

VILLAGE OF GENESEO
BOARD OF TRUSTEES

March 23, 2015

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
Eric Osganian, Police Chief
Dan Quinlan, Water/Wastewater Dept.
Steve Zabrocki, Asst. Fire Chief
Jason Frazier, Street Supt.

ALSO PRESENT:

Doris Marsh Matt Leader-Livingston County News Conrad Baker-Genesee Sun
Rachel Pena

1. MEETING OPENED:

Mayor Hatheway opened the meeting at 5:00PM. The minutes of the March 9, 2015 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 Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye.

2. SOCIAL HOST LEGISLATION DISCUSSION:

Trustee Wilcox introduced Rachel Pena. Rachel works with the County on various drug and alcohol issues and serves on the Healthy College Community Coalition, where Bob first learned about social host legislation. Bob distributed an explanation of the legislation and a sample resolution from Steuben County. Bob explained further that the purpose of this discussion is to hopefully garner support from the Board, after which legislation specific to the Village can be developed with the help of the Village Attorney. The County Sheriff's Department and the County Attorney support this legislation.

Rachel explained that the Healthy Communities that Care Coalition started in 2002, as did the Healthy Campus Community Coalition (the Village of Geneseo and College based coalition). The goal of both coalitions is to bring different sections of the community together in focus groups to figure out what the needs are. Issues are addressed as to why young folks are drawn to alcohol and drug use. The coalitions have been collecting data since 2003 and found that alcohol is the #1 substance of choice in this community. One way to combat that use is to reduce availability and basically increase consequences for the underage use. In an effort to reduce retail availability, compliance checks and fake id training takes place as well as responsible server training. Most youth are not walking into stores and bars and purchasing alcohol. They are getting it at home and from other people where the mentality is that kids are going to consume alcohol anyway, they are safer at home than anywhere else. Under New York State law, a parent is allowed to give *their own young adults (underage)* alcohol but not any other young adults or children.

Rachel went on to explain that under current laws if underage drinking occurs at a home, the underage person needs to state that so and so (named) provided the alcohol and this frequently does not happen. Under social host, the responsibility shifts to anyone 16 years of age or older who hosts the party. It is not a misdemeanor but rather a violation. Typical fines are \$250 for the first violation and then \$500 and then \$1000. The law covers alcohol and other substances including prescription drugs. In other areas it seems to be that

seventeen to twenty year olds are the ones that are usually charged with social host violations. Right now seventeen counties have implemented this in New York State with Steuben County the most recent one. Thirty or so villages have passed the law along with Ontario, Monroe, Seneca and Alleghany Counties. The Healthy Campus Community Coalition has made this a priority, promoting its passage at the local level as well as attempting to get it passed County-wide. Trustee Duff reported that in Steuben County there have not been any repeat offenders and that alcohol and drug awareness programs must be completed as part of the consequence.

Chief Osganian said that this law would be another tool for the Department to use. Perhaps the legislation can be tied to the nuisance ordinance and in that way the property owner would also be informed.

Following discussion and further review of the materials, Mayor Hatheway stated that there seemed to be consensus for this around the Board table. The next steps would be to have Attorney Reynolds assist with writing the law for the Village of Geneseo and schedule a public hearing for Local Law #1 of 2015. Deputy Mayor Brennan wondered about separating this from the other Code changes that will be reviewed shortly and the consensus was yes. The Board scheduled a Public Hearing for April 20 at 5:15PM. Rachel thanked the Board for their consideration and they thanked her for her participation in the Coalition and for bringing the idea of social host legislation to their attention along with Trustee Wilcox.

3. 2015-16 BUDGET PRESENTATION:

Budget Officer and Mayor Hatheway stated that the budget committee (Mayor Hatheway, Deputy Mayor Brennan, Clerk/Treasurer Merrick, Supts. Frazier and McTarnaghan and Police Chief Osganian) have met twice and drafted the budget that is presented tonight to the Board of Trustees. The proposed tax levy of \$1,633,000 is \$28 beneath the tax cap imposed by the Office of the State Comptroller. The proposed levy increase is 1.86% over last year's amount of \$1,603,060. The tax rate itself will actually go down from \$6.93 to \$6.91 per \$1,000 of assessed valuation in this proposed budget. (That is due to the recent re-valuation completed by the Assessor's Office.) The appropriated fund balance amounts to \$20,000. The total general fund budget is \$3,224,650. Of that amount, approximately \$1 million is allocated for wages in the General Fund, not including benefits. Mayor Hatheway stated that the levy increase basically supports negotiated wage increases, while fixed costs such as utilities, gasoline and insurance have to be taken into consideration as well. The department managers have done a fine job in projecting basically flat budget requests for fiscal year 2015-16.

Chief Osganian spoke about his budget remaining essentially flat. His staff was reduced in 2012 by one full-time officer and a part-time clerk/dispatcher. It is possible personnel costs could be reduced further pending future retirements in the force.

The Fire Department/Ambulance budgets remain flat with one shift to the installment purchase debt line for the new air packs if the bid is approved later in this meeting, Mayor Hatheway reported.

With regard to Public Works, Supt. Frazier reported that street maintenance costs continue to escalate as far as the cost of asphalt and sealing. Budget lines for sidewalk replacement and care and maintenance in the parks have been continued. Snow removal lines were bumped up due to the increasing cost of salt. Plans for equipment purchases include a dump truck, pickup, skid steer loader, a new equipment trailer and a lawnmower. CHIPS (Consolidated Highway Improvement Project-State funds) will be used for the Main Street Improvement Project. Street lighting lines were increased as well as street lighting amounts to over \$10,000 per month depending on the time of year. One cost savings measure undertaken this year was to drain the water from the concession stand at the Park and turn off the heat. That has saved approximately \$400 per month in utility costs.

Supt. McTarnaghan has drafted the water and sewer budgets amounting to \$1,282,830 and \$1,024,980 respectively. No appropriated fund balance was used in the water fund and \$34,000 was used in the sewer fund to balance the budget. Foreman Dan Quinlan explained that Supt. McTarnaghan is proposing maintaining the water rates the same as this year, but instituting a \$3 per meter per quarter fee to put money aside for meter replacement. The water meters have a 10-15 year life and are routinely replaced by the Village. When a new home is constructed, the homeowner pays for their first meter and then the meters are replaced by the Village after that. Last year \$13,000 was spent on replacement meters out of the operating budget.

Steve has projected a sewer rate increase of \$5 per unit per quarter. Rates have not been increased since 2010 and still remain the lowest in the area. Other than that, the sewer budget has remained flat; the Board was pleased that the digester cover project (amounting to \$144,366) was funded in total from operating funds. The next major project on the horizon is the Main Street Project and it is anticipated that the sewer portion of the project will be able to be funded without borrowing. That might not be the case for the water and general fund portions of the project; Mayor Hatheway, Clerk Merrick and Supt. Frazier are scheduled to meet with Chuck Bastian of BPD, Inc to review financing for that project later this week.

To summarize Deputy Mayor Brennan added, the staff worked hard to keep the budget as low as they could and they are to be commended. The public hearing for the budget is scheduled for April 6 and it must be adopted, according to Comptroller guidelines, by May 1.

The next challenge Mayor Hatheway stated, is the *Property Tax Freeze Legislation* requiring municipalities to show a 1% savings for each of the next three years. A plan must be in place by June 1, 2015 for all municipalities and school districts to show a 1% (of the tax levy amount) savings (in our case, \$16,000). For the first year, a municipality may look back as far as the 2012 to identify those savings. In our case, the reduction in Police staff (not filling a vacant full-time line and eliminating the part-time dispatcher) that was implemented in 2012 can be used for that purpose. The Governor is encouraging sharing services, and the shift from an in-house dispatcher to using the County 911 service meets that obligation. The County has offered its assistance to the municipalities in getting the tax freeze forms together.

The budget process is ever more challenging as restrictions are placed upon local municipalities. The Board thanked the department managers for their assistance with the process and for their fiscally sound practices throughout the year.

4. GENESEO FIRE DEPT. – AIR PACK PURCHASE:

Assistant Chief Zabrocki apologized for the lack of understanding on the bid request last meeting. The Department received one bid for the self-contained breathing apparatus, from Churchville Fire Equipment. The specifications were met and the bid price is \$186,000 with financing options for five and seven year periods. The units will be retrofitted with the emergency egress system to comply with NFPA 1983 Standard on Fire Service Life Safety Rope and System Components, 2012 Edition; Type: Escape.

Steve went on to explain that the current air packs have reached their 15-year shelf life, the new air packs as bid are state-of-the-art, and are used with any fire that has smoke, not just major fires, any incident where there is smoke. In addition they are used for natural gas or carbon monoxide calls as well.

The Board was concerned that only one bid was received. Steve replied that there is very little competition in the marketplace for this highly specialized equipment and Churchville Fire Equipment is a locally owned business in Churchville, NY. Mayor Hatheway quoted a NYCOM publication that was recently received entitled, *Purchasing Goods and Services: A Guide to Competitive Bidding and Procurement. Under the heading Awarding Contracts: There is no minimum number of bids that must be received by a municipality.*

In fact, a contract can be awarded to a single bidder, so long as the sole bidder is responsible and complied with the specifications. According to their online website, Churchville Fire Equipment, a local employee owned and operated company, has been in business since 1951. The Village, as have numerous municipalities in western NY, has done business with them for years, thus the firm certainly qualifies as being ‘responsible’. Based on the foregoing, Trustee Wilcox moved to accept the bid received from Churchville Fire Equipment for 24 MSA G1 SCBA with telemetry, 24 face pieces, 48 MSA G1 4500 psig, 30 minute cylinders equipped with quick connect, one G1 Accountability (telemetry) Base Station Kit, one G1 tag reader/writer and 26 RFID Accountability Tags. Also included are 24 optional SCBA mounted rescue belts and associated equipment. The price for the equipment plus training is \$186,000 and the purchase agreement will include a seven year financing plan with annual payments at an interest rate of 3.29%. Payments will be made from the Fire Department budget within the Village of Geneseo General Fund and monies have been set aside for this purpose. Deputy Mayor Brennan seconded the motion and the vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye.

The Board thanked Steve for presenting the information for them tonight and Steve thanked the Board for their consideration. The air packs will be ordered and delivery should be in 120 days. The rope assembly units will take longer, approximately 240 days.

5. MAIN STREET PROJECT UPDATE:

Mayor Hatheway reported that the advertisement to bid will be out on Wednesday. Incorporated within the bid specs are instructions about mitigating the tainted soil. *Main Street Rehabilitation work will also include the removal and disposal of existing fuel tanks, removal of approximately 1250 cubic yards of contaminated soil, and surface restoration at an area located within the Main Street right of way. Material removed will be screened by an Environmental Technician provided by the Engineer, and will be disposed of by the Contractor at a designated dump site located within the Village. Environmental mitigation work shall conform with the applicable regulations set forth in 6NYCRR Parts 612 & 613, OSHA 1910.120, NESDEC STARS Memo #1 and NYSDEC T.O.G.S. 1.1.1.* MRB has worked closely with LaBella (environmental engineering firm), which has experience with contaminated soil. Those costs will be in addition to the engineering for the project.

The bid opening is scheduled for Tuesday, April 21, and rather than waiting until the next Village Board meeting on May 4, Mayor Hatheway suggested holding a special meeting on April 27 at 5PM for the purpose of awarding the bid and beginning the work sooner. The Board concurred.

Easements for the project are finalized except for the County water line easement. RG&E has decided not to replace the underground electric feeds to the street lights in the area at this time, so coordination with the utility company is no longer necessary. MRB has not heard yet from NYS DOT giving permission to go across State Route 20A, but hopefully that will be forthcoming.

Mayor Hatheway spoke with Insurance Agent Chanler about the contaminated soil and the tank removal hoping that perhaps the Village’s insurance policy would help with such a discovery. Under the *New York Municipal Limited Pollution Endorsement*, the Village’s coverage would be “sudden and accidental” and applied for tanks the Village owns as highlighted in section (a) *At or from any premises, site or location which is or was at any time owned or occupied by, or rented or loaned to, any insured.* Therefore, it appears there would be no coverage.

6. PROPOSED MILLENNIUM DRIVE EXTENSION:

Mayor Hatheway reported that he attended a meeting last week with representatives from the County, Street Supt. Frazier, Water/Sewer Foreman Dan Quinlan and Planning Board Chair Woods. The County would build the road to Village specifications with the assistance of the Village. With regard to sidewalks David Woods said the Planning Board has insisted on sidewalks being built during all new construction; while having sidewalks on both sides is preferred, precedent has been set for one-side only it. Millennium Drive has been dedicated to the Village and it stands to reason that the extension will be as well. Improvements to the water circulation situation will be included during construction, as currently there is a dead end line to the County building that the Village crew flushes weekly. It was agreed the County would be the lead agency for SEQR and will assume responsibility for the work flow for the project.

7. SIDEWALK CAFÉ PROPOSAL:

Trustee Gajewski stated that Planning Board Chair Woods advised the Board at the last meeting that in order for the Planning Board to review the plans involving use of a public sidewalk, the Village Board would have to pass a resolution in keeping with Village Law Section 7-718.14a. Therefore, Trustee Gajewski moved to adopt a resolution to send the conceptual plans for the sidewalk café proposal on Bank Street to the Planning Board for comment and review pursuant to section of Village Law 7-718.14a. Trustee Duff seconded the motion and the vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye.

Trustee Gajewski met with David Woods, Mayor Hatheway and Attorney Reynolds to review a draft of a *Sidewalk Permit: Alcohol Sales and Consumption Requirements*. The permit states that *Businesses applying for a Sidewalk Permit to include the sale and consumption of alcohol as a "permitted public space" identified in section 33-3 of the Code must meet the following requirements and provide the necessary documentation for review at least 10 business days prior to desired use:* eight stipulations are then outlined in the permit. The Board reviewed the draft. A couple of examples were used in drafting the permit including one from Saratoga Springs and one from Wellsville. Some suggestions were made by the Board for wording on the permit.

Following review by the Board, Trustee Gajewski moved to adopt the Sidewalk Permit: Alcohol Sales and Consumption Requirements, and to add the form to the sidewalk permit form that is currently in use. Trustee Wilcox seconded the motion. Following further discussion, the vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye. Ben will send the sidewalk permit via email to the front office to begin using it.

With regard to the *Park Reservations: Alcohol Sales and Consumption Requirements*, a draft that was also crafted by Trustee Gajewski with assistance from Attorney Reynolds and David Woods, the Board asked for time to review the draft and discuss it at the next meeting.

8. GENESEO BUILDING UPDATE:

Architect Rick Hauser and assistant toured the Building and met with the Mayor, Clerk and Court. There was a good discussion about the work flow in the Village Clerk's office and other offices in the building. As part of the review process, Rick also met with the Town staff at their location.

9. WORK AT THE WATER TREATMENT PLANT:

With regard to the raw water well containment wall, Steve, engineers from MRB Group and four contractors met to review the project. They are waiting now for the contractors to submit a price estimate for

the work to be done. Hopefully the prices will be under the bidding threshold and the project can be wrapped up soon.

10. FINGER LAKES OPERA REQUEST:

Lisa Burns, on behalf of the Finger Lakes Opera, would like to display a banner across Main Street from July 27-August 10. Permission was granted.

11. MISCELLANEOUS COMMUNICATIONS:

- SUNY: Trustee Wilcox attended a breakfast in honor of incoming president Dr. Denise Battles and Mayor Hatheway went to a dinner that evening. It is gratifying to have the Village included in events involved with the search process and welcoming of the new president.
- Association of Village Boards: The next meeting will be hosted by the Village of Leicester on April 15th.
- GCS Environmental Science: The Geneseo Central Environmental Science class is studying plastics and recycling. They would like support from the Village Board to ask legislators to consider raising the redemption deposit from five cents to ten per bottle. They feel that if the monetary incentive was larger, perhaps more cans and bottles would be returned rather than thrown away. The Board was supportive and Mayor Hatheway will respond.
- Traffic Concern: A local resident of Ballston Spa and Saratoga County wrote to Mayor Hatheway about concerns with the intersection of Route 20A and Main Street. He suggests using solar traffic lights and black poles to improve the intersection.
- Homeland Security: There is an Interstate Mutual Aid Program (“IMAP”), a resource-sharing mechanism created for local governments to share resources during a declared local state of emergency. Every local government is a participant in the program unless they opt-out. There is a no downside to remaining a participant in the program.
- Merchants Association: Angel Berry has asked for the Merchants to be on the April 6 agenda to present their plans for the May Day Wine Stroll and the AutumnFest.
- War of 1812 Group: Ford Best, war reenactor, has requested use of the Village Park on May 3rd by ten reenactors. The general meeting and drill event will take place from 10AM until 4PM. It will involve use of the log cabin and firing the muskets as well as public demonstrations of camp life during the War of 1812. The Board was supportive.

12. PUBLIC SAFETY:

Police Chief Osganian’s report was distributed as usual. The Chief is working on accreditation for the Department. During a recent building evaluation, it was determined that there needed to be bars on the lower level windows to make the building more secure, as well as installation of a door to further secure the evidence room. Those renovations will be forthcoming.

Fire Department elections will take place on April 7, Trustee Wilcox reported.

13. PUBLIC WORKS:

Trustee Duff reported the following for Supt. Frazier:

1. We are going to do a sealed Bid for sale of the lawn tractor. We didn’t get a good result last time at the auction. I am asking the board to declare the 2007 John Deere X700 lawn tractor with 54” deck VIN

#MOX700A010773 to be considered surplus. Trustee Duff so moved with second from Deputy Mayor Brennan. All were in favor.

2. We ordered all the salt we could at the original price. We never had to go into the next phase of pricing (38% price increase). I'm predicting a high increase next year in salt prices.
3. Crews have thawed out 3 water services this winter. The frost has been pounded down to 5' in the roads this winter, thus freezing some service lines in the road areas.
4. Crew has been servicing our equipment for the upcoming maintenance season.
5. Crew repaired two water main leaks, one on Second St and one on Orchard St.
6. Crew has been out cold patching streets.

Trustee Gajewski reported for Foreman Quinlan that the crew has been thawing some service lines and working on a meter pit at Reservoir Road. RG&E cleared a leaking gas service at the Wastewater Treatment Plant. He attended the Millennium Drive extension discussion and met with contractors to discuss the raw water well containment wall project. The digester is continuing to work, but not at full capacity as yet. It is a very slow process to bring it fully back on line. The fire hydrant is not working near the Valley View Apartments but will be repaired soon.

14. TRUSTEE REPORTS:

Deputy Mayor Brennan: nothing further.

Trustee Duff: Margaret reported that the Long Point Park committee has compiled a wish-list of sorts from a survey conducted. Folks responded that they want the park for children and to be a quiet place to gather with walking trails, playground equipment and family centered activities. The emphasis is not on turning the area back into an amusement park with rides etc.

Trustee Gajewski: Ben reported that the Farmer's Market committee is accepting applications for the next season. Tomorrow he will be attending the walkability webinar for the next phase of the Genesee Transportation Council's Walkability Improvement Program. Ben has also been working with the United Way and their proposed exercise stations for Highland Park. It will cost approximately \$10,000 for three workout stations with multiple exercises per station. There is \$2,000 of funding available through the Livingston County Health Department's ACHIEVE grant. Two quotes for equipment have gone to the County to be considered for the grant funding.

Trustee Wilcox: Bob thanked the Board for their consideration of the Social Host Legislation and had nothing further to report.

15. CLERK/TREASURER'S REPORT:

Deputy Mayor Brennan moved to approve the following budget transfers:

GENERAL FUND

<u>From Account</u>	<u>To Account</u>	<u>Amount</u>
A1325.42 Clerk/Treas.Postage	A1325.2 Clerk/Treas. Equipmt.	\$80
“	A1325.43 Clerk/Treas.Comp.	\$55
“	A1325.45 Clerk/Treas.Payroll	\$200
“	A1325.47 Clerk/Treas.Misc.	\$25
“	A1325.48 Clerk/Treas. Copier	\$100
A3120.45 PD Phones	A3120.46 PD Uniform Cleaning	\$500
A3120.42 PD Gas & Oil	A3120.41 PD Repairs	\$500
A3120.47 PD Computer Supplies	A3120.23 PD Computers	\$1,775
A3120.24 PD MIsc. Eq.	A3120.20R PD Reserve	\$3,143
Coming from grant	A3120.48 PD Misc.	\$10,000
A1990.4 Contingent	“	\$4,860

“	A5142.4 Snow Contractual	\$4,400
A1920.4 Mun. Association Dues	A8020.4 Planning	\$100
A4540.22 Ambulance Eq. Reserve	A4540.21 Ambulance Equipmt.	\$4,333
A3410.41 FD Communicatns.	A4540.41 Amb. Communications	\$1,500
A3410.46 FD Misc.	A4540.46 Ambulance Misc.	\$150
A4540.43 Amb. Utilities	A4540.48 Ambulance Training	\$1,500
A1910.4 Unallocated Insurance	A1640.4 Central Garage	\$3,150

WATER FUND

From Account	To Account	Amount
F1460.4 Records Mgt.	F1910.4 Insurance	\$234
F8320.4 Source of Supply Contractual	F8330.21 Purification Equipment	\$3,500

SEWER FUND

From Account	To Account	Amount
G1990.4 Contingent	G1440.4 Engineering	\$2,180
G1460.4 Records Management	G8130.22 WWTP Projects	\$1,000
G8120.4 Sanitary Sewers Cont.	G8130.4 WWTP Contractual	\$3,000
G8120.1 Sewer Administration	G8130.1 WWTP Personal Services	\$10,000

Trustee Wilcox seconded the motion and all were in favor.

Following review by Mayor Hatheway, voucher numbers 789-872 (for general, water, and sewer funds) were presented for approval. Pending signatures from department managers on some vouchers, Deputy Mayor Brennan moved and Trustee Gajewski seconded the motion to approve general fund vouchers in the amount of \$81,406.01. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye.

After review, Trustee Duff moved and Deputy Mayor Brennan seconded the motion to approve water fund vouchers in the amount of \$22,902.67. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye.

After review, Deputy Mayor Brennan moved and Trustee Duff seconded the motion to approve sewer fund vouchers in the amount of \$10,448.21. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye.

Deputy Mayor Brennan moved to approve an HR18-Water Improvement Project voucher in the amount of \$375. Trustee Gajewski seconded the motion and all were in favor.

16. ADJOURN:

With no further business to discuss, Trustee Duff moved to adjourn the meeting with second from Deputy Mayor Brennan. The motion carried and the meeting adjourned at 7:43PM.

Marsha B. Merrick, Village Clerk