

VILLAGE OF GENESEO
BOARD OF TRUSTEES

January 7, 2013

PRESENT:

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

Marsha B. Merrick, Village Clerk/Treasurer

ALSO PRESENT:

Becky McKeown-Genesee Sun

Phil Jones

1. MEETING OPENED:

Mayor Hatheway opened the meeting at 5:00PM. The minutes of the December 17, 2012 regular meeting were reviewed. Deputy Mayor Brennan moved to approve the minutes as presented with second from Trustee Gajewski. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Gajewski-Aye, and Mayor Hatheway-Aye. The motion carried.

2. GENESEO BUILDING UPDATE:

In terms of the Genesee Building, Mayor Hatheway stated that the plans have been prepared and made available on December 27th; copies have also been delivered to the Town and Village offices. The project has been advertised in the Dodge Reports circulating in Rochester, Buffalo and the Southern Tier. There will be a pre-bid conference and a walk-thru of the building tomorrow at 9:30AM. Mayor Hatheway will be unable to attend but has asked Dean and Ron from the Code Office and Jason Frazier to attend. Deputy Mayor Brennan also plans to attend. Jon Norris has organized the conference and has done his usual exceptionally thorough job of putting the bid specifications together.

The bids are due on January 31st. After the bids are received and evaluated, the Village and Town will meet jointly to select a contractor, at the Board's meeting on February 11. Jon has included enough alternates so that hopefully the project can go forward no matter what. The plan is to start work at the beginning of April and be finished by August.

3. CODE AGREEMENT:

Several years ago, the Town and Village agreed to share the code office personnel and expenses. Each year a meeting is held with the Supervisor, Mayor, Clerk/Treasurer and Financial Secretary to the Supervisor to review the past year to see how those expenses should be allocated between the two municipalities. Currently the split is 40% Town and 60% Village. That process is due to take place again and the contract will be prepared based on those findings.

4. SUMMER RECREATION PROGRAM:

Mayor Hatheway stated that a meeting will need to be set up with the YMCA to see where the program stands for this summer. Jeff Rose has expressed an interest in continuing to work with the program, but if the Y does not perform the administrative functions, the question will be how to handle that aspect. We have not come up with an alternative to the Y other than bringing the entire program back in house. Dick will get in touch with Scott Taylor to begin the discussion.

5. MISCELLANEOUS ITEMS:

Luke Haumesser, Residence Director for Jones Hall at SUNY requested permission to hold a Crop Walk on Sunday, April 7, 2013. Participants would be walking on the sidewalks in the Village

and the event would also involve the Village Park from 11AM until 4PM. The Board was supportive contingent upon the organizer checking with Chief Osganian.

With regard to the parking meter bags during the holiday season, it took a long time to take the bags off and they actually were not removed until Wednesday, January 2, 2013. The intent was to have them removed on December 26, 2012.

There has been an issue with a sewer line on Heritage Drive. Apparently there are two depressions in the sewer line lateral that runs between the sewer main and the residence. Since the problem lies with the property owner and the developer of the subdivision, a letter is being prepared stating that the Village is not responsible for any repair that will be necessary to alleviate the situation.

Trustee Duff entered the meeting.

Clerk Mack notified the Board that the zoning booklets that have traditionally sold for \$15 are now costing \$23.20 each to produce. Following discussion, Trustee Gajewski moved to amend the fee schedule to list \$25 as the fee for a zoning booklet as a result of the increased cost of production. Trustee Duff seconded the motion and all were in favor.

Mayor Hatheway reported that there would be a Geneseo Landlord informational meeting on the 17th of January. The meeting will be hosted by the College and Village and held at the Interfaith Center.

An amended notification has been received from The Statesman Geneseo, LLC that they have applied for a liquor license for the 86 Court Street establishment.

6. WATER SYSTEM PROJECTS:

Mayor Hatheway distributed the bond resolution (prepared by Attorney Tim McGill) to the Board members via email prior to the meeting. The project consists of two pieces, Reservoir Road Water Storage Tank Improvements and Miscellaneous Improvements at Water Treatment Plant. The estimated total project cost amounts to \$ 400,000 and financing plans include using \$100,000 of cash on hand in the water fund allocated for “line projects”, \$50,000 would be allocated as a financing source for “force labor” – using our own crew members to perform some of the work, and a bond anticipation note in the amount of \$250,000 to finance the remainder. The resolution, prepared by Attorney Tim McGill in conversation with BPD Municipal Finance (Chuck Bastian) and MRB’s Bill Davis, authorizes the borrowing of that amount. A bond anticipation note or BAN is a one year short term borrowing. After the one year period has passed, the BAN can be renewed, paid down or satisfied entirely. Mayor Hatheway did note that the bond covering the water plant upgrade in 1995 will be paid off in January 2014 thus freeing up \$100,000 in the water fund operating budget. Following discussion, Deputy Mayor Brennan moved to adopt the following bond resolution:

BOND RESOLUTION DATED JANUARY 7, 2013 OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF GENESEO, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE VILLAGE, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the purpose hereinafter described consists of water system 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 December 17, 2012, has duly adopted 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 system improvements, to include Reservoir Road water tank improvements and improvements at the Water Treatment Plant, and the acquisition of original furnishings, 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 \$250,000 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 \$400,000 for said purpose and said amount is appropriated therefor and the plan for financing of said purpose is to provide (i) up to \$250,000 of such maximum cost by issuance of bonds or bond anticipation notes as authorized, (ii) up to \$100,000 from the existing water line reserve fund, and (iii) up to \$50,000 from other available budgetary appropriations; and

3. (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and the period of probable usefulness of said purpose is forty (40) 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) 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, subject to applicable statutory limitations, if any; 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 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 Gajewski seconded the motion to adopt the resolution and the vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, and Mayor Hatheway-Aye. The motion carried and the resolution will be published in the official newspaper. After thirty days, hearing no objection from the public, a notice of estoppel will be published and after a twenty day waiting period, the project may begin in earnest.

7. PUBLIC SAFETY:

Deputy Mayor Brennan shared information provided to her by Chief Chanler. The FD responded to 262 fire calls during 2012 and 1,660 ambulance calls. Chief Chanler indicated these statistics are in line with those of prior years. Twelve members of the department attended funerals for the West Webster firefighters who perished on December 24. The fire truck recently refurbished (1971 Mack) was the first one on scene of a recent automotive fire and the first one to put water on the fire. The annual banquet has been scheduled for February 16.

Trustee Brennan reported that Officer Ben Swanson is attending field training school so that he can train fellow officers according to Chief Osganian's monthly report. Newly appointed part-time officer Brandan Flickner is on the job and made his first arrest with GPD.

8. PUBLIC WORKS:

Trustee Duff reported that tree pickup and snow removal are the chores of the day for the crew.

Trustee Gajewski reports that Supt. McTarnaghan is completing year end reports and the crew has been helping out with snow removal, performing stakeouts and reading meters for the February billing. Later this month the DEC will be here to perform the annual inspection of the Wastewater Treatment Plant.

9. TRUSTEES:

Deputy Mayor Brennan: Clerk Mack has scheduled meetings with the three companies submitting proposals to upgrade the phone system in the Geneseo Building. Those meetings with Frontier Telephone, Integrated Systems and Rel Comm will take place on Monday, January 14th.

Trustee Duff: Margaret sent an email to Jeff Rose but has not heard anything back yet.

Trustee Gajewski: no further report.

10. CLERK/TREASURER:

Audit proposals: Two proposals were received and reviewed, one from Toski & Co., P.C. and one from Raymond F. Wager, CPA. The Toski proposal is for \$9,900-\$10,900 depending on the amount of time spent performing the audit. The Wager proposal is for \$6,950 with an additional charge of \$1,750 to audit the Village Court records. Both firms are experienced in municipal and not-for-profit organizations and list many references of that work. Clerk/Treasurer Merrick recommends hiring the Wager firm to perform the audit based on the proposal. Following discussion, Trustee Gajewski moved to accept the proposal from Raymond F. Wager, CPA. In the amount of \$6,950 for the Village records and an additional amount of \$1,750 to perform the audit of Village Court records. Deputy Mayor Brennan seconded the motion and the vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, and Mayor Hatheway-Aye.

Clerk/Treasurer Merrick distributed the August and September financial reports to the Board.

Discussion of the budget process that will begin in February took place.

11. MEETING CLOSE:

With no further business to discuss, Deputy Mayor Brennan moved and Trustee Gajewski seconded the motion to adjourn. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, and Mayor Hatheway-Aye. The motion passed and the meeting adjourned at 6:12PM.

Marsha B. Merrick, Village Clerk