

VILLAGE OF GENESEO
BOARD OF TRUSTEES

November 5, 2012

PRESENT:

Richard B. Hatheway, Mayor
Sandra F. Brennan, Deputy Mayor
Margaret Duff, Trustee
Benjamin Gajewski, Trustee
Bob Wilcox, Trustee

Marsha B. Merrick, Village Clerk/Treasurer

ALSO PRESENT:

Becky McKeown-Genesee Sun
Jay Phillips
Kathy Dear, Stuart I. Brown Associates
Howard Appell

1. MEETING OPENED:

Mayor Hatheway opened the meeting at 5:00PM. The minutes of the October 15, 2012 regular meeting were reviewed. Trustee Gajewski moved to approve the minutes as presented with second from Trustee Wilcox. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, Mayor Hatheway-Aye and Trustee Duff-Abstain. The motion carried.

2. JAY PHILLIPS – PAPA JAY’S BUSINESS DEVELOPMENT LOAN:

Mayor Hatheway started the discussion stating that there has been correspondence between Kathy Dear and Jay Phillips with copies to the Village, regarding the outstanding loan that Mr. Phillips has with the Village for his business, Papa Jay’s Restaurant. The restaurant was located at 4162 Reservoir Road, but has closed and the building is now for lease. Because the business is no longer in the Village, the agreement states that the loan is due and payable. To date Jay Phillips has borrowed \$17,829.28 of the \$50,250 loan that was approved. The agreement also states that Mr. Phillips will owe interest only for the first year, if the business were to stay in the Village.

Kathy Dear, administrator for the Village’s Business Development Loan Program stated that Mr. Phillips has asked for a three month delay in any action by the Board to give him time to get re-organized and to scout out places in the Village to restart his business. Jay stated that he left the Reservoir Road location as the rent was being raised from \$1,250 per month to \$1,500 by Shepard Properties, LLC. Jay also stated in his correspondence (dated 11-5-12) that he plans to:

- Enlist the help of a new business attorney to provide council (sic) and support
- Enlist the help of a new accountant to ensure proper accounting/tax reporting
- Enlist a new marketing team via SUNY Genesee – with the first meeting to occur November 5
- Establish a new catering kitchen from Mt. Morris for \$300 per month versus the current space at \$1500
- Obtain a new catering trailer with the layout in the works
- A new business plan is in the works and will be submitted to the Business school for review
- Discussions underway with a Main Street Genesee location for a re-emerging Papa Jays
- New QuickBooks System to streamline inventory and financials is underway
- New menu for catering is underway

Kathy Dear pointed out the three main issues at hand. The Village Board can reduce the loan amount from \$50,250 to the amount loaned so far, \$17,829.28. In addition to that, amend the wording in the agreement to have principal payments begin in December rather than expecting interest only payments for the remainder of the first year. With regard to removing the restriction that requires the business to be located in the Village, that cannot be accomplished as the program is for Village businesses only. Funding through the loan program can only be provided for business located within the Village limits and again, if the business is not in the Village, the loan can be cancelled and due and payable immediately. Also contained within the agreement is job creation. If the total amount of the loan was disbursed, \$50,250, Jay would be required to show proof of nine full or part-time positions. As the job requirement is tied to the loan amount, and since only \$17,829 has been disbursed, the job creation/retention number could be reduced to .5 full-time equivalent positions. Jay stated that nine positions had been created, but that they are not filled now as the restaurant has been closed.

Jay was hoping to delay any action on the loan in case he does find a place in the Village and is able to show some business stability. He agrees that the Village should not loan any more funds at this time, but perhaps they could adhere to the original loan agreement in terms of interest only payments for the remainder of the first year. Jay said that to begin paying principal is a hardship as well as if the Village called the loan. He would like to reorganize and establish a business that would be sustainable and profitable.

Discussion followed and the Board members agreed that a small amount of principal payment would show ownership and recognition of the amount due to the Village.

Jay again asked for consideration by the Board to remove the stipulation that the business remain in the village. Kathy Dear explained that that is not possible as it is a Village program. Jay would like to be in closer proximity to the College and is exploring a new location. He is also trying to reduce fixed costs such as rent and utilities. He knows that he has to have profitability and he has invested tens of thousands of dollars of his own money trying to grow the business.

Discussion of the lease with Shepard Properties took place and even though Mr. Phillips could not come up with a date that the lease expired, it was not expected that any of the rent would be refunded.

The discussion was summarized stating that Jay is really asking for 90 days to reorganize his business plan. The Board feels that 90 days can be given before more decisions are made but that Jay must begin making a token principal payment on the money that is currently owed. The suggestion was made of \$100 per month for the first three months. The expectation is that in 90 days Jay would return to tell the Board how his plans are progressing. Kathy Dear suggested monthly updates to her office.

Deputy Mayor Brennan moved to re-write the agreement in terms of asking Jay to pay \$100 per month (principal and interest) to begin December 1st for 90 days. Jay must provide monthly updates on the business plan to Kathy Dear and subsequently the Board and then the Board will review the situation in 90 days (at the second Board meeting in February). Trustee Wilcox seconded the motion. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye. Jay thanked the Board for their consideration.

3. STREETSCAPE PLANS:

The streetscape plans including the plan for new streetlights have been reviewed by the NYS Office of Parks, Recreation and Historic Preservation. The letter stated that the *proposed work consists of removing the cobra head style street lights and installing new modern light poles with a colonial style luminaire; new benches, bicycle racks and planters of unknown design all along Main Street within the Historic District. We noted that the street furniture cited above can be removed in the*

future leaving the essential form and integrity of the district unimpaired. Based upon this review, we believe that the project will have no Adverse Impact upon this historic district.

Trustee Gajewski showed the Board the new street signs with the historic district emblem. Ben will check with Julie Marshall to make sure the APOG street signs will be a covered expense under the Main Street grant program with no further approval needed from SHPO. Disposal of the old street signs was discussed. The Main Street signs will coincide with the streetlight project and the rest of the signs in the Village will be replaced later as fundraising warrants (APOG).

With regard to streetlights, the color of the bulb remains unresolved, but Deputy Mayor Brennan has proposed a meeting with RG&E to discuss the issue.

4. GENESEO BUILDING:

Jon Norris was in the building a couple of weeks ago to measure every window and to meet with the Mayor and Supervisor Wadsworth. Also, Mayor Hatheway met with a representative from an engineering firm who is offering to do a NYSERDA energy audit of the building. A proposal for that work will be forthcoming.

As a result of a recent fire alarm inspection performed semi-annually by Simplex-Grinnell, a recommendation was made to install smoke alarms in the attic at a cost of \$2,600. The alarms would be wired into the current system and any activation would go directly to the County 911 Center. The Board was supportive of that work being done in the attic of the building.

5. HIGHLAND PARK:

The dog park is ready to go per Deputy Mayor Brennan. However, wording of the sign hasn't been approved yet. Attorney Tom Reynolds gave some general suggestions and the rules are being reviewed from an insurance standpoint as well. As soon as that review is accomplished and the rules are in place, the gate will be opened.

The idea is still out there to have a grand opening to celebrate all of the park improvements, Mayor Hatheway noted.

6. COMPACT WITH COLLEGE:

President Dahl spoke about the Geneseo Community - College Compact at the Village/College breakfast last week; we are now trying to work out a time and date for a formal signing ceremony.

Discussion followed with regard to the fact that the College Compact wording is very similar in some places to the Healthy Campus Coalition wording according to Trustee Wilcox, a member of the healthy campus coalition. The initial intent of the Compact group was to initiate a conversation between the College and public safety departments; discussions then turned to local landlords, tenant issues and the role they play in terms of the quality of life in the Village. Wendi Kinney, Coordinator of Greek Affairs at the College, is (was) a member of both groups. Several of the action items specified in the Compact have already been put in place this fall, even though the Compact has not been officially approved by the parties as yet.

7. MISCELLANEOUS ITEMS:

The next meeting of the Association of Village Boards is scheduled for Wednesday, November 14th in Leicester.

Mayor Hatheway will be attending the Tourism luncheon on Thursday.

Plans for the Hammocks at Geneseo (a residential apartment community) in the vicinity of Veteran Drive in the Town were delivered on Friday afternoon with a cover letter asking for comments from the Village Board by November 9. Mayor Hatheway called MRB's Bill Davis to review it in terms of the impact the estimated 41,000 gallons of sewage per day will have on the Village's

wastewater treatment plant. Since the requested response is November 9th , and this is the first notification the Village has received, the date that BME suggested is not realistic.

Livingston County Development Corp: a letter was received from Julie Marshall, Deputy Director. They have re-tooled the County/villages program that the Village of Geneseo has been contributing \$3,750 per year. The program has been rebranded *The Downtown Revitalization Partnership*. The ever-popular sign and façade improvement grant portion of the program will continue for a 3rd year with public informational meetings beginning in January. Since the inception of the program in 2011, the Village of Geneseo has had three business and/or building owners participate in the grant program. The Village's investment has already leveraged \$10,750 in grant funding and over \$27,865 in private investment. The Board was supportive of extending the investment in local business for 2013.

A note was received from the Garden Club thanking the DPW crew for carrying the hand crafted item from the log cabin to the Armory. Mayor Hatheway referred to this assistance as the *rut-prevention program* in the Village Park, as Club members would otherwise have driven across the grass in order to load up their dried flower arrangements.

With that in mind, general acknowledgement was extended from the Board to the numerous outside groups that are responsible for many good things happening in the community. >From the summer concert series to the arts stroll to the farmer's market to the flags on Main Street, the programs at the Library and the County Museum and everything in between, the list of events and opportunities provided by volunteer groups continues to grow. These programs make the quality of life in the community vibrant and alive. The Board is deeply appreciative for all who participate in any way.

8. PUBLIC SAFETY:

Trustee Wilcox noted that the façade project at the firehouse is coming along nicely. The 1971 Mac pumper is receiving a new engine with a gasoline to diesel engine conversion. The truck will serve the department for many years to come with the completed engine overhaul. Twelve members of the department attended the State EMS conference last month. The annual turkey raffle will take place on November 17th and is always well attended.

Trustee Wilcox moved to accept resignations from the following members of the department: Marybeth Ryder, Kayleigh Wood and Orsolina DeMichiel. Trustee Gajewski seconded the motion and all were in favor. The following new members were approved upon motion by Trustee Wilcox and second by Trustee Duff: Karly Nocera, Glen Krugolets, Jessica Sgromo, Brittany Schwartz, Alexandra Morell, Kevin Lazzaro, Thomas Collins and Emily Bressner. All were in favor.

Deputy Mayor Brennan reported kudos to the Police Department for providing assistance with a child safety seat issue at her home this past weekend. The officer was at her home within five minutes and took care of the matter promptly. Along those same lines, the Department will be holding a safety seat check on Monday, November 19th from 4-8PM at the Geneseo Fire Department.

Chief Osganian has drafted a job description for the front office clerk and will be posting that position soon once the Board has approved.

9. PUBLIC WORKS:

Supt. Frazier provided the Board with the following report of activity:

1. Crews are continuing leaf collection, which will run until the end of the month.
2. A new storm line is being installed on Main Street from an existing catch basin and then running in a southerly direction toward the entrance of the gas station at the corner of Main and South Streets to eliminate the water draining onto Main Street. A letter has been written to the owner of the gas station, but the station is going through a change in ownership and cost sharing on the drainage project will have to be worked out.

3. The dog park is ready to open pending installation of the rules sign on the fence.
4. There was a water line break on Avon Road that crews repaired with no problems. A water line clamp was repaired on South Street that had been leaking. A curb stop on North Street was also repaired recently.
5. One plow truck is ready, along with one salt truck for the winter season to begin.
6. The Town of Geneseo will be hauling the Village salt supply this year that will be purchased at the local salt mine

Supt. McTarnaghan's report included information that the NY Rural Water Association will be performing leak detection services this Wednesday. The wastewater treatment plant fared well during the recent heavy rains, but was at capacity during the event. The Town of Geneseo and SUNY master meters are operational and Steve has been working with Will Wadsworth to install a meter at the Homestead. The new pumps are working fine at the water plant. There will be upcoming meetings with water billing clerk Mack and Town Clerk Jean Bennett to discuss the Town water billing with the new meters in place. Trustee Gajewski will be meeting with Steve at the water plant tomorrow to discuss the new computer and interface that will be taking place as the equipment is upgraded.

10. TRUSTEES:

Deputy Mayor Brennan: A group of residents in the Center Street area have researched ways to slow down the traffic on the street. They compiled a complete report that includes everything from speed limits, bumps, and chicanes (horizontal deflection used in traffic calming). Sandy plans to meet with the committee again to review the report.

Trustee Duff: Margaret attended the Main Street Goes Blue meeting on October 2 regarding the campaign to raise colon cancer awareness that will take place in March. A goal for 2013 is to have every town in the County participate in the campaign.

Trustee Gajewski: Ben reported on the autumn festival that was held in the business district on October 20th (also SUNY Parent's Weekend). It was very successful according to organizers Angel Berry and Spring Morrow. A survey of 22 businesses was conducted and responses indicate that merchants noticed a 100-200% increase in sales over last year during SUNY parent's weekend. The merchant's association looks forward to October 18, 2013.

The merchants are now planning a holiday event to include the annual Christmas sing. The date for the event is scheduled for Saturday, December 8th. They would like to close Main Street for the sing as has been done in the past. Discussion followed.

Trustee Wilcox: Bob has been working with the Healthy Campus Coalition which is trying to get more merchants involved. The Tourism Committee continues to work on their new brochure.

11. CLERK/TREASURER:

Clerk Merrick continues to work through the bookkeeping for the past few months and will furnish the Board with reports soon.

12. EXECUTIVE SESSION:

Deputy Mayor Brennan moved to enter into executive session to discuss contractual and personal financial items with a particular person. Trustee Wilcox seconded the motion and following a unanimous vote the session began at 6:51PM.

Deputy Mayor Brennan moved to come out of executive session at 6:59PM. Trustee Wilcox seconded the motion and all were in favor. No formal action was taken during the session.

13. MEETING CLOSE:

With no further business to discuss, Trustee Gajewski moved and Trustee Wilcox seconded the motion to adjourn. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye. The motion passed and the meeting adjourned at 7:00PM.

Marsha B. Merrick, Village Clerk