

VILLAGE OF GENESEO
BOARD OF TRUSTEES

June 7, 2010

PRESENT:

Richard B. Hatheway, Mayor	Marsha B. Merrick, Clerk/Treasurer
Sandra F. Brennan, Trustee	
Margaret E. Duff, Trustee	
Thomas J. LaGrou, Trustee	

PUBLIC PRESENT:

Howard Appell	Louise Wadsworth	Julie Marshall
Patrick Rountree	Kurt Cylke	Barry Caplan
Pat Nicoletta	David W. Parish	Diana Cannon
Nyasha Adams		

1. MEETING OPENED:

Mayor Hatheway opened the meeting at 5:00PM. The minutes of the May 17th regular meeting and the May 17th public hearing could not be considered due to absence of Deputy Mayor Fox.

2. COMMUNITY DEVELOPMENT PROGRAM:

County Economic Development Director Pat Rountree was joined by Julie Marshall (Deputy Director) and Louise Wadsworth to discuss collaboration between the Village of Geneseo and the Livingston County Development Corporation (LCDC) (dba Alliance for Business Growth) to work together to strengthen the downtown community. Services provided by LCDC include design and business guidelines, grant application assistance, small business technical assistance support, enlisting SUNY Geneseo interns, offering a business ownership training course, downtown roundtable membership (with other participating member villages in the County), access to Livingston County Development Corporation grants (signs, facades) and other services provided by member villages. The County has agreed to help out by matching funds (\$3,750 is the member cost) to member villages (Geneseo and five others so far) for enrollment in the program.

In the summary *roles and responsibilities*, Pat went over the ways that the County can help the member villages. Items include providing a Downtown Business Inventory in hard copy as well as electronic format, supervision of SUNY Geneseo interns, provide community access to the interns, provide a master contract to be used with architects to prepare design guidelines, work with the County grantsman on funding applications, offer business owner training classes, work with member villages to develop a local technical assistance team, offer a competitive sign matching grant program, offer a competitive façade matching grant program and convene Downtown roundtable meetings. Responsibilities of the member villages would be to execute the *Memorandum of Understanding* between the County and the individual villages, remit \$3,750 to the County for the program, update and provide village contact lists, designate a village board liaison, designate or re-designate the downtown area boundary, create and appoint a design guideline steering committee, provide occasional space for meetings at no charge, and approve a set of design guidelines developed by the steering committee as a pre-qualify action for business eligibility for sign and façade matching grants.

There is an aggressive schedule set up by the County for 2010-2011 including selection of interns, preparing the inventory, holding the roundtable meeting, orientation of the village boards, appointing the liaison, appointing the steering committee, and holding the kick-off meeting all to be done by the end of September. Projects are to be completed by June of 2011. The first order of business would be to adopt the memorandum of understanding.

Louise Wadsworth spoke to the makeup of the steering committee suggesting that the group consist of 5-7 members and include a building owner, business owner, board member and other interested folks. There are committees in place in the Village including the Supporters of Main Street and Trustee Brennan has offered to be the Board liaison. Pat Rountree stated that the program gives groups like the SMS an opportunity to take their work to a higher level and provide many advantages to start-up businesses that have not been readily available in the past.

After further discussion, Mayor Hatheway thanked Pat, Julie and Louise for presenting the program to the Village and looks forward to their involvement in promoting downtown business opportunities. They thanked the Village for their commitment to participation in the program.

3. KURT CYLKE – FOUNTAIN UPDATE:

Kurt Cylke reported that the lantern restoration project has been completed and now the second phase is to restore the granite base of the fountain. A contractor from Rochester has identified the materials he needs and hopes to do the work this month. Kurt presented the Board with a document compiled by Moorland Studios, Inc (*Documentation for the Lantern Replication, Emmeline Wadsworth Memorial Fountain, Geneseo, N.Y.*) outlining the project; a second copy was made available to Historian David Parish.

APOG would like to pursue additional repairs to the fountain with monies left over from the fundraising efforts. While installing the lantern, indentations were noticed at the rim of the fountain. Former Water/Wastewater Treatment Plant Operator Charles Parent stated that there once had been 4 pairs of bronze rods between the base of the center pillar and the fountain rim, the purpose of which was to hold buckets and other water containers as they were being filled. Three of the original eight rods were located. Kurt would like to have the contractor who restored the lantern clean up the rods as well as form the five missing rods from a compatible metal and install all eight. Kurt thinks that once they are installed, they will be sturdy enough to withstand any mischief. APOG also obtained an estimate to repair and refurbish the original four water arms at a cost of \$3,250.

Because of its significance to College alumni, The SUNY-Geneseo Alumni Association has offered to assist efforts to maintain the fountain. This group has helped financially by matching APOG's efforts with a donation of \$30,000 for the fountain projects. This interest in the project was in part generated at the College/Village roundtable discussions held twice per year. Members of the Geneseo Alumni Association was polled as to their three most vivid images symbolizing Geneseo; the three in order of preference were: the fountain and its bear, the sunset over the Genesee Valley and Sturges Hall. Therefore, the Alumni Association wanted to be part of the fountain restoration efforts. Any funds left over from these projects will be held in reserve for continued maintenance and repair of the fountain in the center of Main Street.

Trustee LaGrou moved to support the fountain projects described tonight. Trustee Duff seconded the motion and the vote was unanimously in favor. The Board thanked Kurt and APOG for their efforts thus far and look forward to seeing the completion of further projects.

4. BARRY CAPLAN – ARTS STROLL:

Barry came before the Board to ask whether or not Center Street could be closed off from west of the Idle Hour to Main during the Arts Stroll. The committee would like to have an acoustic jam in that area from 4-7PM on Friday, June 18th whereby musicians can just walk into the street and start playing their instruments. The Board was supportive.

5. PAT NICOLETTA - MRB:

Pat came before the Board with the latest set of plans for the Highland Park Project. The advertisement to go out to bid has been prepared and shipped off to the Newspaper and the Contract

Reporter. Plans will be available by Friday to potential bidders and a pre-bid meeting has been scheduled for the end of the month. Hopefully everything will be in place to start construction by the end of July. The State Parks Department has approved the plans, contract document language and documents. Pat gave an overview of the plans as they stand in their final form including the new athletic field, playground facility, pavilion, storm water treatment area (which will be a dry swale with a depth of about three feet to handle storm water but in a different way than a deep pond), some trees and brush will remain to provide a park-like feel rather than just a wide open expanse. There will be a walking trail (gravel) around the perimeter of the park and meandering through some sections. Grass paving stones will be installed on some of the parking area near the former DPW building along with landscaping with the work done with Village forces. Benches, picnic tables, exercise areas and a dog run will be later phases of the improvements and are not part of the contract work to be done right away.

As far as the building portion of the project, a new pavilion area on the north side of the ice rink area is planned, a new restroom facility and a concession stand. The west-facing exterior wall of the restroom/concession building (16 x 24) will mimic the Depot architecture but not match exactly. The exterior of the building will be slats and block. A similar pavilion to the one existing will be built. There will be minimal HVAC and plumbing work to be done.

An asbestos survey will be necessary for the old DPW building before any demolition can begin. MRB sent out five proposals and received two quotes back. One is from Lozier Environmental Consulting Inc. in the amount of \$1,260, which includes 20 polarized light microscopy samples and 6 transmission electron microscopy samples. Another is from Envoy Environmental Consultants Inc. for \$4,800. Pat's recommendation is to award the project to Lozier Environmental. Even if more sampling were desired, the Lozier price would still be less, according to Pat's calculations. Trustee Brennan moved to award the bid for an asbestos survey for the former highway garage to Lozier Environmental Consulting Inc. at a cost of \$1,260. Trustee LaGrou seconded the motion and the vote was as follows: Trustee Brennan-Aye, Trustee Duff-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. Pat will notify Lozier to start work and will pass it through MRB for invoicing to the Village.

The closing for the project Bond Anticipation Note in the amount of \$239,059 took place on May 27th with Five Star Bank. Of that amount approximately \$152,000 will be returned to the General Fund for expenses already incurred.

With regard to the Main/Court/Wadsworth Street project, Mayor Hatheway explained that last June, the Village Board was presented a proposal from MRB in the amount of \$331,500 for several phases of the engineering work on the project. Approval was given to go ahead with phases involving the field instrument survey and base mapping, preparation of the engineering report and funding application assistance and working through the SEQR process. The work left to do and included in the total price of \$331,500 is preliminary plans and specifications and completion of documentation submittals for review by NYSDOT, NYSDEC, and DOH (\$90,000), final plans, contracts and construction documents (\$30,000), bidding process (\$8,500), construction administration during the construction process (\$65,000) including resident observation (estimated at \$90,000) and as-built plans (\$3,500). The only piece not billed in a lump sum would be the resident observation work that is based on \$75/hour and estimated to take 1200 hours (6 months @ 200 hrs/month). That cost would be dependent on how many actual hours are spent doing the work. Pat explained that resident observation is full time observation. Observers are construction workers/civil engineers who have experience with infrastructure, roadwork and have a background in utility work. There is a six-month timeframe for construction. Hopefully the project can start in April/May of 2011.

Trustee Brennan questioned whether a recommendation has been made yet for funding the project. Mayor Hatheway quoted recent letters from USDA stating that the American Recovery and Reinvestment Act funding has been depleted. However, the Village's project is *still eligible for*

funding through Rural Development's fiscal year allocations. The existing PED (preliminary eligibility determination), however, must be revised to reflect the limitations of this funding. Projects applying for fiscal year funding will be scored in accordance with program regulations and priorities and placed on a waiting list. Due to the large number of projects received in the past year, it may require several years to fully address the backlog. As a result, all projects should closely examine the expenses they incur since funding may not be approved for a significant amount of time. Mayor Hatheway added that it would require another \$5,000 to pursue funding through USDA. Trustee Brennan felt that perhaps pursuing private financing would be the way to go at this point in time. Even though the result would be a higher cost early on in the financing term, over the long run, it would be less expensive.

After discussion on the engineering phases, Trustee Brennan moved to authorize and reaffirm an earlier decision giving MRB the approval to start design and other work for a total cost of \$287,000. Fortunately, the Board is looking at a proposal that was first presented in January 2009 and the rates have remained the same. The end result will be improved infrastructure in the northwest quadrant of the Village and reduction in the amount of inflow and infiltration into the wastewater treatment plant. Trustee Duff seconded the motion and the vote was follows: Trustee Brennan-Aye, Trustee Duff-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. The motion carried and it was noted that all three funds would be paying for the work to be done, water, sewer and general.

6. GENESEO BUILDING:

Mayor Hatheway has been in touch with Thoma Development with regard to the possibility of funding for the Geneseo Building. The maximum amount available is \$400,000 through one grant program, however there would need to be some commitment from the Town to pursue the grant application. Trustee Brennan hopes to promote some funding at the State and Federal level as well.

7. LOG CABIN ROOF PROJECT:

The project has been finished and the Village received \$2,500 each from Kiwanis Club of Geneseo and Geneseo Rotary for the expense of materials. The new roof is metal, but looks like traditional shingles and will last many, many years.

8. DOT:

A letter has been received from NYS DOT Regional Traffic Engineer David Goehring. They have completed their investigation of Route 20A within the Village of Geneseo relative to lowering the 45 mph speed limit. The letter states: *We have determined that a 35 mph speed limit is justified between Reservoir Road and the easterly boundary of the Village of Geneseo at Volunteer Road. Our consideration of the roadway characteristics, radar data and the review by the State Police indicates that a 35 mph speed limit is appropriate on this portion of Route 20A. The revised transitions from 30 mph to 35 mph and from 35 mph to 45 mph will coincide with the changes in roadway characteristics at those points. This change will result in a 0.6 mile long 35 mph speed limit that will provide an adequate length of speed zone and provide a sound basis for enforcement efforts.* The Village Board will have to consider and adopt a local law in order to reduce the speed limit in that area.

9. SHEPARD ANNEXATION:

Trustee LaGrou moved to adopt Local Law #3, 2010 – Amending Chapter A134 of the Code of the Village of Geneseo, Annexation of Territory and adding Article VIII – 2010 Reservoir Road Annexation as follows (it was noted that the County Planning Board considered the petition and voted to recommend “Approval” of the proposed action per their letter of May 18, 2010):

**RESOLUTION, FINDINGS AND ORDER OF
TOWN BOARD APPROVING PETITION FOR ANNEXATION**

WHEREAS, a petition pursuant to General Municipal Law Article 17, was presented to the Town Board of the Town of Geneseo, New York (the “Town”) on November 5, 2009, for the annexation of certain territory in the Town to the Village of Geneseo, New York (the “Village”), said territory being described in said petition, which is annexed hereto as Exhibit A, and

WHEREAS, a hearing of the Town Board of the Town of Geneseo was duly held on said petition for annexation, at the Town Offices at 4630 Millennium Drive, Geneseo, NY on March 25, 2010, at which time, all parties interested in the matter were heard and no objections presented, and

WHEREAS, a hearing of the Board of Trustees of the Village was held in regard to said petition for annexation, which had been approved by the Town Board, at the Geneseo Building, 119 Main Street, Geneseo, NY on May 3, 2010, at which time all parties interested in the matter were heard and no objections presented, and

WHEREAS, the Town Board of the Town of Geneseo had duly considered the said petition and the evidence presented at said hearing and unanimously approved said petition, and

WHEREAS, the Board of Trustees of the Village has duly considered said petition and the evidence presented at its hearing,

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Geneseo finds as follows:

1. That the aforesaid petition for annexation substantially complies in form and content with the General Municipal Law Article 17.
2. That the proposed annexation of certain territory in the Town of Geneseo to the Village of Geneseo as described in the aforesaid petition is in the overall public interest.

NOW THEREFORE IT IS ORDERED that the consent and approval of the Board of Trustees of the Village of Geneseo is hereby given to the annexation of the territory now situate in the Town and described in the aforesaid petition (Exhibit A on file in the Clerk’s Office) to the Village of Geneseo. Trustee Brennan seconded the motion to adopt Local Law #3, 2010 and the vote was as follows: Trustee Brennan-Aye, Trustee Duff-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

A referral will now be sent to the County Planning Board to consider a zoning classification for the property.

10. NO SMOKING LAW:

At the close of the public hearing, Trustee Brennan moved to adopt Local Law #4, 2010 *Prohibiting Smoking upon all Real Property owned by the Village of Geneseo*. Trustee LaGrou seconded the motion to approve the new legislation and the vote was as follows: Trustee Brennan-Aye, Trustee Duff-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. Diana Cannon (Tobacco Action Partnership) congratulated the Village for being the first one in the County to enact this legislation.

11. SUMMER RECREATION PROGRAM:

Flyers announcing the program for this summer are online and are quite attractive. Trustee Brennan asked about programs for the older kids and there hasn’t been any other info on that other than an email message that mentioned a lot of programs that already exist in the area.

As for out-of-district children coming to the program, the Board consensus was that they would be required to pay the full price for the program (\$40,000 divided by the anticipated enrollment of 120 kids) that would amount to \$333 for the six weeks. Another consideration would be if the enrollment of the out-of-district kids would force the numbers of participants to exceed 120. When that happens,

the participating municipalities are charged extra for that overage. No decision on the inquiry was made at this time.

12. CONESUS LAKE WATERSHED:

At the annual meeting of the watershed council, a group from Cayuga County was present to learn how the watershed management program works in Livingston County. Angela Ellis put on a good presentation explaining what they do on an annual basis including accomplishments and improvements that have been made.

13. PLANNING BOARD REQUEST:

The Planning Board has asked to be lead agent for the SEQR process for Hartford House subdivision phase II according to a letter dated June 1, 2010. Trustee Brennan stated that was appropriate and moved approval of that status. Trustee Duff seconded the motion and all were in favor. The proposed project involves a four-lot subdivision on Avon Road in the Village.

14. MISCELLANEOUS CORRESPONDENCE:

A request has been received from Mark Farruggia for the Friends and Families Muscular Disorders Foundation. They are planning a hot air balloon festival, arts and crafts sale, complete with live bands, food and much more taking place August 6-8 at SUNY Geneseo on Onondaga field. They expect 10,000 people and would like assistance with traffic control and to put up no parking signs from Main Street down the Mary Jamison bypass and along Route 20A. The letter was also copied to the Sheriff and the State Police. Trustee Brennan will discuss the event with Chief Osganian.

David W. Parish wrote a letter on behalf of TRIAD to the Commissioner of Motor Vehicles expressing their ongoing concern for the Livingston County driving exam site in Geneseo on North Street. They are concerned with the lack of shelter for folks that wait for the test to be given and for the actual test takers maneuvering through the difficult intersection at North/Court/Main. They suggest that the site be moved to Highland Park. The Village Board has not been approached about the testing site as yet.

The next meeting of the Association of Village Boards of Livingston County will take place in Mt. Morris on June 16 at the Allegiance Bed & Breakfast.

A request has come from a representative of the Rochester/Finger Lakes Eye and Tissue Bank for approval to sell raffle tickets in the Village of Geneseo for a fundraising event to be held on August 28. Mayor Hatheway will respond.

An early retirement incentive bill has been passed and signed by the Governor. The bill provides for an additional service credit option (Part A) for folks at least 50 years of age with at least 10 years of credited service and a 55/25 option (Part B) for employees who attain the age of 55 with 25 year of service to retire without penalty. There are stipulations with both options and a financial component that is incumbent upon the municipality as well. It does not appear the Village will be participating in this program.

15. PUBLIC SAFETY:

The Board was supportive as well as Chief Osganian of a request to close Center Street during the summer festival (July 9-10) from the municipal parking lot entrance to Main Street from 7:30AM until 5:30PM.

The Board received the monthly report of activity from Chief Osganian.

Trustee LaGrou moved to approve the following new members for the Fire Department: Matthew Stryker, James Dewar, Kathryn Dewar and Neal Lynch and to accept resignation from Michael Hausberger. Trustee Brennan seconded the motion and all were in favor.

16. PUBLIC WORKS:

Trustee LaGrou reported for Supt. McTarnaghan that Calvin Livingston started working with the crew and seems to be working out very well. The new mower from Lakeland Equipment was delivered. Two bids were received for the new pickup and Steve recommends awarding the bid to Sun Chevrolet in Chittenango at a price of \$24,158 (without the Onstar XM radio). Trustee LaGrou so moved with second from Trustee Duff and all were in favor. It was noted that the pickup is \$4,000 less expensive than it was last year. All filters and clarifiers are being painted at the wastewater treatment plant. A hydrant was repaired at the former Geneseo Collision Shop and two posts were installed to guard the hydrant from any further damage. Computer issues continue to plague the water treatment plant operation. Smoke testing of the sewers is set to begin again on June 24th. The Eastman Federal Credit Union project has begun on Ryan Drive.

Trustee Duff reported for Supt. Frazier the following:

- Three bids for the mini excavator were received and Jason recommends awarding the bid to Bobcat at a price of \$47,059. The excavator will be able to utilize the implements that are used on the Bobcat skid steer loader. Trustee Duff so moved to accept the bid from Bobcat in the amount of \$47,059 for the mini excavator with second from Trustee Brennan. All were in favor.
- Rubbish day was today – the pickup usually takes two days to complete.
- The Highland Park press box is being rebuilt.
- Painting of the Highland Road Depot building has been completed by Sheriff's York work-release program, with assistance by Village DPW crew.
- Asphalt repairs have been made to Main, South, Groveland and Haley Avenue.
- The perimeter sewer right-of-way has been brush hogged.
- The crew repaired catch basins on Westview and Chestnut.
- Roadside mowing will continue through the growing season.
- The log cabin roof has been completed (see earlier in the minutes).
- The crew will start repairing the streets before sealing is done later in the summer.

Charlie Parent and Doug Welch have been scraping and power-washing the front of the Geneseo Building including the pillars to ready them for a fresh coat of paint. Mayor Hatheway reported that there was some concern about the removal of lead paint; however Insurance Agent Andrew Chanler sent information along that the EPA guidelines apply only to schools and daycare centers.

17. TRUSTEES:

Trustee Brennan: Sandy has been involved with ongoing police union negotiations. There was a meeting with DPW employees and the office staff last Thursday with a Blue Cross/Blue Shield health insurance representative to go over alternative health care plans. Union negotiations with both groups (police and DPW) are ongoing as both contracts expired on May 31, 2010.

Trustee Brennan is still active in the tourism committee and is active in the freshmen orientation programs that are being offered this summer.

Trustee Duff – nothing further.

Trustee LaGrou – nothing further.

18. CLERK/TREASURER:

Clerk Merrick notified the Board that she has received a copy of the liquor license application for the Livingston Lanes & Pub LLC (from Mart Inn Inc.) and for Livingston Lanes (Robert Recotta). It was thought that since the property is in the process of transferring ownership, the dual application was to avoid a lapse during the transition.

19. NEW BUSINESS:

Trustee Brennan presented a sign grant request to the Board from Laurie Martinez, Shear FX salon at 127 Main Street. The proprietor followed the guidelines and the Planning Board approved the sign on May 26, 2010. It is a single sided sign and the Planning Board recommended that the grant be awarded for half the sign cost not including delivery charges or tax. Therefore, Trustee Brennan moved approval of a sign grant award to Shear FX Salon for \$197.50 (half of \$395). Trustee LaGrou seconded the motion and the vote was as follows: Trustee Brennan-Aye, Trustee Duff-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. The motion carried. Trustee Brennan added that consideration of the sign grant program guidelines is on hold until the County comes forward with their recommendations in conjunction with the economic development program.

20. MEETING CLOSE:

With no further business to discuss, Trustee LaGrou moved and Trustee Duff seconded the motion to adjourn. The vote was as follows: Trustee Brennan-Aye, Trustee Duff-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. The motion passed and the meeting adjourned at 7:42 PM.

Marsha B. Merrick, Village Clerk