

PRESENT:

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

Marsha B. Merrick, Village Clerk/Treasurer

PUBLIC PRESENT:

Howard Appell

1. MEETING OPENED:

Mayor Hatheway opened the meeting at 3:00PM. The minutes of the December 6, 2010 regular meeting were reviewed. Deputy Mayor Fox moved to approve the minutes as presented with second from Trustee Brennan. The vote was as follows: Deputy Mayor Fox-Aye, Trustee Brennan-Aye, Mayor Hatheway-Aye, and Trustee LaGrou-Abstain.

2. FAÇADE GUIDELINES:

Trustee Brennan stated that the guidelines are in their final form and were completed following the last public meeting. The goal is that when businesses in the village apply for façade grants, they must adhere to these guidelines. The only use for them at this time is for the grant program the County offers in the maximum amount of \$5,000 per recipient per year. The first meeting for distribution of applications is in January and the hope is that the program will be ongoing.

Trustee Brennan moved that the Board approve these facade guidelines so that they will be in place for the 2011 grant opportunity. Deputy Mayor Fox seconded the motion. The Board was encouraged to learn that several shops are already moving in the direction of façade improvements. The funding for the grants will be distributed fairly among the villages that are participating in the program. Mayor Hatheway and the Board commended Sandy and the committee for getting this accomplished in a very expeditious manner. Sandy stated that Julie Marshall and Louise Wadsworth moved right along for all the participating villages. The vote was as follows: Deputy Mayor Fox-Aye, Trustee Brennan-Aye, and Mayor Hatheway-Aye. The guidelines were approved.

The next step is to establish a committee to review the applications. The current committee could do that or another could be formed, Trustee Brennan stated. The current committee consists of Louise Wadsworth, Trustee Brennan, Liz Porter, Dawn Aprile, Ben Gajewski, David Woods, Tom Wilson and Donna Kelsey. The board consensus was to request the original committee to continue for one more meeting in order to review and score the applications.

Trustee Brennan suggested that the Board consider adopting these guidelines for the Village of Geneseo sign grant program in that they would provide the Planning Board with more concrete guidelines than do the current program wording. Mayor Hatheway suggested sending them to the Planning Board for their review first, and the Board members concurred.

Trustee LaGrou entered the meeting.

3. II (INFRASTRUCTURE IMPROVEMENTS) PROJECT:

- UPDATE: A meeting was held last week to review the almost-finalized plans. MRB's Pat Nicoletta, Jason Frazier and Steve McTarnaghan attended, as did Mayor Hatheway. The engineering has mostly been completed. The project will be ready to go to bid in mid-

January. The total project cost is approximately 30% for the general fund, 36% for water and 34% sewer with a total project cost of approximately \$2,500,000, to be partially offset by funds on hand. Details of the project were discussed. One additional project Steve McTarnaghan would like to include is to also replace the water line to the York meter pit. That aspect of the project will be put in the bid documents as an alternate.

- BOND RESOLUTION: the Board members considered a bond resolution prepared by Attorney Tim McGill in light of the fact that USRDA funding was no longer an option. Deputy Mayor Fox moved to adopt the following:

WHEREAS, the purpose hereinafter described consists of water, sewer and road capital improvements, authorized to be undertaken by the Village Board of Trustees pursuant to the Village Law;

WHEREAS, the Village, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on October 19, 2009, has duly issued a negative declaration with respect to the unlisted action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts; now therefor, be it

RESOLVED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF GENESEO, NEW YORK (hereinafter referred to as the "Village"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

1. the construction of water, sewer and road infrastructure capital improvements, to include upper University Drive, Wadsworth Street, Court Street and Main Street, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and Village use (hereinafter referred to as "purpose") is authorized, and general obligation serial bonds in an aggregate principal amount not to exceed \$2,050,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Village are authorized to be issued to finance said purpose; and

2. the estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be up to \$2,460,000 for said purpose and said amount is appropriated therefore and the plan for financing of said purpose is (i) \$803,000 from the general fund for road and storm sewer improvements, to be offset by \$8,000 from the Streets & Storm Drains Reserve Fund and \$50,000 from CHIPS funding; (ii) \$888,600 from the water fund for water improvements, to be offset by \$250,000 set aside in a water line reserve; (iii) \$768,400 for sewer improvements, to be offset by \$22,000 from the Sewer Capital Reserve Fund and \$80,000 set aside for line work for such sewer system improvements; and (iv) to provide up to \$2,050,000 for such costs by the issuance of serial bonds and bond anticipation notes as authorized; and

3. (a) said purpose is one of the class of objects or purposes described in Subdivision 1, 4, 20 and 91 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is restricted to fifteen (15) years, (b) the proposed maximum maturity of said bonds authorized by the resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) in part, the notes authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds; and

4. the bonds and notes authorized by the resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general

obligations of the Village and all the taxable real property in the Village is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount; and

5. the Village reasonably expects to reimburse the general fund, or such other fund as may be utilized, from the proceeds of the obligations authorized for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations, and such is a declaration of official intent under Treasury Regulation §1.150-2; and

6. the power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for and determinations with respect to, credit and liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of the resolution and the provisions of the Local Finance Law, is delegated to the Village Treasurer, the Village's chief fiscal officer, the Village Treasurer and the Village Clerk are authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to the resolution, and are authorized to affix to such bonds and bond anticipation notes the corporate seal of the Village of Geneseo; and

7. the faith and credit of the Village of Geneseo, New York, are irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable, an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year; and

8. after compliance with the next paragraph hereof, the resolution shall be published in full by the Village Clerk of the Village of Geneseo together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Village, in the manner prescribed by law, and the validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of the resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution; and

9. such bond resolution is subject to a permissive referendum of the qualified electors of the Village of Geneseo, pursuant to Section 36.00 of the Local Finance Law and petitions protesting and requesting that it be submitted to the electors of the Village of Geneseo for their approval or disapproval, may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such resolution. Trustee LaGrou seconded the motion and the vote was as follows: Deputy Mayor Fox-Aye, Trustee Brennan-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

#### 4. GENERAL FUND EQUIPMENT RESERVE:

Supt. Frazier has been researching the replacement of the 1991 street sweeper that has needed a lot of repairs recently. He would like to use available reserve funds for this purpose. Trustee Brennan moved to adopt a resolution authorizing the expenditure of up to \$130,000 for a street sweeper, using funds set aside in the General Fund Equipment Reserve. Deputy Mayor Fox seconded the motion and all were in favor.

5. YMCA PROPOSAL:

The Board members have had the chance to review the proposal that was distributed in early December; however, Trustee Duff asked that the Board postpone a decision because she would like to be a part of that discussion. The Board members present saw no problem with that; thus, it will be discussed at the first meeting in January.

6. PROPERTY TAX CAP RESOLUTION:

Mayor Hatheway stated that NYCOM has been promoting a resolution to ask that the State provide mandate relief if they are going to impose a property tax cap. Dick modified the resolution somewhat and presented it to the Board members for their review prior to the meeting. Trustee Brennan moved to adopt the resolution as follows:

WHEREAS the level of property taxation throughout New York has reached dangerously high levels; and

WHEREAS New York leads the nation in property taxes simply because we lead the nation in imposing inefficient state mandates on our local governments; and

WHEREAS two of the largest components of every municipal budget over which local officials have little control – pension payments and health insurance costs – are increasing at exorbitant rates; and

WHEREAS in the case of pension costs, bills from the State Retirement System will increase by an average of 40% in both 2011 and 2012; and

WHEREAS state laws pertaining to the collective bargaining of contracts between municipalities and employee unions, particularly those pertaining to police officers, do not allow local officials to reasonably control the costs such contracts impose on property taxpayers; and

WHEREAS as a solution to New York's property tax crisis, the Governor of New York and the New York State Legislature will, in 2011, consider enactment of legislation imposing a cap on the annual growth in property taxes; and

WHEREAS a property tax cap will work only if it is simultaneously accompanied by a repeal of current state mandates that require local governments to increase spending and property taxes; and

WHEREAS a property tax cap without repeal of costly state mandates will, by definition, lead to drastic cuts in essential local services and dramatic layoffs of municipal employees;

NOW, THEREFORE, BE IT RESOLVED by the Village of Geneseo Board of Trustees that the Governor of the State of New York and the members of the New York State Senate and New York State Assembly must reform the cost drivers that lead to high property taxes in New York – including pension benefits, health insurance costs and the collective bargaining process – as the central element of any effort to provide overdue property tax relief to the residents and businesses of New York.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Governor, Senate Majority and Minority Leaders, Assembly Speaker and Minority Leader, Senator Gallivan, Member of Assembly Burling, and the New York State Conference of Mayors. Trustee LaGrou seconded the motion and the vote was as follows: Deputy Mayor Fox-Aye, Trustee Brennan-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

7. WATER PLANT:

- **DOH INSPECTION REPORT:** The water plant inspection took place on October 21, 2010 and Mayor Hatheway highlighted the report of findings: *The survey of the water supply system ensured that there were no existing public health hazard violations at the time of inspection. The condition and operation of the water system are in good working order.* Recent improvements included the inspection of the raw water intake in 2010 and the suggestion that this inspection take place yearly. Requirements noted in the report include: the installation of

master meters at SUNY Geneseo, installing locks on the pressure reducing valve vaults on Court Street and Reservoir Road, and implementing a cross control plan to protect the water distribution system from possible contamination caused by back flow or siphoning. Several recommendations were also suggested in the report.

- GAC PROJECT: The project to exchange the filter media at the water treatment plant to granular activated carbon is on schedule and Mayor Hatheway has signed the notice to proceed. The project will begin soon after the holidays and take a couple of weeks to complete.

#### 8. EASEMENTS IN PROCESS:

- ESL: Mayor Hatheway, upon advice of Attorney Reynolds has signed easement documents for a sidewalk in front of the new ESL Bank on Ryan Drive as required by the Planning Board.
- COURT/MAIN: Easements have been drafted by Attorney Reynolds and delivered to three property owners in order to place a sanitary sewer manhole in the back of 4 Main Street. One of those property owners has signed and returned the paperwork thus far. When the other two are received, they will be given to the Board to be acted upon.
- WADSWORTH/MAIN: Attorney Reynolds will be working on an easement to provide sanitary sewer line improvements between Main and Wadsworth Streets.

#### 9. ESL OPENING:

The new bank will be dedicated on January 6<sup>th</sup> at 11AM. Mayor Hatheway and Supervisor Wadsworth have been asked to participate in the event.

#### 10. CHRISTMAS IN THE VILLAGE:

Well done!!! Mayor Hatheway commented that there was a high level of participation, with two tents on Center Street set up for various events, several merchants set up tables on the sidewalk, and the event seemed to be well attended.

#### 11. DEC POSSIBLE GRANT:

DEC is accepting applications (due by February 10<sup>th</sup>) for urban forestry grants in amounts up to \$15,000.

#### 12. MISCELLANEOUS CORRESPONDENCE:

It was noted that former Trustee Bob Wilcox and the folks interested in establishing a farmers market have been in conversation. Bob was enthused and hopeful that there might be some interest as he was interested in the concept when he was on the Village Board.

Rotary has expressed interest in a service project in conjunction with the Highland Park expansion project. Some possibilities are to provide picnic tables, exercise stations, etc. Also, Mayor Hatheway has recently met with the Board of Directors at Teresa House and it was noted by that Board how nice it is to have the park adjacent to their facility.

It was noted that the park project has been universally accepted and the Board members are thankful and excited about that.

#### 13. PUBLIC SAFETY:

Deputy Mayor Fox noted that there was an article in the local paper about an underage drinking incident on Court Street. Thankfully that incident was resolved.

Chief Chanler is continuing to look for alternatives for the diesel exhaust system that is needed at the firehouse.

Deputy Mayor Fox is reviewing the Med-Ex billing contract renewal for 2011.

Deputy Mayor Fox has heard nothing as yet from the Town of Groveland Supervisor with regard to the ambulance contract.

14. PUBLIC WORKS:

Trustee LaGrou has been in conversation with Supt. McTarnaghan and they are working on routine items. Supt. McTarnaghan is on vacation until January 1.

15. TRUSTEES:

Trustee Brennan: nothing further.

Deputy Mayor Fox: nothing further.

Trustee LaGrou: continues to review a draft workplace violence policy and noted that the deadline has been extended.

16. CLERK/TREASURER:

Clerk Merrick distributed the quarterly financials to the Board members covering the period through November 30, 2010. The Board reviewed the following budget transfers:

**GENERAL FUND**

From A4540.460 Ambulance Miscellaneous	to A1325.47 Clerk Misc. (for billing process admin)	\$6,000
From A1910.4 Insurance	to A1950.4 Taxes & Assessments	\$325
From A3320.1 Parking personal service	to A3510.1 Dog Control personal service	\$500
From A5410.1 Sidewalks personal service	to A5410.4 Sidewalks contractual	\$5,305
From A7140.4 Parks contractual	to A7140.22 Parks project	\$1,079
From A1450.4 Elections	to A1010.4 Board of Trustees contractual	\$2,200
“	to A1210.4 Mayor contractual	\$600
From A599 Fund Balance	to A3120.41 Police vehicle repairs & maintenance	\$2,500
“	to A3120.44 Police training	\$3,500
“	to A3120.48 Misc. supplies and contracts	\$5,200
From A4540.43 Ambulance utilities	to A3410.43 FD utilities	\$5,000
From A3410.43 FD Physicals	to A4540.49 Ambulance Health/Safety	\$600
From A8140.1 Storm sewer personal serv.	to A8560.4 Shade trees contractual	\$2,950
From A599 Fund Balance	to A5110.21 Street equipment*	\$47,059

\*paid for by reserve funds

Note: A5112.2 will be reimbursed by CHIPS funding on the revenue side

**WATER FUND**

From F1910.4 Insurance	to F1420.4 Law contractual	\$1,000
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**SEWER FUND**

From G1325.44 Clerk Seminars etc.	to G1325.46 Clerk Supplies	\$300
From G1910.4 Insurance	to G1420.4 Law contractual	\$4,000

Deputy Mayor Fox moved to approve the budget transfers as totaled and prepared by the Village Clerk with second from Trustee Brennan. All were in favor.

Following review by Deputy Mayor Fox, voucher numbers 580-669 (for general, water and sewer funds) were presented for approval. After discussion, Trustee Brennan moved and Trustee LaGrou seconded the motion to approve general fund vouchers in the amount of \$109,947.89. The vote was as follows: Deputy Mayor Fox-Aye, Trustee Brennan-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

After discussion Deputy Mayor Fox moved and Trustee Brennan seconded the motion to approve water fund vouchers in the amount of \$142,698.96. The vote was as follows: Deputy Mayor Fox-Aye, Trustee Brennan-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

After discussion, Trustee LaGrou moved and Trustee Brennan seconded the motion to approve sewer fund vouchers in the amount of \$15,902.50. The vote was as follows: Trustee Brennan-Aye, Deputy Mayor Fox-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye.

After discussion Trustee Brennan moved to approve Highland Park Project vouchers #036-045 in the amount of \$131,291.25. Deputy Mayor Fox seconded the motion and all were in favor.

After discussion, Deputy Mayor Fox moved to approve an Infrastructure Improvements Project voucher in the amount of \$35,100.00. Trustee Brennan seconded the motion and all were in favor.

17. MEETING CLOSE:

With no further business to discuss, Trustee Brennan moved and Deputy Mayor Fox seconded the motion to adjourn. The vote was as follows: Trustee Brennan-Aye, Deputy Mayor Fox-Aye, Trustee LaGrou-Aye, and Mayor Hatheway-Aye. The motion passed and the meeting adjourned at 4:37PM.

Marsha B. Merrick, Village Clerk