

VILLAGE OF GENESEO
BOARD OF TRUSTEES

August 22, 2011

PRESENT:

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

Debra Lund, Secretary Pro Tem

ABSENT:

Margaret E. Duff, Trustee

PUBLIC PRESENT:

Howard Appell, Livingston County News

1. MEETING OPENED:

Mayor Hatheway opened the meeting at 5:00 pm. The minutes of the July 25, 2011 regular meeting were reviewed. Deputy Mayor Fox moved to approve the minutes as presented. Trustee LaGrou seconded the motion. The vote was as follows: Deputy Mayor Fox- aye; Trustee LaGrou- aye; and Mayor Hatheway- aye. The motion carried.

Trustee Brennan entered the meeting at 5:04 p.m.

The minutes of the August 25, 2011 regular meeting were reviewed. Trustee Brennan moved to approve the minutes as amended. Trustee LaGrou seconded the motion. The vote was as follows: Trustee Brennan – aye; Deputy Mayor Fox – aye; Trustee LaGrou- aye; and Mayor Hatheway – aye. The motion carried.

2. II PROJECT UPDATE:

A resident of Wadsworth Street expressed a desire for better communication on the progress of the project. An updated sheet was hand distributed to residents noting the completed work on Wadsworth Street included curbing, most sidewalks, roadbed with “binder” layer, water service to residents, sanitary service to residents, storm sewer connections and “binder” on driveway aprons. Deputy Mayor Fox noted the sewer was almost finished on University Drive with backfilling to be completed within a few days. Work in progress includes topsoil and seeding on Wadsworth Street, sanitary sewer main on University Drive, water connections and restoration of boulevards on Court Street. Future work to be completed is storm sewer replacement on Court Street; milling, grinding, and repaving on Court Street; top –course on Wadsworth Street and University Drive, including aprons; and setting catch basins and manhole covers at final elevations. The Project is estimated to be completed by mid to late October.

A letter received from Kristin Smith, a resident of Wadsworth Street expressed her concern over the way the street now meets her driveway. She worries that it may create “pooling” of water, ice, and snow making it difficult to get out of her driveway in bad weather and creating a dangerous condition on the sidewalk. Deputy Mayor Fox spoke with Water/Wastewater Operator S. McTarnaghan and found her driveway is not unique. The issue is being addressed by MRB engineers.

3. BANNER REQUESTS & REGULATIONS:

Trustee Brennan said the changes to banner regulations are almost complete. She will get a draft copy to Deputy Clerk-Treasurer Mack.

4. ENERGY ISSUES:

Deputy Mayor Fox said it was his understanding Energy Enterprises Inc. would look at the Village’s past bills, making sure the prevailing rate is paid and they would receive a percentage of any savings they can demonstrate. The Energy Initiative is a parallel process which reviews both internal and external sources.

They offer two payment options: a percentage of the savings or a cost per hour rate. To get the audit information is free but Mayor Hatheway would be hesitant to sign the paperwork until billing is explained more fully. He noted a Nation Grid representative will contact S. McTarnaghan to discuss options for the Water Treatment Plant. The RG&E representative said if they do the work, it is guaranteed but the Village could experience some savings by doing the work. He noted an audit has already been done on the Geneseo Building. Trustee Brennan wondered if the Village is working at cross purposes and suggested looking at cost saving twenty-four months out. Mayor Hatheway said further information is coming in and would like to review it before proceeding.

5. ZONING LAW AMENDMENT:

Livingston County Planning received the proposed amendment to update the Village's Zoning Law to eliminate "two-family dwelling as a Specially Permitted Use in the R-1 and R-2 Residential Districts". County Planning recommended approval with the following advisory comments: the Village would ensure all necessary notifications are completed; and if not already done, a Long Environmental Assessment Form be completed and reviewed by the Village before final action is taken. The Village has already taken the initiative to do these two things. Trustee Brennan, liaison to the zoning revision subcommittee, said the original intent of the section of the Zoning Code was to allow for an owner occupied property to have an "in-law" apartment for elderly parents and was never intended to allow for more two-family dwellings. This change would bring the Zoning Code into line with the CMP guidelines to limit the spread of non-owner-occupied housing and to retain the residential character of the Village by discouraging rental housing in the R-1 and R-2 districts.

Trustee LaGrou asked if "in-law" apartments would be permitted under the revision. Trustee Brennan responded the revision could be so worded as to allow that. The Zoning Revision Committee felt it was important to allow families to keep older members in a home situation but to allow everyone some privacy. Mayor Hatheway commented the revision would keep any one-family home from becoming a two-family dwelling with the potential of becoming rental property. He noted the original code did not allow conversion of one-family dwellings into two-family dwellings and it was the Zoning Code Revision that changed that; in essence, the Village is reverting to the original law. Mayor Hatheway suggested a date for the public hearing be established and after some discussion, October 3, 2011 at 5:15p.m., in the Village Board Room. Trustee Brennan will have a draft ready for Board review at the September 12th Board meeting.

The 18 Wadsworth Street, Dotterweich property court hearing date has been postponed from September 15th until October 3rd.

6. CONGRESSMEN'S CONSTITUENT SERVICES:

Congresswoman Kathy Hochul held a constituents services meeting in the Court Room on August 15th. It was very well attended. She toured the new 911 Call Center as well.

Senator Patrick Gallivan will be holding an open forum at Micelli's Deli at 10a.m., August 23, 2011. Mayor Hatheway plans on attending and has several issues to discuss. Any who can attend are encouraged to do so.

7. GENESEE VALLEY RURAL PARTNERS LLC:

Stephanie Benson, COO & Partner representative (a Rochester based group) sent a letter advising the Board Two Plus Four Management is selling the Genesee Country Apartments to Home Leasing and Steuben Churchpeople Against Poverty (SCAP). Genesee Valley Rural Partners, LLC has been formed to own the properties and Home Leasing and SCAP are members. The group is purchasing nine properties within four counties and will do extensive rehabilitation of the properties. The group intends to meet with the Village to discuss the renovation plans in the near future. The projects will serve lower-income families and have a total of 103 one-bedroom, 172 two-bedroom, and 16 three-bedroom units between the nine properties. Scope includes the implementation of the 2011 Enterprise Green Communities Criteria. This is a projected ten million dollar acquisition with a ten million dollar construction budget.

8. BEAR FOUNTAIN PROJECT:

APOG representative, K. Cylke, sent a letter stating laser imaging of the fountain is complete; the three dimensional image would be of use for any future restoration work. An exact replica could be reproduced from the laser imaging. A digital file will be placed in the APOG archives in the Wadsworth Library's basement and in the Genesee Valley Collection at Milne Library, SUNY Geneseo.

9. VETERAN'S REQUEST FOR 9/11 REMEMBRANCE:

Livingston County Veterans would like to honor the tenth anniversary of 9/11 by requesting all Americans to "Stop & Remember". They would like all municipalities to have a Moment of Remembrance with sounding of sirens and ringing of bells for one minute at 1:00P.M. , September 11, 2011. Deputy Mayor Fox moved to adopt Senate Resolution #237 with the caveat Mayor Hatheway will co-sign it with Town Supervisor Wadsworth. Trustee Brennan seconded the motion and all were in favor. The motion carried.

RESOLUTION

Village and Town of Geneseo Joining the National Moment of Remembrance of the 10th Anniversary of September 11th

WHEREAS, the governing bodies of the Village and Town of Geneseo express their support of the United States' Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and

WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

NOW, THEREFORE BE IT RESOLVED that the governing bodies of the Town and Village of Geneseo

(1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and

(4) recognizes the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

BE IT FURTHER RESOLVED that on the 10th anniversary of this tragic day in United States history the governing body of the (insert the name of municipality) calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

***BE IT FURTHER RESOLVED** that the governing bodies of the Town and Village of Geneseo encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.*

10. MISCELLANOUS CORRESPONDENCE:

Patrick Rountree, Livingston County Economic Development Office, has invited Board members and the public to attend three workshops offered by the Finger Lakes Regional Economic Development Council. Governor Cuomo's plans to change Economic Development funding and decision making will be addressed. Mayor Hatheway expressed concern over the location of the workshops: Batavia, Brighton, and Geneva, and wondered if our area issues would be adequately represented. The workshops are designed to gather public input to aid in the creation of a five-year economic development plan.

Debbie Altrieth, manager of the Big Tree Inn would like Board approval to close Main Street for a parade to celebrate the Inn's 125th Anniversary as a hospitality destination. The open house event is scheduled for September 17th. The parade would include the Wadsworth Coach (on a flatbed) that was used to deliver passengers to the Inn in the past; it is currently housed at the Livingston County Museum on Center Street. The Inn will be selling commemorative plates to raise money for the Coach's restoration. It was suggested Ms. Altrieth meet with Police Chief Osganian prior to the event and an officer would need to be paid for working the parade. The Board was supportive of the endeavor.

Notes were received from J. McNally, S. Richardson and P. Muscarella commending the Village on the beautiful flowers displayed throughout the village.

Elizabeth Wende Breast Care, LLC (EWBC) has invited all to attend the ribbon cutting ceremony August 31st at 2:00 p.m. at the new Geneseo Office, 126 Court Street. The Geneseo office will provide an alternative location for those who cannot or prefer not to drive to the Brighton location. The only difference in care will be that mammogram and bone density results will not be available for one-to two days after the test and will be delivered by mail.

The September Village Association Dinner will be held at the Lima Country Club, Lima and the topic for the evening is the "Emerald Ash Bore". If interested in attending, please let M. Merrick know.

Livingston County Tourism has issued an invitation to the Board to a presentation on the new Finger Lakes Museum, to be held at the Livingston County Historical Museum, 30 Center Street, Geneseo, on September 8th, 3-5p.m. The museum is described as a "hub" for "all that is stellar about our vibrant Finger Lakes Vacation Region."

The SUNY Activities Commission sent a letter notifying the Board of the upcoming Annual Homecoming fireworks display scheduled for 10:00 p.m. on Saturday, September 24th, 2011 at the Letchworth Field. Details will be shared with the Geneseo Fire and Police Departments and the Livingston County Sheriff's Department.

11. FIRE DEPARTMENT:

Trustee Fox stated the Fire Department submitted Justin Curley for approval as a new member. Trustee Fox moved to accept Justin Curley as a member of the Geneseo Fire Department. Trustee Brennan seconded the motion. The vote was as follows: Mayor Hatheway - aye; Trustee Brennan - aye; Deputy Mayor Fox - aye; and Trustee LaGrou - aye. The motion carried. The Fire Department would like to replace the reserve ambulance in 2012.

Howard Appell exited the meeting at 5:55 p.m.

12. POLICE DEPARTMENT:

Trustee Brennan reported the car grant was executed on August 4th. The grant will pay half the amount of a new car, approximately \$12,500. Chief Osganian would like to get the process started and had quotes from Delacey Ford, Buffalo that was less than state bid price. The vehicle would cost the same \$23,500 as last year. They have a Crown Vic on their lot and the money could be taken out of the reserve car fund, the bill would not be due until September. Chief Osganian would delay replacing the other car for at least another six months and would like to delay another car purchase until the summer of 2013. Trustee Brennan moved to purchase the replacement for the police car that was a total loss, a Crown Vic, from Delacey Ford in the amount of \$23,500.00 with grant monies being used for half the cost. Trustee LaGrou seconded the motion. The vote was as follows: Mayor Hatheway - aye; Trustee Brennan - aye; Deputy Mayor Fox - aye; and Trustee LaGrou - aye. The motion carried.

Deputy Mayor Fox remarked the cost of the vehicle is only part of the price as it will need retrofitted with additional police equipment; it probably would add another \$5,000.00 to \$6,000.00 to the total cost. Trustee Brennan would like Chief Osganian to provide the cost of the retrofit for informational purposes.

Chief Osganian had the portable speed monitor on Lima Road last week for two and one-half days with a recorded 5,806 cars going eastbound and 63% going more than 30 mph. It was placed on Groveland Road for the same amount of time and recorded 2,606 cars going south bound, with 61% going more than 30 mph. Deputy Mayor Fox noted it was a good idea to know where problems might occur.

13. PUBLIC WORKS:

Trustee LaGrou reported the larger water service connection on Court Street had been made. A new bypass and regulator valve was installed in the Court Street regulator vault with all regulator valves being serviced by Ross Valve. Water meter replacement is ongoing and routine maintenance continues at water and sewer plants.

There were two water main breaks, one on North Street and one on Lower Court Street. It is anticipated the work on University Drive will be done by mid-to-late October. Catch basins will not be installed until the top course of asphalt is put down as they need to be able to drain the water from the street. The street is closed but people can get down it if necessary.

The sidewalk installation from the Cemetery to the hardware store on 20A is almost done. Main Street, Center Street and Valley View were micro-paved Thursday, August 18th. Lines and crosswalks will be done this week. Sidewalk replacement will continue with the area from the church on North Street up past the Second Street crosswalk. Street painting should be completed by the end of the week.

14. TOURISM COMMITTEE:

Trustee Brennan reported that A. Somerville has updated the tourism website and added a new section in July. The right hand column now lists organizations and volunteering under the community information categories section. A. Somerville has about fifty organizations so far and asks that anyone knowing of others, please notify her so she can add them. The site has had 6,240 hits on the photo tours section featuring Vintage Geneseo, Scenic Geneseo, SUNY Geneseo, and Geneseo Events. Photos may be added using Flickr or Facebook. There will be a press release about the new additions and A. Somerville appreciates all the support the Village has provided.

Mayor Hatheway said the tourism program for the Campus R.A.'s was well attended with a total of eighteen groups of six each. Main Street businesses were visited and the tour ended at the Village Park with food from local restaurants. The Tourism Committee intends to present their budget for next year to the Town at next week's meeting and will present it to the Village at the appropriate time.

15. PARKS:

Deputy Mayor Fox would like basic rules and regulations posted at the parks, Highland Park in particular. He would like to see a form at the Clerk's office listing who, what, where, when, and if insurance is

on file, if applicable. The applicant would provide proof of insurance when scheduling an event and reserving the facilities. The form should include a list of contact names and cell phone numbers of those who will actually be on site for the event for emergency purposes. A complete copy of rules and regulations would be handed out when the application form is completed and turned into the office. A “hold harmless” waiver should be filled out. He provided a list of items he would like to see included on the forms. Mayor Hatheway responded the form is in the works. It was suggested the form and the regulations might be posted on the website once they are finalized.

16: VOUCHERS:

Vouchers # 199-283 (for general, water and sewer) were presented for review. Voucher # 263: Simplex Grinnell LP, in the amount of \$1556.00 was questioned; it is the annual contract amount. After inspecting the system, Simplex Grinnell recommended the fire alarm panel box be replaced with two lines or a cable line going to it, the theory is there is not back up if the phone line is out.

Trustee Brennan moved and Trustee LaGrou seconded the motion to approve the General Fund Vouchers in the amount of \$66,098.39. All were in favor and the motion carried.

After discussion, Deputy Mayor Fox moved to approve and Trustee LaGrou seconded the motion to approve Water Vouchers in the amount of \$48,566.20. All were in favor and the motion carried.

After discussion, Trustee LaGrou moved to approve and Trustee Brennan seconded the motion to approve Sewer Vouchers in the amount of \$ 8,543.23. All were in favor and the motion carried.

After discussion, Trustee Brennan moved and Trustee LaGrou seconded the motion to approve HR-13 Highland Park Project voucher of \$25,047.41. All were in favor and the motion carried.

After discussion, Deputy Mayor Fox moved and Trustee LaGrou seconded the motion to approve HR-15 Infrastructure Improvements Project voucher of \$328,791.53. All were in favor and the motion carried.

After discussion, Trustee LaGrou moved and Trustee Brennan seconded the motion to approve Community Development voucher of \$152.65. All were in favor and the motion carried.

17. PERSONNEL ISSUES:

Trustee Brennan moved to enter into executive session to discuss personnel and contractual issues. Deputy Mayor Fox seconded the motion and the Board entered executive session at 6:28 p.m. Trustee LaGrou moved to come out of executive session at 6:40 p.m. Trustee Brennan seconded the motion and all were in favor.

Items discussed were contractual issues with the Town of Groveland, a personnel issue dealing with one employee, and terms and conditions of employment of management personnel.

Trustee Brennan moved to approve “Terms and Conditions of Employment” for Jason Frazier, Village Streets Superintendent, June 1, 2011 to May 31, 2014; Steven McTarnaghan, Senior Water/Waste Water Treatment Plant Operator, June 1, 2011 to May 31, 2014; Marsha Merrick, Village Clerk/Treasurer, June 1, 2011 to March 31, 2014; and Eric Osganian, Chief of Police, June 1, 2010 to May 31, 2014. Deputy Mayor Fox seconded the motion and all were in favor. The Mayor will sign the documents on behalf of the Village.

Trustee Brennan moved and Trustee LaGrou seconded the motion to close the meeting at 6:47 p.m. All were in favor and the meeting closed.

Debra Lund
Secretary Pro Tem