

VILLAGE OF GENESEO
BOARD OF TRUSTEES

January 25, 2010

PRESENT:

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

PUBLIC PRESENT:

Howard Appell Liz Porter Stacy Tallon

1. MEETING OPENED:

Mayor Hatheway opened the meeting at 5:00PM following a workshop meeting to brainstorm ideas to form a long-range capital plan. The minutes of the January 4, 2010 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 Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

2. MRS. AJET HYSENI – CHECK FEE QUESTION:

Mrs. Hyseni thanked the Board for considering her request to waive the check fees she incurred in December. She said she has never been late for a payment and stated that there was a set of circumstances that resulted in her check not being accepted by the bank. Clerk Merrick explained that the check was deposited twice, resulting in fees totaling \$40. Mr. Hyseni came to the office and paid the water/sewer bill in cash (after the check was returned a second time), but the bank fees remain outstanding. Board members explained that the Village incurs fees from the bank when checks are returned (at \$20 each) and therefore those are passed on to the customer. The Board denied her request to waive the fees, but encouraged her to check with her bank to see if she could recoup the fees that the Village has been charged.

3. YMCA:

Liz Porter and Stacy Tallon (newest member of the YMCA steering committee and a secondary school counselor) appeared before the Board to discuss optional program ideas that might be considered for the 2010 season. YMCA Director Wess Audsley sent a memorandum outlining ways to improve communication and delivery of program objectives.

With regard to Village efforts to encourage older kids ('tweens aged 11-15) to attend the program Stacey said that it's not too cool to attend these programs when you are in that age group. History has shown that the kids want autonomy and independence and if they are forced into a highly structured and supervised program they will rebel. Discussion was held at the steering committee level that a good fit for them would be to find ways to exert that independence and their autonomy and supervise them without them knowing it. One way to do that would be in a counselor-in-training program whereby they attend for one or two summers and then they are ready to apply for counselor positions. Wess had said that it was possible to incorporate that into the Y program if the Village had a need for it.

With regard to the survey question and the lack of responses received, most surveys garner a 4 or 5% response; in this case there was an 8-10% response. However, if people are happy, surveys don't tend to come back, Stacey offered.

Mayor Hatheway wondered about drafting a timely response to the Y as to what the Village is looking for in the 2010 program, as he will be away for a week; Deputy Mayor Brennan volunteered to draft a memorandum that will encompass the discussions held during the past few meetings and the suggestions made from steering committee members as well.

4. FEDERAL STIMULUS PROGRAM AUDIT:

The Office of the State Comptroller audited 12 municipalities that had let and awarded ARRA (American Recovery and Reinvestment Act of 2009) projects in the Rochester Region of New York State (including the Village's Lima Road project). A draft of that audit was then compiled and a request came from the Comptroller's Office to incorporate the views of local officials in the final report. Mayor Hatheway responded by writing to the Comptroller's Office stating that the *Village of Geneseo agrees with the findings of the Comptroller's Office regarding procurement procedure for the Lima Road Resurfacing Project. The work was completed to the satisfaction of the Village and the State. We very much appreciate receiving the federal funding to allow us to complete this project.*

5. GIS NEEDS ASSESSMENT:

Dan Allen of MRB compiled a summary sheet with regard to potential uses for a GIS system. A final draft of the report is being used to compile a new Records Management Improvement Fund grant application that is due to the State by the second of February.

6. LITTLE LEAGUE REQUEST:

Sean Ledwith, President of the Geneseo Rotary Vic Raschi Little League has asked to use the Highland Park fields for baseball, Monday through Friday from 5PM until 8PM and on Saturdays from 9AM through 7PM. The season will run from April 1 through mid July. The Board was supportive of the request and discussion followed as to when the temporary fence will be installed.

7. YOUTH RECREATION PROCEDURES:

A draft program application was sent to the Board members via email. Trustee LaGrou will review it along with other committee members and hopefully it can be finalized by the next meeting.

8. TIME WARNER AUDIT:

Mayor Hatheway explained that earlier in the fall Computel Consultants (Earlville, NY) sent a letter offering to audit the franchise agreement between Time Warner Cable Company and the Village of Geneseo. Clerk Merrick responded to the offer of a *no-risk review of the Cable TV Franchise Agreement*. Following the review, Computel determined that the Village has been underpaid for a period of six years (2003-2008). The amount of franchise fees Time Warner pays the Village is a percentage based on gross revenue. The question lies in what is included in *gross revenue*. According to the agreement, *all revenues derived directly or indirectly from the provision of cable television service provided to subscribers of this franchised municipality. Additionally, revenue from local advertising, leased access programming and home shopping shall be included and shall be calculated on a pro-rata basis using the number of subscribers served in the community.* The underpayment for the time period is estimated to be \$14,230.11. Correcting the error will result in increased franchise fees of approximately \$3,000 annually going forward. For performing the service, Computel will collect 50% of any monies recovered. Time Warner will pass the cost of the refund to the Village on to the consumer, which is unfortunate. However, not to collect the underpayment isn't fiscally responsible either. The next step in the process, if the Board approves, is to file a claim and collect the fees from Time Warner. Trustee Fox moved to authorize Computel Consultants to file a claim to collect any or all of the fees due to the Village of Geneseo. Trustee LaGrou seconded the motion.

Deputy Mayor Brennan asked for clarification that the 50% payment to Computel would be the total of all monies owed to them upon collection of the underpayment. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

The franchise agreement with Time Warner is up for renewal this year (2010), Mayor Hatheway added. Robert Freiburger and a committee crafted the original agreement in the 1980's and Computel Consultant Michael Caton commented that the agreement places the Village in the "most powerful possible position" and is very favorable to the Village of Geneseo. They offered their assistance in future negotiations for renewal with Time Warner.

Trustee LaGrou left the meeting (6PM).

9. RECENT MEETINGS SUMMARY:

- Bernie Thoma: Mayor Hatheway met with him last Friday. He now has a copy of the engineering report of the Geneseo Building and has some ideas about grant funding. Dick also asked about the rural development grant for the Main/Wadsworth/Court project. The response was that the office is backed up as a result of the stimulus funding programs, but an answer should be forthcoming soon.
- Genesee Transportation Council: Ed Flynn and Mayor Hatheway met with the Council on January 7 and presented the final *Alternatives to Improve Circulation, Parking, Safety & Aesthetics Report*. The report was well received and they were very impressed with the breadth of experience represented by the committee. Dick was able to say publicly that Ed Flynn and Labella Associates did a very good job.
- Census Bureau: Dick attended the census kickoff meeting in Rochester early in January. Deputy Clerk Mack is handling the administrative tasks involved with the 2010 Census for the Village.

10. COURT PERSONNEL:

Pat Terho has resigned her position as assistant court clerk effective January 21 but will be coming in to help Jane Dulmage one night this week. Jane has placed an advertisement for applications in the Pennysaver.

11. NEGOTIATIONS UPDATE:

The President of the Service Employees International Union (DPW department) has asked for several items and they will be sent along to them (after consultation with Attorney Lippitt). Trustee Fox would like a copy as well.

12. ASSOCIATION MEETING:

The next meeting of the Association of Village Boards of Livingston County will be held in Lima on February 17.

13. MISCELLANEOUS CORRESPONDENCE:

A request came from the Livingston County tax office as to whether or not to combine the parcels recently purchased around the park with the park parcel (tax map #81.13-1-5). Mayor Hatheway responded yes to that request.

The New York State Department of Transportation has approved the existing two curb cuts onto Route 20A for the Hampton Inn. However, in the event a traffic light is installed at the end of Ryan Drive, DOT stipulates that the driveway not opposite the light would have to be closed. Deputy

Mayor Brennan questioned the process of DOT allowing these two entrances when the Planning Board wanted more input on those decisions.

The Town of Geneseo has paid an additional \$4,600 for the 2009 Youth Recreation Program based on the percentage of enrollment of Town children.

Code Officer O'Keefe has had a conversation with Ernie Harris about cleaning up the area around his garage on Wadsworth Street.

There is a Board of Appeals public hearing on a variance request made by Eddie Caruso to convert his single-family house at 17 Center Street to a two-family. A variance is needed for the dwelling side yard setback and the lot size. Trustee Hill had questions about that and will consult with Code Officer O'Keefe.

The Town Board has approved the annual contract for fire and ambulance services and signed the document. Trustee Fox moved that the Village Board approve the contract as already accepted by the Town (for a total contract price of \$139,000 for 2010). Deputy Mayor Brennan seconded the motion and all were in favor and signed the document as well.

The renewal document for the Med-Ex contract was received and rates for 2010 will remain the same upon advisement of Chief Chanler. Med-Ex billing rates will be going up \$.25 per billable account to \$39.75. Deputy Mayor Brennan moved approval of the Med-Ex contract to provide ambulance-billing services for the Village of Geneseo with second from Trustee Fox. All were in favor.

14. PUBLIC SAFETY:

Trustee Hill highlighted the annual report of Police Department activity that was distributed to the Board members prior to the meeting. DWI arrests have gone down, and tickets issued for failure to yield to pedestrians have gone down. Court fines and the amount of money coming back to the Village is pretty interesting. Overall the Board was very pleased with the report.

Chief Osganian sent a note that he has been accepted into the Keuka College master's program for criminal justice administration. He has asked for a tuition reimbursement by the Village similar to what has been given in the past, most recently to Clerk Merrick. Reimbursement will be limited to SUNY tuition rates and the payment plan will be discussed with the Chief.

With regard to fire items, Trustee Fox reported that the new Pumper 314 was put into service and it responded last Friday to the river rescue at the bridge on Route 39/20A. The old truck is on the market and the asking price is \$40,000. The annual banquet is scheduled for February 13 and invitations have gone out.

15. PUBLIC WORKS:

Trustee Fox reported that Clerk Merrick tabulated the cost of the employee restroom renovations including labor and materials \$2,236. The courtroom has been painted by DPW personnel and looks very nice. Carpeting will be installed early in February and Charlie Parent is working on renovations to the judge's bench. All of the costs for courtroom improvements will be taken from the court grant funds received last year.

Regarding the water treatment plant proposal, Mayor Hatheway explained that currently filtration takes place with sand filters with anthracite coal on top. Water goes through that material and periodically the filters are backwashed. There have been concerns with trihalomethanes (THM's – a byproduct of chlorination) in York and Geneseo. Chlorination was taking place at the intake and when the water leaves the plant. The intake chlorination was discontinued to help reduce the THM's that most frequently show up at the extremities of the system. Norm Barrett (York), Jerry Deming (York), Larry Levey (Geneseo) Will Wadsworth (Geneseo) Steve McTarnaghan, Mayor Hatheway and MRB's Ryan Colvin met to discuss ways to alleviate this situation.

One possibility would be to use a new treatment process currently being used in Waterloo, NY. Changes would entail new operator training and plant revisions; the biggest downside would be the water produced using this treatment method might be incompatible with chlorinated water. If the supplemental supply (coming from Hemlock Lake) were mixed with the water produced at the Village Treatment Plant, it might be a problem. At this point Ryan Colvin, Norm Barrett, Steve McTarnaghan and Larry Levey plan to travel to Waterloo to look at the process.

A less-involved possibility would be to use granulated activated charcoal (GAC) to replace the media that is currently being used. The change to GAC would also help with taste and odor issues and lower the turbidity levels of water produced at the plant. Supt. McTarnaghan could convert the plant fairly easily by removing the anthracite layer and replacing it with the GAC and then flush the system. The change would be made in December (and take approximately one week) when Village water usage is at the lowest point. The cost would be approximately \$50,000. The downside is that every five years the GAC would have to be rejuvenated or changed. Everyone purchasing Village-produced water would benefit from this conversion, and thus the plan would be to incorporate the cost for the change into next year's budget (2010-2011). Discussion followed and the consensus was to explore the options further.

The entire DPW staff worked on many challenging water breaks during the past few weeks, one occurring in the middle of Route 20A (South Street) last Tuesday.

Deputy Mayor Brennan highlighted the DPW report submitted by Supt. Frazier:

- ✓ The crew has been picking up Christmas trees throughout the Village.
- ✓ Cold patching of streets is taking place on warmer days.
- ✓ The crew is servicing equipment in the shop through the winter.
- ✓ Nine overtime salt runs have taken place and three regular hour salt runs and the salt supply is ample at this time.
- ✓ Stimulus Federal Funding for 2010 – Temple Hill Street has been placed as a project consideration for milling and paving (same as Lima Road). Trustee Fox wonders if the street could be aligned with Groveland Road when the project is under consideration.
- ✓ Tub grinding of the brush pile will take place soon.
- ✓ The street sweeper is having major repairs. The mechanics on staff are doing the work, but this piece of equipment will need replacement soon. Jason plans to obtain quotes for a new sweeper and is thinking about downsizing the machine to save on cost, which could amount to approximately \$100,000.

16. TRUSTEES:

Deputy Mayor Brennan: Sandy presented two proposals for archeological testing in Highland Park: Deuel Archaeology for \$2,395.00 and Rochester Museum & Science Center for \$5,508.75. Grant Administrator Bill Reemtsen is comfortable with the lower quote and Deputy Mayor Brennan moved that the Village Board accept the bid from Deuel Archaeology. Trustee Hill seconded the motion and all were in favor.

Trustee Fox: John attended the NYCOM forum on consolidation held last Thursday in Pittsford with Supervisor Wadsworth. He thought the folks did a fine job, there were approximately 60 people in attendance, and stated that there are a lot of things that have to be looked at so that you make the right decision when considering consolidation of municipalities. Timeframes within the new law are very confusing, John added. It was interesting to see how the process goes along and John has the handout if anyone would like to review it. He suggests when there is another presentation on the topic folks try to attend (this was the same NYCOM presentation Dick attended last October).

The website (geneseony.org), Trustee Fox reported, may be a week away from being launched. Hopefully everyone reviewed the website material posted by Tom Hill who did an excellent job. It will

coordinate well with the tourism site, geneseony.com. There will be a period of twelve hours that the site will be down before the new one is launched. Most interesting is there is a way to review how many people are visiting the site etc. similar to the information provided by Arlene Somerville about the tourism site.

Trustee Fox said he had a conversation and met with Councilman Manapol about the entrance signs to the village. It appears that three entities will be involved, Town, Village, and SUNY. The Town will take care of the sign where Routes 63 and 20A come together and the sign will be similar to the one at Volunteer Drive. The Village will be responsible for the three smaller signs and the College will take the one at the bottom of Court Street. Costs will be \$6,000 for the Village signs, \$6,000 for the Town sign and \$8,000 for the College. Discussion followed.

Trustee Hill: Brad reported that Chief Osganian is still working with Attorney Reynolds on the pawnshop law. The Healthy Campus Community Coalition meets next Monday at 2PM for the fourth meeting of this school year with Rachel Pena. Brad has spoken with the code office as to where they are with the property inspections and reports that there are still a number of properties that have not been inspected. 27 units have complied with the registration requirement but have not been inspected. 33 have not complied. The Code Office has drafted a follow-up letter and the Board was supportive of it being sent.

17. CLERK/TREASURER:

Notification has been received that the proprietors of the Inn Between intend to renew their liquor license.

Following review by Trustee Hill, voucher numbers 683-777 (for general, water and 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 \$78,899.73. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, and Mayor Hatheway-Aye.

After discussion Deputy Mayor Brennan moved and Trustee Hill seconded the motion to approve water fund vouchers in the amount of \$37,761.63. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, and Mayor Hatheway-Aye.

After discussion, Deputy Mayor Brennan moved and Trustee Hill seconded the motion to approve sewer fund vouchers in the amount of \$9,602.31. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, and Mayor Hatheway-Aye.

After discussion Trustee Hill moved to approve Highland Park Project vouchers in the amount of \$69,887.31. Deputy Mayor Brennan seconded the motion and all were in favor.

After discussion Deputy Mayor Brennan moved to approve a GIS Project voucher in the amount of \$2,779.80. Trustee Hill seconded the motion and all were in favor.

18. NEW BUSINESS:

There has been some preliminary discussion by townhouse residents to perhaps change their housing classification to condominiums in order to realize a reduction in their assessments. According to a recent notice, the Town has drafted a local law stating that there will be no tax advantage should existing townhouses be converted to condominiums.

Mayor Hatheway noted that the Board conducted a productive long-range planning session between the hours of 3 and 5PM with the help of a facilitator. Those in attendance determined that there are three major focus areas: infrastructure capacity, pedestrian access and developing procedures and protocols for intergovernmental cooperation.

19. MEETING CLOSE:

With no further business to discuss, Trustee Hill moved and Deputy Mayor Brennan seconded the motion to adjourn. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Fox-Aye, Trustee Hill-Aye, and Mayor Hatheway-Aye. The motion passed and the meeting adjourned at 7:28PM.

Marsha B. Merrick, Village Clerk