Thomas would be employed to conduct a field instrument survey and provide base mapping of the area. The total charge for these services as proposed by MRB would be \$35,000 (\$20,000 for the field survey and base mapping and \$15,000 for preparation of the engineering report). Ryan provided the Board with an overview of the entire project including a map of the area and cost estimates. The total project cost estimate amounts to \$2.4 million dollars including:

- Replacement of water, storm and sanitary sewer infrastructure as well as full depth reconstruction of the roadways along Wadsworth Street and University Drive.
- A new master meter vault for water service along University Drive to the SUNY campus.
- Replacement of all water main and road restoration along Court Street between the pressure regulating valve vault and Meadow Drive (alleviating pressure issues at the County facilities at the top of Court Street).
- Storm cross connections from sanitary sewer lines in areas along lower Court Street would be corrected.
- The sanitary sewer currently located in the storm tunnel would be realigned to Main Street.
- A back lot sewer would be designed to replace combined laterals from residences and businesses located on the west side of Main Street between Upper University Drive and Court.

After discussion the Board was supportive of the first phase of the project involving the survey and mapping of the area and the engineering report being formulated. That would be the next step in the process, taking into consideration all the work that has been done thus far. After further discussion, Trustee LaGrou moved to authorize MRB Group to initiate the field survey and mapping work with Mr. Thomas and to start work on the engineering report for the project at a cost not to exceed \$35,000. Deputy Mayor Brennan 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 the Board was encouraged that the work done thus far in this area has been proactive. Ryan indicated the Village is far ahead of other communities that might be looking for funding, but have not done the background work in order to be *shovel ready* for a project of this magnitude. They thanked Ryan for his help along the way and he thanked them for their consideration.

Ryan mentioned that he would be meeting with LaBella Project Manager Ed Flynn tomorrow to explore possible tie-ins with this project and the current circulation and parking study.

Mayor Hatheway mentioned that he received a call from Town of York attorney Ron Cicoria regarding York providing water (bought from the Village of Geneseo) to Leicester. Leicester would need 150,000 gallons per day. Ryan will contact Town of York Water Supt. Norm Barrett to discuss the possibility.

Ryan plans to look into the *Restore New York* funding initiative and possibly attend an informational meeting offered on February 19th in Geneseo.

5. SUMMER RECREATION PROGRAM PRESENTATION:

Gretchen Roth came before the Board with Jeff Rose to present a proposal for a half-day, Village run summer recreation program. She and Jeff have 12 years combined service with the program and feel qualified to compare the two programs (both the traditional program and the one hosted last year by the Genesee/Wyoming YMCA). Both Gretchen and Jeff work at Geneseo Central School (Jeff teaches 4th grade, Gretchen in Special Ed).

The elements of the proposal were as follows:

- Community run half-day program (six weeks) for children up to age 16
- Swim program
- Transportation
- Accountability for children (children under age 10 would be required to remain for the entire session) older children and ‘tweens would be able to sign in and out with parental permission
- Employee screening process
- Field trips and activities at the Park for non field trip attendees
- Administration services for ‘satellite’ programs throughout the year
- Free program except for a swimming fee (possible) and field trip (admission) fees as in the past
- Program fees (for the Village) would be similar to the proposal offered by the YMCA for 2009 but with no cost to the participants (except possibly for swimming lessons)

Mayor Hatheway said that one of the issues is that last year the Village made a major shift in the summer youth program, changing from our long-standing summer recreation to a more structured YMCA-based program. The decision to go with the Y was made late in the year (in terms of organizing the summer program) and that resulted in a *scramble* to get things rolling. Another issue was that the Central School pool was unavailable last summer. Considering the long term, a group has been working to get the YMCA established in Livingston County, and the Village made a step in that direction with the summer program last year. Overall he would like to continue in that direction and give the Y a chance to expand on the program and a chance to make good on some of the promises they have made.

Trustee Hill said that one proposal involved a recreation program and the other is more of a day camp proposal. Brad wonders if the facility at Highland Park is a good place for a daylong program.

Mayor Hatheway said that in the budget provided by Gretchen and Jeff, a minimum of \$13,000 is devoted to the swim program, plus \$5,000 for bussing. Those two items comprise a huge component

of the total cost; the reality is that each child has one hour per day over two weeks for swimming. In comparison, the Y program uses counselors that are also qualified to be swim teachers. Dick also pointed to a survey of last year's participants with a 20% response rate that indicated positive feedback for the Y program.

After further discussion, the Board thanked Jeff and Gretchen for their proposal and they thanked the Board for their consideration of this alternative program.

Deputy Mayor Brennan said there are two proposals to consider, and there are other issues as well. Liz Porter stated that Supervisor Wadsworth wanted to convey that there might well be a decrease in State funding for programs of this nature. Clerk Merrick reported that at a recent Youth Bureau meeting, Director Keith Mitchell strongly encouraged municipalities to charge fees for their programs and be prepared to certify their programs with the State of New York.

Clerk Merrick asked about a decision on Jeff Hammond's request for a certificate of insurance under Geneseo Youth Recreation to hold a softball program (for 4th, 5th, and 6th grade girls playing Tuesday and Thursday evenings (end of April through the beginning of June) on the Central School fields). The Board discussed forming a committee to look into the issue of these *satellite* sports programs. Trustee Fox would not be able to participate in that committee because he feels that if the information supplied from Insurance Agent Chanler was adhered to (*Loss Control Tips: Volunteers in Public Entities and Sports: Responsibilities to Participants*), the Y is better equipped to handle this type of program. Trustee LaGrou said that the School will insure the program *if* the coach is employed by the school. If not, the group is forced to come to the Village for insurance coverage. Dick suggested forming a committee to develop a Village policy. For now, the Board was supportive of allowing the girls softball league run by Jeff Hammond to proceed with registration and scheduling. Jeff has offered to provide the Village with a roster of girls involved and a list of coaches.

Julie Matthews wondered if the Board planned to reach a decision tonight on the recreation program and the response was no, that further discussion was necessary.

6. FIRE AND AMBULANCE CONTRACTS:

The Groveland Ambulance contract renews January 1st of each year, Mayor Hatheway stated and the renewal has been prepared. The contract amount for ambulance service has been reduced by \$1,500 to \$6,000 upon negotiation with Supervisor Merrick due to the ambulance billing process that is in place. Trustee Fox moved to approve the ambulance service contract with the Town of Groveland for one year at \$6,000. Trustee LaGrou 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 Town of Geneseo fire contract also renews each year on January 1st. The contract renewal has been prepared and the rate has remained at \$80,000 for several years, Mayor Hatheway stated. The Town budget (including this amount for fire and ambulance service) was adopted in October. Deputy Mayor Brennan moved to approve the contract for fire and ambulance service to the Town of Geneseo at an amount of \$80,000. Trustee Fox seconded the motion and all were in favor. The Board agreed that V/T conversations about future contracts due to the acquisition of a new fire/rescue truck would be initiated well in advance of the Town budget process for 2010. Some information has already been informally shared with Town officials.

7. WWTP REPORT TO DEC:

DEC has requested a report on the progress made with regard to the infiltration and inflow monitoring. WWTP Operator Quinlan and Mayor Hatheway compiled the report and submitted it to the DEC.

8. NATIONAL GRID SITUATION:

Mayor Hatheway stated that National Grid has a small amount of franchise on Lakeville Road in the Village due to those lands being annexed back in 1990. All utility franchises within municipal boundaries assess a *Gross Receipts Tax* to their customers that is paid back to the municipality (see Village Code section Taxation 117-5). National Grid discovered, through an internal audit process, that during a three-year period they *over* collected tax paid to local municipalities and *under* collected State taxes. In December, they wrote a rather abrupt letter asking for a refund of \$4,973.25 from the Village. Since then NYCOM has been contacted by other municipalities and is questioning the reasoning (the tax in question was charged on electricity provided by Energy Service Companies, not on *bundled service* whereby National Grid provides both the electricity and the service lines) behind the calculations. National Grid conducted a conference call to further state their case and apologized for the way it was handled on February 3 and Clerk Merrick participated. At this time NYCOM is still negotiating with National Grid. They have agreed to check the calculations once again (the method of computing the tax has been corrected going forward), form a sensible and pragmatic solution for resolution including not charging any interest for the overpayment and not requesting immediate payment, and to continue discussion with the Public Service Commission and NYCOM about the issue.

9. CIRCULATION & PARKING STUDY:

The next step in the process is to schedule a public meeting. Tentatively that has been set for February 28th from 9AM until noon.

10. DA INITIATIVE:

There is an effort by the DA's Office to change the way speeding tickets are prosecuted in Village and Town Courts. Under the proposal, supported by the Board of Supervisors, persons receiving a speeding ticket would pay a \$100 fee and be required to take a defensive driving course. Upon successful completion of the course their speeding ticket would not be prosecuted. This proposal has not met with support from Town and Village Justices or Police Chiefs, who have voiced their disapproval of the concept.

11. BDLP - COFIELD:

Attorney Reynolds wrote a letter to Athletica Controller Terry Buzard advising him that the Board discussed the proposal to lend the company an additional \$50,000 in order for them to expand their facilities and capabilities. He asked Mr. Buzard to provide additional documentation before a final approval is considered.

12. MISCELLANEOUS CORRESPONDENCE:

A Red Cross dinner invitation has been received.

Notification has been received from the Livingston County News that they will no longer provide the Village with a free subscription.

With regard to budget, the department heads received a follow-up notice to begin work. Trustee Fox, Mayor Hatheway, Clerk Merrick and Fire Chief Chanler met last week to look at the fire and ambulance budget lines. Presentation of the budget to the Board of Trustees is scheduled for March 16th and the Board will have an opportunity to officially act on the final budget on April 20th.

13. PUBLIC SAFETY:

Trustee Fox attended the fire council meeting last week. It was interesting and informative, he reported and he was able to sit in on the interview of a prospective new member. They have developed

a flow chart of how an applicant is brought along through the process of becoming a fire or an emergency responder. The council has a treasurer and a secretary.

Invitations have been sent out for the celebration of 175 years of continuous service to the Village and Trustee Fox hopes everyone can attend that function on February 28th at the Big Tree Inn.

Trustee Fox moved to accept four new members into the department: Brendan Filardo, Michael Hansberger, Gloria Kon and Jacob Towsley. Trustee Hill seconded the motion and all were in favor.

Chief Osganian reported that the Department apprehended a counterfeiter working in the Village this past week. Apparently he was allegedly passing fake \$20 bills at Wal-Mart.

14. PUBLIC WORKS:

Trustee LaGrou has been in conversation with Supt. Frazier and will be meeting with other members of the DPW crew along with Deputy Mayor Brennan.

Supt. McTarnaghan has been on vacation recently.

Deputy Mayor Brennan reported a large water leak at 19 Melody Lane. Apparently there is extensive damage to the house and it has been declared uninhabitable.

15. TRUSTEES:

Deputy Mayor Brennan: reviewed the Bergmann vouchers and found everything to be in order.

Notification has been received from the Department of State that the zoning code revision has been received and is effective as of January 23.

VFW member Dick Platt wrote to Deputy Mayor Brennan asking for assistance looking for grant possibilities for the paved surface to the west of the Memorial in the Village Park. The project cost is estimated at \$12,000 and the Veterans have raised about half of that thus far.

Trustee Fox: reported that the committee formed to look at relocating the Town/Village courts will meet again on Wednesday evening at 6PM.

Trustee Hill: reported that the Healthy Campus Coalition continues to meet and has since 2003. At the most recent meeting, held last Monday, the assistant director of CASA (Council on Alcoholism and Substance Abuse) talked about a grant program that is available to pay for high tech scanners and other items to facilitate identifying falsified documents. At the most recent FAIR training (Fundamentals of Alcohol Intoxication Recognition) held last September, over 30 members of local businesses that serve alcohol attended and were trained. Chief Osganian and Trustee Hill's presentation showing Village initiatives to cut down on open containers, including foot patrols, and nuisance abatement and rental housing legislation was well received.

Trustee Hill and Trustee Fox and met with Gretchen Roth and Jeff Rose to get a debriefing of the recreation program last summer. They were asked for feedback on the Y's proposal. Mayor Hatheway thanked them for getting together with Gretchen to discuss the program.

Trustee LaGrou: The Highland Park outfield baseball fence has been ordered and will cost around \$5,000.

16. CLERK/TREASURER:

Clerk Merrick is beginning the preliminary work of gathering items together for the budget process.

17. NEW BUSINESS:

Semi-Annual College/Village Meeting: has been scheduled for Wednesday, March 11 at 8AM with the Village hosting at Campus House.

18. OLD BUSINESS:

Code Officer O'Keefe has a letter ready to be sent to the landlords.

With regard to the Shepard property annexation issue, Attorney Reynolds has been provided names of the tenants and has advised Mr. Shepard that he does not need to subdivide the property in order to be annexed.

19. SUMMER YOUTH PROGRAM DISCUSSION:

The Board discussed the options for the summer youth program. No consensus was reached; however, the Board hopes to further explore the options offered and make a decision at the next meeting.

20. MEETING CLOSE:

With no further business to discuss, Deputy Mayor Brennan 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 10:25PM.

Marsha B. Merrick, Village Clerk