

VILLAGE OF GENESEO  
BOARD OF TRUSTEES

January 9, 2012

PRESENT:

Richard B. Hatheway, Mayor  
John Fox, Jr., Deputy Mayor  
Sandra F. Brennan, Trustee  
Margaret Duff, Trustee

Marsha B. Merrick, Clerk/Treasurer

PUBLIC PRESENT:

Becky McKeown (Genesee Sun)  
Cate Concannon      David Matthews

Howard Appell (Livingston Co. News)  
Carrie Hanley

1. MEETING OPENED:

Mayor Hatheway opened the meeting at 5:00PM. The minutes of the December 19, 2011 regular meeting were reviewed. Deputy Mayor Fox moved to approve the minutes as presented with second from Trustee Brennan. The vote was as follows: Trustee Brennan-Aye, Deputy Mayor Fox-Aye, and Mayor Hatheway-Aye.

The minutes of the December 19, 2011 public hearing were reviewed. Trustee Brennan moved to approve the minutes as presented with second from Trustee Duff. The vote was as follows: Trustee Brennan-Aye, Trustee Duff-Aye, Deputy Mayor Fox-Aye, and Mayor Hatheway-Aye.

2. FARMER'S MARKET REPORT:

Cate thought it would be prudent to update the Board on how the first season of the market went. It was a fifteen week season; with nineteen total vendors ranging from some that were there for two weeks to some that were there the entire season. A meeting was held in December with the vendors to see how they thought it went and they were especially thankful when the students returned for the fall semester. Sales ranged from \$150 per night per vendor to a high of \$2,000 for one sale day (the final day of the season) with the general range being \$150-\$200 per night per vendor. One vendor found that Genesee was his most profitable market. Sales ebbed and flowed, but generally were good.

This year the Farmer's Market Committee would like to extend the season well into October and start a little sooner in June, weather cooperating. There has been generous support from local businesses and from the *Friends of the Market* campaign. The market turned a profit this season and has funds to start the second season. They are going to change the market time for this year from 4-7PM to 3-6PM. They hope to again be available for folks coming home from work and stopping by the market as well as the students and other folks in the area. They are casting a wider net for committee volunteers and trying to engage the local businesses more. David Matthews added that they would like to add possibly two or three vendors to the committee. They would then be involved and work with advertising etc. and help to mediate concerns with pricing issues etc.

Another goal of the committee is to achieve more stability for the market by having the Village Board adopt the market and perhaps provide for a paid *market manager* position in the future. Trustee Brennan asked if other markets are under the governance of a municipality with a paid market manager. Discussion followed. A market manager would work perhaps five hours per week with a total fiscal outlay in the range of \$1,000.

All of the vendors have expressed an interest in returning and some vendors were turned away and perhaps others can be added. The vendors liked the location in Genesee and the committee liked the location but it does limit the growth of the market. Discussion followed with regard to the Center Street location.

New parking meter covers for this next season will be forthcoming from a local Girl Scout project. Dave Matthews wondered about the Main Street grant program specifically the streetscape portion of the grant and the possibility of signage for the market and hopefully additional electrical outlets available along the street. Trustee Brennan suggested the County program for the signage and the new light poles might lend themselves to the electrical availability.

Mayor Hatheway and the Board expressed gratitude to Cate and to the committee for a very positive report and a job well done!

### 3. PLANS FOR A TENT ON CENTER STREET:

Two residents approached the Board regarding an annual community event. They inquired about holding the event this year in the Main Street area near the fountain. They are asking permission to erect and decorate a free standing tent on Center Street around 9PM that evening. The event would last only a short period of time and the tent would be dismantled around midnight or 1AM.

Following discussion, the Board consensus was supportive of the event, and to approve the request. The next step would be to consult Chief Osganian and Chief Chanler to explore safety concerns and logistics of the street closure at night. Committee members will also check with Jason Frazier about the width of the street as far as the size of the tent. The residents thanked the Board for their consideration and will research the concept further, keeping the Board informed of their plans.

### 4. MAIN STREET GRANT PROCEDURES:

Mayor Hatheway reported that he and Clerk Merrick met with Julie Marshall, Deputy Economic Developer in the Livingston County Office of Economic Development, to discuss procedures for the Main Street Program. The first step is to retain a grant administrator. The Livingston County Development Corporation (LCDC) would be the logical choice, as that was called for in the grant application. This office has handled Main Street grants for other municipalities and is quite familiar with the process. Mayor Hatheway provided the Board members with a draft agreement for that professional consultant contract. The LCDC would oversee the process from start to finish, initially sending out advertisements for informational meetings, distributing the applications to the businesses, reviewing them and compiling all information once the applications have been submitted. The Village Board would be responsible for appointing a committee to review those applications and make recommendations on funding. Ultimately, the Village Board is the final authority for awarding the grants. According to the grant parameters, eleven residential and 10 commercial units will be eligible to receive grant funds which will be awarded on a 75% - 25% basis, with the property owner contributing the 25%. For example if a project is estimated to cost \$100,000, and grant funding of \$75,000 was awarded, the private share would be \$25,000. If the project exceeds the \$100,000 total cost, that overrun is the responsibility of the recipient, as the grant share would remain at \$75,000.

The total amount of the grant was \$410,000: streetscape improvements have been allocated \$45,000; \$30,500 is for administration costs; and \$334,500 is for building renovations (grant share). Funds will be dispersed on a reimbursement basis, only upon approval of the grant administrator. Discussion followed.

Mayor Hatheway asked the Board to consider approving the proposed contract for administration services. Trustee Brennan moved approval of the contract for professional services between the Village of Geneseo and the Livingston County Development Corporation to administer the Main Street Grant Program at a fee not to exceed \$30,500. Stipulated within the motion was that the contract includes the budget amounts as enumerated in the agreement between the Village of Geneseo and the NYS Housing Trust Fund Corporation. Deputy Mayor Fox seconded the motion and the vote was as follows: Trustee Brennan-Aye, Trustee Duff-Aye, Deputy Mayor Fox-Aye, and Mayor Hatheway-Aye.

## 5. TAX ABATEMENT LEGISLATION:

Attorney Reynolds has reviewed the draft provided by the County and made some revisions. The boiler plate called for the Village Board to appoint a *Commercial Mixed Use Incentive Board*; the Village Board had suggested that the Planning Board assume that role. Attorney Reynolds also questioned Section 4 of the draft that outlines criteria for mixed use properties. Mayor Hatheway noted that these items have already been taken into consideration with the Main Street grant application.

Following discussion and review of the draft, the Board agreed to set a public hearing for January 23, 2012 at 5:15PM for the amendment to the Village Code providing for a partial exemption from increased taxation by the Village for building improvements in certain qualifying commercial or residential real property pursuant to NYS Real Property Tax law Section 485-n.

## 6. TAX CAP WORKSHOP:

Mayor Hatheway attended a NYCOM workshop at Alfred University in December. The Comptroller's office has made available for the Village the ability to determine the maximum amount of tax that can be levied to balance the 2012-13 budget with the 2% cap in place.

If a municipality has a need to override the tax cap, there must be a local law passed and in place before the budget process is completed. We will start looking at the somewhat complicated process shortly, but there are resources to help us through that process, Mayor Hatheway concluded.

## 7. HIGHLAND PARK:

- Reemtsen request: In order to close out the project, an audit must be completed; Clerk Merrick has been in contact with grant administrator Bill Reemtsen (Stuart I. Brown Associates, a division of LaBella Associates) for a final bill for administrative services. During the email discussion of the expenses incurred by the firm, Mr. Reemtsen stated that they spent considerably more time on the project than they had originally anticipated. This was mostly due to the additional work involved with the property appraisals and the length of time it took to obtain form-compliant appraisals from Mr. Zarajczyk (Upstate Management & Appraisal Inc.). The original administrative agreement was for \$8,000. A revised agreement seeking to increase the amount by \$2,000 was sent in late December. Discussion followed. Trustee Brennan noted that the firm had expended considerably more effort on the project due primarily to the Board's decision to retain the appraiser, and thus moved to accept the request by Stuart I. Brown Associates Inc. to increase the contract by \$2,000. Trustee Duff seconded the motion and the vote was as follows: Trustee Brennan-Aye, Trustee Duff-Aye, Mayor Hatheway-Aye, and Deputy Mayor Fox-Nay.
- Fort DeBadt's history: Supt. Frazier, when asked about the wooden climbing structure at Highland Park, retrieved specifications and a contract for the construction of the 'fort' from the files. The structure was built in 1982. Included in the file is a note from the County Environmental Health Office in 2002 stating that the arsenic, copper and chromate contained within the pressure treated lumber were at that time below federal limits, and that sealing the wood was an acceptable solution. However, now, because of recent federal regulations in response to health concerns due to those chemicals used in pressure-treated wood in 1982, and because of liability concerns due to the exposed bolts and splintering wood, the Village Board reluctantly agreed to abide by the insurance risk-management-inspector's advice and schedule removal of the structure prior to spring activities.

8. GENESEO BUILDING:

A review of the exterior building conditions has been received from Clark Patterson (Jon Norris). The greatest expense would be for repairing and/or replacing the windows, sills and trim on all levels. There are sixty windows in the building. Mayor Hatheway will be meeting with Town Supervisor Wadsworth on Wednesday and will give him a copy of the report. Following up on the roof replacement project undertaken 3 years ago, most of this phase of the proposed restoration is to address conditions involved with preserving the shell of the building, such as the windows, replacing and repointing some of the bricks as well as replacing deteriorated wooden trim. The total construction cost estimate is approximately \$331,000.

9. YMCA CORRESPONDENCE:

Correspondence was distributed to the Board from Erik Fix. Deputy Mayor Fox stated that until there is a reconciliation of the current year, the Board shouldn't consider a contract for this coming season. The Board is still hoping to consider the options for the summer recreation program sooner rather than later.

10. WATERSHED MANAGEMENT LETTER:

The Conesus Watershed Management Council has addressed comments to DEC regarding the 2011 dSGEIS Regarding High Volume Hydraulic Fracturing ("HVHF") for Natural Gas. The letter does not support nor dispute the process, but rather voices concerns about possible contamination of the County's precious water resources.

In the unlikely event the Village received a request to drill a natural gas well within the Village boundaries, the Village does have some control over the byproducts-wastewater entering the wastewater treatment plant; through limiting what enters the treatment stream, the Village does have the authority to control the remote possibility of 'hydrofracking' in the Village. The process is a very hot topic these days, but the likelihood of drilling in central and northern Livingston County appears to be low, Mayor Hatheway concluded.

11. TOWN PUBLIC HEARING:

The Town ZBA will hold a public hearing on January 24, 2012 for a sign variance request at 4401 Genesee Valley Plaza (Applebee's).

12. ARC REQUEST:

A park permit application was received for the annual Ramon Rocha Walk/Run that will take place on October 6. Trustee Duff moved approval of the event with second from Deputy Mayor Fox. The vote was as follows: Trustee Brennan-Aye, Trustee Duff-Aye, Deputy Mayor Fox-Aye, and Mayor Hatheway-Aye.

13. MISCELLANEOUS CORRESPONDENCE:

Mayor Hatheway noted that there appears to be nothing in the Code specifying when the Village Parks are open and when they close. Trustee Brennan stated that a regulation could be considered along with other Code revisions that are being worked on. Attorney Reynolds will be consulted.

14. PUBLIC SAFETY:

Board members noted that there has not been much activity that requires police intervention during the past couple of weeks.

With regard to the Groveland Ambulance contract nothing has been forthcoming from Supervisor Merrick.

The Town fire contract has been forwarded to the Town Board along with the invoice.

#### 15. PUBLIC WORKS:

- Department of Health inspection: the Department of Health inspected the water treatment plant on November 21. The survey of the water supply system ensured that there were no existing public health hazard violations at the time of inspection and the condition and operation of the water system are in good working order. Improvements that have been made were noted in the report along with some recommendations and a few requirements that will have to be complied with. Overall, DOH concluded that the Village is in compliance with all state and federal regulations.
- Meeting with the Town: Supt. McTarnaghan and Mayor Hatheway met with Supervisor Wadsworth and Supt Levey, Supervisor Deming and York water system personnel, and MRB's Ryan Colvin. In spite of our conversion to granular activated charcoal as a filtering medium at the water treatment plant last year, there remains an issue with occasional high levels of THMs (residual chlorine levels) at the end of the line in the Town system. This is also an occasional problem in York's system. Contributing to the situation is the Village water tank, which, due to its design, does not permit a turnover of its contents leading to residual chlorine levels. One possible remedy is to coordinate flushing activities between the Towns of Geneseo and York with the Village. That was to have taken place a couple of weeks ago. There is good communication, cooperation and coordination between the entities, and they are working on a mutual solution to the problem.

Other items from Supt. McTarnaghan included the following:

- A new pump will be installed at the water plant waste tank.
- All backflow prevention devices were inspected except those on the SUNY campus. They will be tested and/or installed in the next week or so.
- The water/sewer crew members have been assisting with snow removal and a manhole installation on a sewer line between Main and Court Street.
- Steve has been working with a sales representative to design a meter for the old jail.
- Working on yearly reports for DEC and DOH.
- A frozen hydrant was repaired in front of the Doty Building and a water main was repaired on Northview Drive.

Items from Supt. Frazier included that he has been working with a BOCES welding student intern at the shop.

#### 16. TRUSTEES:

Trustee Brennan: Sandy met with Aprile to cull together all of the proposed changes in the Code. Soon they will be available to the Village Board for consideration along with the Planning Board, Attorney Reynolds and the County Planning Board.

Trustee Duff: nothing further

Deputy Mayor Fox: John plans to meet with Clerk Mack and Integrated Systems rep Dave O'Hare tomorrow. They will be discussing the file server and the backup system. Mr. O'Hare has a proposal to move the clerk's files to an offsite server hosted by Integrated Systems. The police and court files will still be in-house on a file server that will be relocated from the boardroom.

John also reported that he met with Dean O'Keefe last week who has a background in purchasing. At the Mayor's request, John has been looking at ways to improve and perhaps streamline purchasing procedures.

17. CLERK/TREASURER:

Clerk Merrick met with a representative from Budget Blinds after seeing an ad in the Genesee Valley Pennysaver. The two blinds covering the front six windows of the building are thirty plus years old and very hard to manage. Budget Blinds will install new blinds (six independent white faux wood blinds and a wooden valance over each set of three) at a total cost of \$560 installed. The Board was supportive. The January sale offered a 40% discount from regular prices.

Kathleen Houston has given her notice that she will be leaving the court office position at the end of the month.

18. MEETING CLOSE:

With no further business to discuss, Deputy Mayor Fox moved and Trustee Duff seconded the motion to adjourn. The vote was as follows: Deputy Mayor Fox-Aye, Trustee Brennan-Aye, Trustee Duff-Aye, and Mayor Hatheway-Aye. The motion passed and the meeting adjourned at 6:52PM.

Marsha B. Merrick, Village Clerk