

PRESENT:

Richard B. Hatheway, Mayor
Sandra F. Brennan, Deputy Mayor
John Fox, Jr., Trustee
Thomas J. LaGrou, Trustee

J. Thomas Reynolds, Attorney
Ron Maxwell, Code Enforcement Officer
Dean O'Keefe, Code Enforcement Officer
Aprile Mack, Deputy Clerk/Treasurer

PUBLIC PRESENT:

Sue Richardson

Howard Appell

1. Meeting Opened:

Mayor Hatheway opened the meeting at 7:00PM. The minutes of the May 4, 2009 meeting were reviewed. Trustee Fox moved to approve the minutes as amended. Deputy Mayor Brennan seconded the motion and all were in favor.

2. Legal Issues:

Oak Valley Inn:

Attorney Reynolds reported that the Oak Valley Inn property on Millennium Drive was foreclosed on the 11th of May. The highest bidder was Bayview Financial who purchased the property from the County for \$549,000. Deputy Mayor Brennan asked what this meant for the Village (in regards to the outstanding BDLP loan of approximately \$100,000.) Attorney Reynolds stated that the Village is out that money from the loan fund, unless the Village pursues restitution against the individual. Tom does not feel this course will benefit the Village at all, as from what he has heard, the individual does not have any assets to go after.

A question was raised regarding how the loss of this money would somehow affect the Village property taxes. Mayor Hatheway explained that it would not, as it was originally UDAG grant money that the Village received following construction of the Scoville Building. It is held in a separate account that has been used for sign grants and business development loans. The Village had collected some principal from the individual.

Shepard Property:

Attorney Reynolds is awaiting a map from Mark Shepard in regards to how much of his property he wishes annexed into the Village. Once this map is received, the annexation process can begin. There has been some brief discussion on whether or not an outbuilding on one of the parcels is a problem, as it is believed to be on the lot line, but once the map is received that question should be answered. Trustee Fox was concerned with the amount of time this process has been taking, but until the map is received there is not much that can happen. A joint meeting between the Village and Town must take place to allow for the annexation and can hopefully be scheduled for early June. Once the meeting takes place with the Town and the annexation is approved, construction on the sewer lines will have to take place to ensure proper hook-up. Trustee Fox was concerned that the Village's sewer is being used without proper payment for it. Mayor Hatheway ensured the Board that any 'lost' revenue will be paid back to the Village once this project is completed. The Village's position is that by collecting revenue from an illegal hook-up, we are giving tacit approval of that connection. The letter to Mark Sheppard informed him that all back charges will be due as a condition of annexation.

3. Highland Park Properties:

Trustee LaGrou brought up the possibility of purchasing the properties around Highland Park regardless of whether or not the Village receives the grant that was applied for to obtain these properties and expand the Park. Bernie Thoma, Livingston County's Grantsman has stated that purchasing these parcels without the grant

might jeopardize the Village's chances of receiving the grant; however he has advised the Board that they may be able to backdate or back charge some items to the grant if received. Trustee LaGrou wondered what the chances were of the Village receiving the grant. Mayor Hatheway stated that he was not sure but that none have been awarded this last year.

Deputy Mayor Brennan stated that the opportunity to purchase these parcels might not be available to the Village in the future if they do not act on it at this time regardless of receiving the grant. Trustee Fox believes that if the Village does not move quickly they stand a good chance of losing at least one of the parcels. Trustee LaGrou stated that he understands that it is not the best time to be purchasing property, but would hate to lose the opportunity.

Discussion continued on how the Village would purchase these parcels, as it was not allocated for in the budget for 2009-2010. Mayor Hatheway stated that he was somewhat 'gun-shy' about purchasing additional property using the same rationale that was used for the purchase 14 Center Street. It was agreed that a statutory installment bond might be the least expensive financing option.

Trustee LaGrou moved to explore the possibility of acquiring the properties around Highland Park as per purchase offers the Village currently has through the grant application, and explore financing options available. Deputy Mayor Brennan seconded the motion and all were in favor.

It was also agreed that Craig Chiara might now be interested in selling some of his property at 17 Highland Road. Trustee LaGrou stated that he would contact him.

4. Geneseo Building:

Mayor Hatheway and Trustee Fox had met with Jon Norris of Clark Patterson Associates regarding an updated floor plan for the Geneseo Building. A revised plan eliminates the addition to the rear of the building, and an elevator has been proposed within the existing building. Stairwells currently not utilized on the south and north sides of the building would be opened as access to the basement and second floor. There is a possibility of adding an exterior covered stairwell at the rear of the building on the south side that would access the second floor only. Mayor Hatheway stated that this plan at this point is a general conceptual plan, which will undergo further revision.

Code Enforcement Officer O'Keefe offered the services of the Code Office, as he believes Clark Patterson is focusing on the new building code and this building could be subjected to the old building code.

Deputy Mayor Brennan asked if the Town had a copy of the draft plan. Mayor Hatheway stated that they did not as it is just in the concept stage right now. Once we receive a more refined sketch, we will then share that with the Town.

5. Grant Possibilities:

Mayor Hatheway, Deputy Mayor Brennan, MRB Group Engineer Ryan Colvin, Water/Wastewater Superintendent Steve McTarnaghan and DPW Superintendent Jason Frazier met with Bernie Thoma of Thoma Development regarding grant possibilities for the Court Street, Main Street and Wadsworth Street infrastructure project under consideration. There are Rural Development and Small City grants available, which might be a possibility because of the low to moderate income of the population in Geneseo. This project is currently estimated at 2.5 million dollars. The engineering study for this project must be completed prior to applying for any grants. MRB Group Engineer Ryan Colvin has offered to attend a Village Board meeting to make a proposal to the Board.

6. Miscellaneous Correspondence:

The Town of Geneseo held a public hearing last week in regard to their Draft Master Plan. CEO Maxwell stated that there were not many attendees, and it seemed to have gone well. Deputy Mayor Brennan stated that many of the points from the Village's Master Plan have been expanded on within the Town Plan.

The Board received a note on May 18th, from Liz Porter regarding the very positive and professional action of the Geneseo Police Department. As soon as the police department learned of a student suicide in Canandaigua, the officers were at the Central School to offer their help and support as well as their expertise.

Mrs. Porter learned of this response by attending a School Board public hearing. She felt a great deal of relief and gratitude, especially for the sensitivity and compassion “our” policemen extended immediately.

A noise permit request was received on May 11th for an event to be held on May 14th. The request was turned down, as it was not submitted in a timely manner for the entire Board to review. Chief Osganian was given a copy of the request/denial.

A noise permit request has been received from APOG in the form of a letter for their annual spring event scheduled for June 26th at 59 Second Street. The Board asked that Co-Chair Kurt Cylke be contacted to fill out the standard noise permit application.

7. Public Safety:

Part-Time Police Officer Robert Fuller, who had been on a leave of absence because of his deployment to Afghanistan, has now returned home and Chief Osganian would like to reinstate him on the force. Trustee Fox moved to reinstate Robert Fuller as a part-time police officer. Trustee LaGrou seconded the motion and all were in favor.

The current K9 vehicle (2001 Ford Expedition) has been having mechanical issues. Chief Osganian would like to continue the car rotation plan and purchase a new patrol car this year, as well as affording the K9 program a K9 vehicle. Chief Osganian proposes that this can be accomplished by using money in the K9 account towards a new vehicle and retrofit an existing patrol car for K9 use. There are ample K9 funds, plus funds available in the car reserve account. The price of a new Ford Crown Victoria is \$22,000. Chief Osganian proposes using \$17,000 from the K9 Fund and \$5,000 from the reserve funds to purchase this new car. Deputy Mayor Brennan moved to approve the purchase of a new Ford Crown Victoria at the cost of \$22,000, using \$17,000 from the K9 account and \$5,000 from the reserve account, and turn one of the current vehicles into a K9 car. Trustee Fox seconded the motion and all were in favor.

The Geneseo Police Department along with the Livingston County Sheriff’s Office, Livingston County District Attorney’s Office, SUNY Geneseo University Police and the Wyoming County Drug Task Force coordinated efforts for a drug bust and arrested five individuals on drug charges.

There have been a couple of alcohol related arrests in the Village. The police will be participating in the Buckle Up New York campaign.

The NY Governor’s Traffic Safety Committee and the International Association of Police Chiefs have named the Geneseo Police Department as “Best in the State”. This award is based on outstanding performance in promoting traffic safety. This year, the Police Department was awarded radar units and a light bar.

The two new ambulances have been put into service.

8. Public Works:

Superintendent McTarnaghan has stated things seem to be relatively quiet.

Highlights from Superintendent Frazier’s report:

- ❑ Spring Trees have been planted, and trees along Route 20A have been replaced.
- ❑ Flowers will go out on May 18th.
- ❑ An emergency tree limb removal took place on South Street. The crew was not able to remove this limb themselves; therefore Terry Tree Service was called.
- ❑ Mulch is available at the Highland Road DPW parking lot.
- ❑ A new electrical panel box as been installed in the Log Cabin Park to accommodate the Concerts in the Park series.
- ❑ A new planter box has been built in the Log Cabin Park in front of the light pole near the Veterans brick patio.
- ❑ The Log Cabin Park should be in good shape for Memorial Day.
- ❑ Overflow parking signs have been installed in the Highland Park parking area to send more people into the old DPW parking area.
- ❑ A quote has been received for replacement of the Log Cabin roof. The quote was for \$4,000 for cedar shakes roof material only.

Superintendent Frazier is formulating a plan for the parking lot entrance at 14 Center Street, and Charlie Parent and Doug Welch will be doing much of the work once the Village Park project has been completed.

9. Trustees:

Deputy Mayor Brennan asked about the YMCA contract. Mayor Hatheway stated that the contract has been signed and has the correct clauses in it as previously discussed.

Trustee Fox stated that he has been working with Councilman Manapol who is proposing a sign similar to the one at the corner of Volunteer Road and Route 20A, for the area where Route 63 and Route 20A merge. The sign is proposed for SUNY Geneseo property; therefore Councilman Manapol will be presenting the idea to the College in the near future. The hope is to remove some of the existing signage and have one central sign.

Trustee LaGrou stated that he is in the process of establishing a recreation committee and has received several confirmations on committee members.

10. Meeting Recess:

With no further business to discuss, Deputy Mayor Brennan moved and Trustee Fox seconded the motion to recess the meeting until Thursday, May 28th at 3:30PM. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. The motion passed and the meeting adjourned at 8:58PM.

Aprile S. Mack, Deputy Clerk

MAY 28, 2009

The recessed May 18 meeting was reconvened at 3:30PM on May 28, 2008 with the following Board members present:

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

PUBLIC PRESENT:

None

11. MEETING OPEN:

Mayor Hatheway reconvened the meeting at 3:30PM.

12. CODE REVISIONS:

Deputy Clerk and Planning Board Secretary Mack prepared a list of the amended Code revisions since the last meeting. Trustee Fox moved to accept and approve the changes that have been recommended subject to the May 18th public hearing and noting the revisions made today. Deputy Mayor Brennan seconded the motion and the vote was unanimously in favor. We will need to receive the recommendation from the Livingston County Planning Board before these zoning revisions are formalized.

13. REQUESTS & MISCELLANEOUS ITEMS:

- ✓ A noise permit application was submitted by APOG for live music on June 26th from 7-10PM at 59 Second Street. The Board approved the request.

- ✓ SUNY Office of Multicultural Programs submitted a noise permit application for their annual BBQ/Mixer in the Village Park on September 12 from 1-4PM. The request was granted.
- ✓ The GCS Senior Bash Committee requests a banner display *Congratulations GCS Senior* between June 22 and June 29. The request was granted.
- ✓ Chris Minges, Band Director at Geneseo Central requests permission to conduct summer band lessons at School. The School requests that this program be covered under Youth Recreation--action deferred for the time being.
- ✓ Trustee LaGrou's committee to develop policies and procedures for satellite program requests by groups wishing to use the Village insurance for their activities has been finalized. Lisa Ryan, Daphne Allen, Jim Peraino, Ted Saunders and Andrew Chanler will work with him on that committee. They should be meeting soon to discuss establishing a procedure and to consider recent requests.
- ✓ Smoke testing of the storm sewers will be taking place again this summer. New York Rural Water Association is happy to assist with that testing using their equipment and personnel. However they insist on the Board approving a *Hold Harmless Agreement*. Deputy Mayor Brennan moved to approve the following with second from Trustee LaGrou:

The undersigned Village Entity agrees to hold harmless the New York Rural Water Association (hereafter NYRWA), its Board of Directors, agents, servants and employees, and all affiliated entities thereof as may now or may hereafter exist, against all claims, suits, losses or expenses by reason of any liability arising out of or in consequence of the performance of the NYRWA assistance provided and/or imposed by law upon any and all loss or damage, claim, demand, suit or action including death, damage to property, and from all costs and expenses incurred on account of any such claim, including, without limitation, attorney's fees and disbursements, caused by or directly or indirectly arising throughout the duration of any work/assistance provided by the NYRWA and authorized under the Village Entity receiving such assistance.

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

14. BUDGET TRANSFERS & VOUCHERS:

Clerk Merrick distributed the April Treasurer's Report to the Board members.

Clerk Merrick presented the Board with the end-of-fiscal-year budget transfer list for their review. After consideration, Trustee Fox moved approval of the following General, Water and Sewer fund transfers with second from Deputy Mayor Brennan:

GENERAL FUND

From	To	Amount
A2989.4 DARE K-9	A3120.21 Police Radios	\$1,989
A3410.22 FD Projects	A3410.43 FD Utilities	\$3,041
A599 Fund Balance	A4540.21 Ambulance Equipment	\$243,247
"	A4540.45 Ambulance Med-Ex Fees	\$9,048
A5182.4 Street Lighting	A5142.1 Snow Personal Services	\$126
A1420.4 Law Contractual	A8020.2 Planning Projects (UPWP Study)	\$2,592
A8160.1 Refuse & Garbage	A5110.1 Street Maintenance Pers. Serv.	\$11,192
A1640.4 Central Garage	A8560.1 Shade Trees Personal Service	\$1,675
A1620.4 Buildings Contractual	"	\$648
A1110.2 Justice Equipment	A1110.4 Justice Contractual	\$2,289
A1420.4 Law Contractual	"	\$1,175
A1325.47 Clerk Miscellaneous	A1325.43 Clerk Computer	\$228
"	A1325.44 Clerk Seminars	\$17
"	A9060.8 Health & Dental Insurance	\$3,264
A3120.46 Police Uniform Cleaning	A3120.48 Police Misc. Supplies	\$475
"	A3120.24 Police Misc. Equipment	\$310

A3410.20R Fire Equipment Reserve	A231F – Reserve Savings Account	\$20,000
A8010.1 Zoning Personal Service	A1440.4 Engineering	\$1,468
A8020.4 Planning Contractual	“	\$9,209
A8989.4 Joint Code Enforcement	“	\$7,727
A1325.47 Clerk Miscellaneous	“	\$2,224
A1420.4 Law Contractual	“	\$317
A5182.4 Street Lighting	A5110.4 Streets Contractual	\$695
“	A7140.4 Parks Contractual	\$33
“	A8560.4 Shade Trees Contractual	\$538
A9720.7 Statutory Bond Interest	A8010.4 Zoning Contractual	\$2,771
A9030.8 Social Security	“	\$2,782
A9035.8 Medicare	A9030.8 Social Security	\$700
A1910.4 Insurance	A3120.23 PD Computers	\$2,155
“	A3120.41 PD Repairs	\$1,860
“	A3120.47 PD Computer Support	\$1,513
A1420.4 Law Contractual	A3120.42 PD Gas & Oil	\$1,171
A1990.4 Contingent	“	\$1,115
A1325.45 Clerk Payroll Processing	A1460.4 Records Management	\$118
A4540.43 Ambulance Utilities	A3410.46 FD Miscellaneous	\$439
“	A4540.41 Ambulance Communications	\$150
“	A4540.42 Ambulance Fuel	\$675
A4540.44 Ambulance Repairs	A3410.44 FD Repairs	\$2,317
A3410.42 FD Fuel	“	\$1,027
A3410.41 FD Communications	A4540.46 Ambulance Miscellaneous	\$3,902
A3410.21 FD Equipment	“	\$672

WATER FUND

<u>From</u>	<u>To</u>	<u>Amount</u>
F1325.42 Clerk Postage	F1325.45 Clerk Payroll Services	\$286
“	F1325.46 Clerk Supplies	\$103
“	F1325.1 Clerk Payroll	\$240
F8340.4 Transmission & Dist.	F8340.21 Transmission Equipment	\$6,117
F8330.4 Purification Contractual	“	\$10
F8320.4 Source of Supply Cont.	F8330.22 Purification Projects	\$2,798
F8320.1 Source of Supply Payroll	F8310.1 Water Administration Payroll	\$11,864
F8320.4 Source of Supply Cont.	F8310.4 Water Administration Cont.	\$1,394
F8340.22 Transmission Projects	F1440.4 Engineering	\$6,837
F1320.4 Audit Services	F9060.8 Health & Dental Insurance	\$1,500
F1420.4 Law Contractual	“	\$1,060
F8340.22 Transmission Projects	Line Reserve for projects	\$8,000

SEWER FUND

<u>From</u>	<u>To</u>	<u>Amount</u>
G8130.22 STP Projects	G1440.4 Engineering	\$3,564
“	G8120.21 Sewer Equipment	\$1,126
G8110.1 Sewer Admin. Payroll	G8130.1 STP Payroll	\$16,053
G9035.8 Medicare	G9030.8 Social Security	\$1,060
G1325.2 Clerk Equipment	G1325.45 Clerk Payroll Services	\$158
G8120.4 Sewers Contractual	G8110.4 Sewer Admin. Contractual	\$1,742
G8110.1 Sewer Admin. Payroll	G8130.4 STP Contractual	\$14,351
G8120.22 Sewer Projects	Project Line Reserve	\$40,000

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

Voucher numbers 1094-1224 (all funds inclusive) were presented for approval after review by Trustee Hill. After discussion Deputy Mayor Brennan moved and Trustee LaGrou seconded the motion to approve general fund vouchers in the amount of \$163,102.15. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. The motion passed.

After discussion, Trustee Fox moved approval of water fund vouchers in the amount of \$62,590.52 with second from Deputy Mayor Brennan. The motion passed unanimously in favor.

After discussion, Deputy Mayor Brennan moved approval of the sewer fund vouchers in the amount of \$34,574.81 with second from Trustee LaGrou. The motion passed unanimously in favor.

Trustee Fox moved approval of the Community Development vouchers in the amount of \$1,158.30. Deputy Mayor Brennan seconded the motion and all were in favor.

15. OTHER BUSINESS:

- The Village has been awarded \$364,059 for the parks grant applied for last June. The official letter has not been received as yet, but the Village was informally notified that they were one of 8 grant recipients in this region. 31 entities from the region applied for funding with Geneseo being awarded the largest amount. It is a matching grant and the Village will use \$130,000+ for the appraised value of the DPW garage and the costs incurred to apply for the grant (approximately \$13,000) towards their share. Dick stressed that the Geneseo Building still has to have top priority in terms of the projects on the table; a commitment must be made to move forward on the Geneseo Building project. The Board discussed the possibility of a three-pronged bond resolution encompassing the Geneseo Building renovations, the matching funds needed for the Highland Park project and the engineering and construction fees for the Main/Court/Wadsworth infrastructure project.
- Village Park: Trustee LaGrou has been working on the new electric service at the park for the concert series. The 220-volt service has not been installed, but apparently is not necessary for this year. Tom said it could always be added at another point in time.
- Concert series: Deputy Mayor Brennan has a permit application from the College so that the restrooms in the Brodie Building can be used and for use of the Alice Austin Theater for rain dates. The Town is not comfortable signing the contract as it will be the Village insurance covering the events. The costs for use of the College facilities will be paid for by the concert series donations. The Board is willing to sign the contract.

16. ADJOURN:

With no further business to discuss, Trustee Fox moved and Deputy Mayor Brennan seconded the motion to adjourn. The vote was unanimously in favor, the motion passed and the meeting adjourned at 4:58PM.

Marsha B. Merrick, Village Clerk