

VILLAGE OF GENESEO
BOARD OF TRUSTEES

April 6, 2009

PRESENT:

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

PUBLIC PRESENT:

Howard Appell Hank Latorella Barbara Walker Kurt Cylke
Sean Ledwith Sally Ledwith Rick Vattimo Chris Metcalf
Kurt Frazier Michael Johnson

1. MEETING OPENED:

Mayor Hatheway opened the meeting at 7:00PM. The minutes of the March 9, 2009 joint meeting with the Town of Geneseo were reviewed. Trustee Fox moved to approve the minutes as presented. Trustee Hill seconded the motion and all were in favor.

The minutes of the March 16, 2009 meeting were reviewed. Deputy Mayor Brennan moved to approve the minutes as presented. 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.

2. HANK LATORELLA-CONCERTS IN THE PARK:

Concert in the Park Committee member Hank Latorella asked if the Board would be able to provide seed money in the amount of \$1,500 for the concert series. The committee feels confident that the Town of Geneseo will match that amount. Fundraising for the series has just started and money will be needed soon to secure the performers. Mayor Hatheway stated that both the tourism and the celebrations lines have been decreased in the 2009-10 budget. Deputy Mayor Brennan said that the matter might be considered during the budget public hearing this evening. Hank thanked the Board for their consideration.

3. BARBARA WALKER-HIGHLAND PARK:

Mrs. Walker distributed a letter to the Board members and cited several points including:

- She feels that the temporary fencing installed is still permanent and not as easily removable as was agreed upon on in the compromise reached last spring.
- She feels that the Little League group has encroached upon legal rights to public parklands.
- Living at 93 Center Street, she knows what goes on at the park better than other residents.
- Being a nurse practitioner she cited reasons why children should be encouraged to play 'pick up' sports rather than *adult driven youth sports*.
- She feels that fee-charging groups (Little League) should not be allowed to dominate public parks.
- She feels that the Little League organization in Geneseo has grown too large and plans to have 300 children involved in the program this year. With parking issues and sheer numbers of participants and spectators she feels that Highland Park is unable to accommodate this many people.

- She simply feels that the “temporary” fence is not temporary – it should be a fence that can be taken down after each game and between games.

Mayor Hatheway asked for comments or questions after the letter was read. Deputy Mayor Brennan said that Mrs. Walker stated clearly her views. Mayor Hatheway said the Board would take the letter into consideration and review. Mrs. Walker said the main issue has to do with the fence that does not need to be there. As Mrs. Walker was closing, Trustee Hill noted that it appeared that the fence was not the only issue she brought before the Board. There were four or five other issues of concern to her. Mrs. Walker stated that everyone is glad that the program has grown, but the Village should limit the size of the group in order to correspond with the size of the facility. Her issues are the control and size of the group, but the central issue is the fence. She thanked the Board for their consideration.

4. KURT CYLKE – APOG FOUNTAIN RESTORATION PROJECT:

Kurt reported that \$9,000 has been raised so far for the project to restore the torch to the original design and repair the base of the fountain. APOG (Association for the Preservation of Geneseo) has received a 22% response rate to their November letter soliciting donations for the project. A second mailing is being prepared and they anticipate reaching the \$20,000 mark (total project budget) by the end of the summer. They are also looking at grants that might be available using matching funds.

Jim McNally purchased a figurine (approximately 5” tall) of the bear and torch several years ago. APOG has had the figurine reproduced and placed an order of 300 for sale at the Summer Festival and at other events. The figurine will have Geneseo NY on the front of the base and APOG on the back.

Moreland Studios is fabricating the lamp; the research and design steps are already taking place, Kurt reported. The first thought is to keep it electric but several folks would like to see the gas illumination restored. The Board discussed the necessity of keeping electric service at the fountain, regardless of the means of illuminating the lamp.

With regard to the granite base, the original fellow who was looking at that has taken ill but they are in contact with another mason for that purpose. That repair can probably be done with project funds. The sandstone pedestal will be preserved but not replaced at this point.

The Board thanked Kurt for the work done thus far and looks forward to seeing the project progress.

5. SEAN LEDWITH-LITTLE LEAGUE:

Sean addressed some of the concerns raised by Mrs. Walker. He stated that all but 30 of the participants in the program this year are from the Geneseo Central School district area. With regard to medical issues presented by Mrs. Walker, there are strict Little League rules that are followed. Geneseo Little League has worked in cooperation with other groups; for example, next Saturday’s practices have been suspended so that the Kiwanis Easter Egg hunt can take place.

The fence is temporary, with a gate in the middle to allow other groups to use the space.

On Saturdays, the Little League plans to be out of the park by 5PM; there will be no baseball played on Fridays or Sundays except for the occasional make-up dates.

Parking is not as big an issue as it is made out to be except for opening day. The Board suggested permitting parking in the former DPW garage lot, in order to reduce on-street parking.

Sean’s letter requests use of the fields at Highland Park from opening day, April 25 through the close of the school year, June 26. Championship games will take place after that date, but mainly on the large diamond. The fence could be removed after the regular season ends. If it is needed for a tournament game, it can be installed and removed on an as needed basis.

With regard to the possibility of a large group requesting use of the park on a given Sunday or Friday during the season, Sean said the little league parents would be glad to help take the fence down for a large event. Sean should be contacted and he will get a group together.

As for the temporary nature of the fence, some safeguards have been installed so that kids don't get hurt. Kurt Frazier said that in order to move the fence, you would have to disassemble the 10' sections. Several bolts would have to be unscrewed. Trustee Hill was really hoping the fence would be more easily removed from the field.

Deputy Mayor Brennan wondered why the fence stayed up so long last year—that was because of the permanent nature of that fence. When all is said and done, it really is a 10-week period of the year that the park is being used by Little League, during which time children are still in school. Trustee Fox added that there are also two other parks in the Village for use by residents; Mayor Hatheway noted that they are also heavily used.

Sean thanked the Board for their consideration.

Trustee LaGrou said that every time he has been there so far this year, older kids have had pick up games at the Park and like the fence, and are more than willing to share the fields with Little League.

Trustee Lagrou then moved that the Board approve Little League's request to reserve Highland Park from April 25 to June 26, 5 PM to 8 PM, Monday through Thursday, and 9 AM to 5 PM Saturdays. Trustee Fox seconded the motion, and all were in favor.

The Board will respond to the residents and tell them that the fence will be removed at the end of the regular Little League season.

6. ORGANIZATIONAL ITEMS:

A. Mayor Hatheway appointed Trustee Brennan as Deputy Mayor. As far as committee assignments, Trustees Fox and Hill have agreed to serve on the public safety committee and Trustees LaGrou and Brennan on the public works committee. Mayor Hatheway stated that Bill Mills has agreed to serve as the Village representative to the Livingston County Traffic Safety Board (he is also the Town of Geneseo representative) and Charles Parent will continue to serve as Fire Commissioner.

B. At Mayor Hatheway's recommendation, Trustee LaGrou moved to appoint Claren Kruppner as member of the Planning Board for a 5-year term expiring in 2014. Deputy Mayor Brennan seconded the motion and all were in favor. Claren is a surveyor by training, and was employed by NYS Department of Transportation for approximately 30 years; he is a Past President of Kiwanis, Past President of Livingston Country Club, and a member of the Route 20A pedestrian committee. Matthew Griffo will continue as Chairman of the Planning Board.

C. At Mayor Hatheway's recommendation, Deputy Mayor Brennan moved to re-appoint Thomas Wilson as member of the Zoning Board of Appeals for a 5-year term expiring in 2014. Trustee LaGrou seconded the motion and all were in favor. Chair of the Appeals Board will stay the same: Carolyn Meisel.

D. Mayor Hatheway suggested adopting Robert's Rules of Order to conduct Village Board meetings. Trustee Fox so moved with second from Trustee Hill and the vote was unanimously in favor.

E. Mayor Hatheway proposed holding official Village Board meetings on the first and third Monday of each month at 7:00PM. Trustee Hill so moved with second from Trustee Fox and the motion carried unanimously. Mayor Hatheway suggested scheduling the next Village organizational meeting on Monday, April 5, 2010. Trustee Fox so moved with second from Trustee Hill. The motion carried unanimously.

F. Trustee LaGrou moved that the official newspaper be the *Livingston County News*. Trustee Hill seconded the motion and all were in favor.

G. Mayor Hatheway suggested that the standard workday for Village employees would be eight hours, for retirement reporting purposes. Trustee LaGrou 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.

H. Trustee Hill moved the following regarding advance payment of claims, per Village Law #5-524(6):

WHEREAS, the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges, seminar fees, and any other time sensitive items and,

WHEREAS, all such claims shall be presented at the next regular Board meeting for audit, and

WHEREAS, the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees,

NOW THEREFORE, BE IT RESOLVED:

Section 1. That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges, seminar fees, and any other time sensitive items, and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

Section 2. This resolution shall take effect immediately.

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.

I. Trustee Fox moved and Trustee Hill seconded the motion to adopt the following resolution pertaining to mileage reimbursement:

WHEREAS, the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal vehicles while performing official duties on behalf of the Village:

NOW THEREFORE BE IT RESOLVED:

Section 1. The Board of Trustees shall approve reimbursement to such officers and employees at the rate corresponding to the IRS rate as of the first day of the month of the employee's travel.

Section 2. This resolution shall take effect immediately.

The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

J. Deputy Mayor Brennan moved to designate the following banks as depositories for the Village: Key Bank of New York, HSBC Bank, Five Star Bank, Bank of Castile, Steuben Trust, and Genesee Valley Federal Credit Union. Trustee LaGrou seconded the motion and all voted in favor.

K. Trustee LaGrou moved and Deputy Mayor Brennan seconded the motion to designate Frontier as long distance carrier for pay phone service in the Village. The vote was unanimously in favor.

L. Trustee Fox moved that the expenses of Village administration and the Village Clerk's office be allocated by the formula 40% from the General Fund; 30% from the Water Fund; and 30% from the Sewer Fund. Deputy Mayor Brennan seconded the motion and all were in favor.

M. Trustee Fox moved and Trustee LaGrou seconded that the Deputy Supt. of Streets salary shall be allocated by the formula 60% from the General Fund; 20% from the Water Fund; and 20% from the Sewer Fund. The vote was unanimously in favor.

N. Trustee Hill moved and Trustee Fox seconded that the Motor Equipment Operator position salary shall be allocated at the formula: 70% from the General Fund; 15% from the Water Fund; and 15% from the Sewer Fund. The vote was unanimously in favor.

The Board reviewed the procurement and investment policies.

Trustee Fox asked what steps could be taken to look at the possibility of combining the planning boards and the zoning boards of appeal for the Town and Village of Geneseo. Mayor Hatheway said that the discussion should perhaps start with the chairs of the four boards along with representatives from the Town and Village Boards.

7. YMCA-MOU:

Board members have reviewed a draft of a memorandum of understanding between the Village and the Y. Discussion followed with regard to numbers of participants and cost per child for the recreation program and the swimming component.

Discussion followed with regard to adding specific wording addressing local options and greater flexibility for the older kids. Deputy Mayor Brennan proposed additional wording to address those concerns.

After further discussion, Trustee Fox moved to accept the proposal from the YMCA to supervise the summer recreation program from July 6 through August 14 for participants that have completed kindergarten through those entering 8th grade and those that are residents of the Geneseo Central School District. It is anticipated (based on prior year data) that approximately 120 children will participate in the program. The program will be held each day, Monday through Friday from 9AM until 1PM. The cost for the recreation component is \$30,500. The swimming component of the program will run from July 6th through August 13th for children aged three years to those entering 8th grade also for residents of the Central School District. The program will provide swimming twice weekly for the six week program from 10:45AM until 2PM (a total of 3 hours and 15 minutes daily). Parents will provide transportation to and from the program except for the swimming component – transportation will be provided by the Y between Highland Park and GCS. The cost for the swimming component will be an additional \$10,500. (Total program cost was reduced by 3% upon request of the Village – total cost is \$39,770 payable in four installments.) The motion included a provision for the Y to include wording to accommodate more flexibility (*the undersigned agree to periodically review with participants their satisfaction with the activity opportunities provided, and to alter, if necessary, programs to reflect participants' input*) and authorized the Mayor to sign the documents once they have been finalized. 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.

8. GCS REQUEST:

Geneseo Central School has requested use of Kelsey Field for their modified baseball, softball and golf programs during weekday afternoons through June 5, 2009. After discussion Trustee Fox moved to allow the Central School to reserve the field for this purpose (certificate of insurance is on file). Trustee LaGrou seconded the motion and all were in favor.

Clerk Merrick reported that the Bob Dewar Softball League would not be using the field this year in the evening, according to Ralph Roach. This is the second year that teams were not formed for League play.

9. ROARK-CALNEK REQUEST:

The Board discussed a request from the property owner of 19 Melody Lane to reduce the water charge they have been assessed. There was a catastrophic situation at their property due to a major water leak during their absence. The house is not habitable without major renovation, and the contents suffered severe damages as well. The owner's insurance company has so far refused to reimburse them for the damages, and they are suffering from a financial and emotional catastrophe. Trustee Fox moved to propose an offer for the resident to pay half the past due water bill minus penalties, with the

stipulation that if an insurance settlement takes place the Village will be reimbursed for the amount of the discount. Trustee LaGrou seconded the motion and the vote was as follows: Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. Deputy Mayor Brennan recused herself because she is familiar with the situation and the resident.

10. POLICE PERSONNEL:

Chief Osganian reports through Trustee Hill that Richard Tantalo has submitted his resignation effective 4/17/09. Officer Tantalo has accepted a position with the Monroe County Sheriff's Department. The Board received that resignation with regret and wished Officer Tantalo well in his new position.

Chief Osganian would like to promote part-time Officer Daniel McLaughlin to full-time status. Officer McLaughlin has worked for the Geneseo Police Department since last July. Trustee LaGrou moved to appoint Officer Daniel McLaughlin to the full-time position effective April 21, 2009. Trustee Hill seconded the motion and all were in favor.

11. INFORMATIONAL ITEMS:

- Budget – Mayor Hatheway reviewed a recent article in the Rochester Democrat & Chronicle listing total (village, town, county and school) tax rates in the area. The Village of Geneseo has the lowest total tax rate in Livingston County at \$33 per thousand.
- Youth recreation meeting – Trustee Hill attended a meeting on March 30 run by the County Youth Bureau. YMCA rep Erik Fix attended also. Brad reported that it looked like State funding would be reduced by approximately 18%, but that \$6,300 might still be coming for our summer recreation program. Lima's six-week summer recreation program costs \$85 to \$100 per participant (fee based) and they do not use the State funding. Scholarships are provided and the program has been very successful and growing each year. The new State mandates anticipated earlier are not going to be implemented at this time (detention and other social service programs run through youth bureau budget lines). Brad also reported that the Youth Bureau provides many opportunities for training and other services.
- Economic Development
 - ✓ Premium Development gathering on April 3: The *Valley at Geneseo* shovel ready project unveiling was very successful, Trustee Fox reported. The area is located north of the Wal-Mart Store and west of Volunteer Road in the Town. There are four *shovel ready certified* project areas in our region and only nine in five or six counties.
 - ✓ Tourism: The Official 2009 Livingston County visitor guide is now available.
 - ✓ Downtown Revitalization Program: Mayor Hatheway received a note from Patrick Rountree about a meeting to be held tomorrow in Mt. Morris. The purpose will be to discuss the future of the program.
- VFW: With regard to the patio project to the west of the Memorial, Dick Platt sent letters asking folks to buy bricks to support the project. Deputy Mayor Brennan said that they hope to have it completed in time for the Memorial Day ceremony. They are also appealing to elected officials for funding (Lee, Volker, Errigo, and Burling).
- Planning Items -
 - 116 Main (Marine Recruiting Headquarters and Mattie's Ice Cream Shop): The new owner of the building plans to tear off the back portion and build a new addition.
 - Code updates: Mayor Hatheway reported that as the new Zoning Code was being edited, the folks at Code Publishers noticed several easy to fix inconsistencies. At the same time, Code Officer O'Keefe has been passing on to April some problem areas in the new Zoning Code. In addition to that, the Mayor had asked Chief Osganian to

review the signage around the Village. Sgt. Carson closely examined the Code and found several instances where written regulations were not consistent with existing signage. All stop signs, all parking and speed limit signage, etc has to be in the Code in order to be enforced. To correct these problems, the Board set a public hearing date for April 20th at 7:15PM to amend several sections of the Code.

- Town: The Town Board has planned a public hearing for April 23 at 7:15PM to amend sections of their code dealing with mobile home parks.
- Portageville Bridge Project: The Portageville Bridge is located within Letchworth State Park. A project has been initiated in an effort to consider alternatives to upgrade the freight-carrying capacity of the bridge. Alternatives range from rehabilitating the existing bridge to building a new bridge on existing, adjacent, or offsite alignments. The New York State Department of Transportation and Norfolk Southern Corporation have entered into a public/private partnership to explore these transportation enhancements to New York State's freight railway infrastructure. A copy of the final scoping document is available for review. The project does not directly involve the Village but is interesting from a western NY perspective.
- Historian's display: May is National Volunteer month. Historian David Parish has put together a display in the entryway that is enlightening.
- Circulation & Parking Study update: survey from residents, employees and businesses are being sought, and will be compiled starting April 15.
- Cats: A resident from Woodbine Park has inquired what the Village can do about the number of feral cats in the Village. Clerk Merrick will check with Code Publishers for samples of legislation that deal with the issue.

12. LEGAL ISSUES:

Attorney Reynolds is monitoring the foreclosure proceedings on the Hollis property (Oak Valley Inn).

13. PUBLIC SAFETY:

Trustee Fox reported that the Fire Department annual meeting is to be held tomorrow night and will include election of officers. Two new ambulances arrive on the 16th. Steve Zabrocki will go to New Jersey and ride back with one of them.

Trustee Hill reported that Chief Osganian is now taking a look at 7 or 8 prospective applicants to replace Daniel McLaughlin (promoted to full-time). He plans to start the new person on June 1.

Eric is working on grants including a community police grant and another grant that will provide funds for new police radios.

14. PUBLIC WORKS:

Trustee LaGrou reported the following items from Supt. Frazier:

- Brush pickup is taking place this week.
- Work is being done at the wastewater treatment plant parking lot and generator pad.
- Stumps are being ground where trees were removed last year and preparations made for 35-40 trees to be planted this year.
- Potholes are being filled.
- Clay infield material has been ordered; Little League plans to pay for half. Tennis court nets are up and cracks are being sealed in the court surface. The restrooms will be open now through the summer (Police will lock them at night). The Village crew used the Town roller to roll the grass in all the parks, Highland, Kelsey Field and the Village Park. New wood chips will be used to cover the playground area.

- Stimulus Project – Lima Road (from North Street to the Village line): The sewer line portion of the project will be outsourced as the federal funding is only for pavement milling and paving. The sewer line portion will be bid and MRB is working on that aspect. Jason plans to use some of the CHIPS money for the project also.
Mayor Hatheway also received the contracts for the project from NYS DOT. Trustee LaGrou moved to authorize the Mayor to sign the contracts as soon as Attorney Reynolds approves them. 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.

Trustees Brennan and LaGrou met with Jason today and discussed the structure of the department.

15. TRUSTEES:

Trustee Fox: asked about the Highland Park grant. Deputy Mayor Brennan stated that the Village is still in the running and the grant awards have not yet been made.

16. CLERK/TREASURER:

Clerk Merrick reminded the Board that the next Association of Village Board's meeting is scheduled for April 22 in Avon.

With regard to the Sign Grant program, Clerk Merrick advised the Board that the \$50,000 limit for sign grants has been reached. The program began in June 1996 and to date \$50,567.91 in sign grants has been awarded. The Board will consider allocating more money to the program.

17. OLD BUSINESS:

Deputy Mayor Brennan moved to formally receive the public hearing minutes prepared by Stenographer Jennifer McDonald of September 22, 2008 and October 20th, 2008. Trustee LaGrou seconded and all were in favor.

18. 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 9:40PM.

Marsha B. Merrick, Village Clerk