

VILLAGE OF GENESEO  
BOARD OF TRUSTEES

November 16, 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  
David Woods, Planning Board Chair  
David W. Parish, Town/Village Historian

ALSO PRESENT:

Tom Basher  
Chad Putnum  
Anita Bowersox

Rudi Muller  
Barbara Scoville  
James Willey

Don McLane  
Linda Cannon

1. MEETING OPENED:

Mayor Hatheway opened the meeting at 5PM. The minutes of the November 16, 2015 regular meeting were reviewed. Trustee Wilcox moved to approve the minutes as amended with second from Trustee Gajewski. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye.

2. DAVID PARISH-TOWN/VILLAGE HISTORIAN:

David came before the Board with his semi annual report. As November is deemed Local History Month, he reminded all present to make sure they stop and read the historical markers around the Village. One of David's objectives is to have a marker placed at Kelsey Field for its distinction of being designated a superior athletic field in 1880.

A SUNY Geneseo student has expressed an interest in inventorying the collection of 500+/- books in the Historian's office. David hopes he has not scared the intern away with the daunting task.

The most recent edition of the Bear Facts was distributed. The main subject of the fall/winter edition is the Temple Hill Geneseo Academy. For 50 years it was very important in Geneseo.

David gave an update of "I am Geneseo", his latest book. The subject information has been gathered, and in re-reading and re-reading the material, he has done some re-writing to make the book more interesting. The commentator is a descendent of the *Big Tree* in Geneseo, an acorn. From a single tree grows another big tree, from generation to generation.

Volume number one in the Geneseo ethnic series went over well, the Court Street book about the Italian immigrants. There is a limited amount of interest in volume two which would feature the Irish Americans in Geneseo. David may gather a committee and start on that when "I am Geneseo" is finished.

David closed by saying that whenever anyone hears a need for historical information, send them to David, there has been over 700 requests this year so far. Dick thanked David for information on the slate roof on the Geneseo building and the parking meter history that he recently found.

### 3. TOM BASHER – SEWER UNITS:

Mr. Basher came before the Board to discuss sewer unit charges for his property at 7 University Drive, 7 Nations Lodge. Currently there are 20 units assessed to the building that contains three floors with three kitchens and 22 living units, but only one person per unit. Clerk Mack provided the Board with a history of water consumption.

Mayor Hatheway explained that there are two methods that have been used to determine the number of sewer units charged to ‘commercial’ properties. According to the Code each dwelling unit or office space is to be charged one sewer unit. That occurs with the majority of apartment complexes, most of which have 4 occupants/dwelling unit. However, in an effort to be fair, in some apartment complexes and motels the number of sewer units assigned has been based on actual water consumption and evaluated annually. It seems appropriate that in the case of 7 University Drive, where there are 22 units but only one person per unit rather than four, perhaps the units should be assessed in terms of consumption rather than on dwelling units. Based on the history of consumption that Clerk Mack provided, that would amount to seven units going forward.

Mr. Basher inquired about receiving credit for the three quarters this year going back to the February, 2015 billing, stating that he has asked for this consideration twice before for the same property. The Board expressed reluctance about giving that credit, because Mr. Basher had not requested it at grievance hearings the last several years. Following discussion, Trustee Gajewski moved to change the sewer units to seven for account number G0830, In Between Realty, 7 University Drive effective with the February, 2016 billing. Deputy Mayor Brennan seconded the motion and all were in favor. Mr. Basher thanked the Board.

### 4. THORN APPLE RESIDENTS:

Members of the Thorn Apple Homeowner’s Association approached the Board to ask the status of their request to improve the lighting at the intersection of Thorn Apple and Lima Road.

Mayor Hatheway stated that he has asked the Street Supt. to look at the intersection as well as the Police Chief and the Fire Chief. The Street Supt. feels it is already pretty well lit. Barbara Scoville responded that thirty area residents signed a petition stating that they have a problem with it, and there is only one other intersection in the Village without a light. Discussion followed and the suggestion was made to have RG&E look at it to see how far the light actually shines. Perhaps MRB could be requested to use a light meter to measure the luminosity, and offer suggestions for improvement.

The Homeowners are concerned and would like a resolution soon as the weather is changing and making turning onto Thorn Apple that much more difficult. Trustee Gajewski stated that perhaps there can be more information gleaned by the next Village Board meeting on December 7. The residents were satisfied that the Board is looking further into the situation and will come to a determination soon.

### 5. MAIN STREET PROJECT:

Mayor Hatheway and MRB engineers Bill Davis and Dave Willard met with Nardozzi Construction to talk about project wrap up and the possibility of liquidated damages. Total added expenses due to having to extending the contract well past when it was originally supposed to be completed (August 31) is on the order of \$73,000. However, the Village agreed to some of that by signing a change order with the new completion date of September 28. The actual direct cost to the Village for added construction management and observation between September 28 and the November substantial completion amounts to approximately \$24,000. MRB pointed out here was a lot of work done by the Village that Nardozzi, according to the contract, was responsible for; however, Nardozzi countered with the observation that they, in turn, did a lot of extra work needed by the

Village to complete the project. In the end, Jim Nardozzi stated that he wanted the Village to feel whole at the end of the meeting.

If the milling/paving work originally in the contract were to be done instead by the Village based on the County bid by Spallina Materials, we could save on the order of \$70,000, and complete the stamped crosswalks as well. Mr. Nardozzi then agreed to relinquish that portion of the contract and thus not return in the spring to do the final paving. The Village still would like to recoup the extra money spent on engineering (\$24,000); MRB will pursue that avenue with the contractor. If we can reach agreement on that amount, the Village wouldn't press for the liquidated damages, and avoid extended negotiations as well as probable litigation. Currently with tonight's payment, there remains \$54,835 in retainage that the Village is holding (5%).

Change Order No. 3 contains eighteen cast iron hand holes installed in sidewalk and driveway areas for water service curb stops at an agreed upon price of \$6,300 and installation of approximately 162 square feet of colored patterned sidewalk at the agreed upon price of \$3,600 for a total change order of \$9,900. The sidewalk was installed on Bank Street. Deputy Mayor Brennan moved to accept the change order for \$9,900 for those two projects. Trustee Wilcox seconded. One more change order will be forthcoming to remove the final paving work from the contract. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye and Mayor Hatheway-Aye.

During the meeting, Mr. Nardozzi stated that the Village crew was outstanding and a pleasure to work with. Superintendents Frazier and McTarnaghan are to be commended for their excellent working knowledge of the project and for being present and available while the work was being done. Mayor Hatheway added that thanks should also go to Clerk/Treasurer Merrick for keeping all of the finances straight. Accounting for capital projects is a special task that adds to the work already necessary to keep the Village finances running smoothly.

#### 6. PARKING ENFORCEMENT:

Deputy Mayor Brennan commented on the parking information meeting with held last Monday. Overall the group appears to be satisfied with the stepped-up enforcement and they feel the presumed problem in the downtown area is being addressed. Sandy also met with Parking Attendant Easton today and stated that she has replaced all of the one and two hour stickers on the meters and even replaced some of the meter lenses and gaskets. New longer lasting batteries have been ordered to replace the existing batteries as well.

The Board discussed the meeting and the consensus was to leave the meters as they are, some one hour and some two hour. A new parking sign will be placed at the entrance off Main Street near the Funeral Home.

Parking ticket "bills" are sent out every six weeks or so by Complus, the parking ticket processing firm we use for unpaid tickets in the system. Some of the bills are for older tickets dating back to 2003 etc. The Board discussed the practicality of continuing to send these bills when the fines are obviously old and probably not collectible. Parking scofflaws are not issued unless there are three outstanding tickets. Even then, because registrations are renewed every two years, it is hard to collect on some of the old tickets. Following discussion the consensus was to ask Complus to purge tickets issued prior to 2010 and then perhaps do a "rolling purge" every year to drop the oldest year off. In 2016 tickets from 2011 would be purged.

#### 7. COURT SITUATION:

Assistant Court Clerk Kaitlyn Gerould left her position in September. Justice Bushnell wrote a letter to the Town expressing the staffing issue. He would like to see an assistant clerk given 30 hours per week plus court duties. This would be six additional hours per week than was previously budgeted for. Following discussion, the Village Board had no problem with the request to expand and fill the position. In addition to Court Clerk Dulmage and an assistant court clerk, Kathleen Houston works approximately ten hours per week for the Village court only.

#### 8. FAÇADE GRANTS:

Letters have been received from Livingston County Development informing that Mark Scoville has been granted \$5,000 for remodeling 93 Main Street and Mike Bishop has been awarded a \$5,000 grant for façade improvements to 5 Bank Street.

#### 9. MISCELLANEOUS CORRESPONDENCE:

A firm that offered to audit the Village's gross receipts tax from utilities, Computel, found out that Ambit Energy had underpaid. The result was a check from them in the amount of \$330.45. Fees for the audit amount to \$132.18 or 40% of the amount underpaid. Michael T. Caton, Partner in Computel Consultants has been most instrumental in similar audits for the Village and for helping out with the franchise agreement with Time Warner.

Mayor Hatheway, Chief Osganian, Chief of University Police Thomas Kilcullen and Assistant Dean of Students Wendi Kinney met regarding the Geneseo Town-Gown Relations Compact signed by Mayor Hatheway and President Dahl in April 2012. Some wording changes have been suggested, one of which would change the name of the document to *Geneseo Village-College* instead of Town-Gown. Discussion followed. There will be a revised draft of the document available shortly.

#### 10. PUBLIC SAFETY:

Deputy Mayor Brennan noted that everyone has received Chief Osganian's reports and emails. The department continues to be swamped with activity in the Village. Sandy is continuing to work in her position as Administrator for the worker's compensation claim currently in progress.

Trustee Gajewski reported that Chief Chanler continues to struggle with staffing issues on the Fire/EMS. They are making progress and have purchased uniforms for new members, but still would welcome more volunteers. The annual Turkey Raffle is this Saturday.

#### 11. PUBLIC WORKS:

Trustee Duff reported the following for Supt. Frazier:

1. Crew has been busy with leaf collection. Trustee Duff was impressed with all the students out this past weekend helping with leaf raking.
2. We changed out a fire hydrant in Valley View Apts.
3. Salt pile/building is filled and one truck is ready to go.
4. Bank St sidewalk additions have been done, new retaining wall has been installed, concrete step area poured (3 flat areas with 2 steps ea.), brick pavers reinstalled in the 4' sidewalk area between the wall and street. Top block of retaining wall is going to be replaced due to a "belly" in the cast of the sills. The owners of the business are paying for all of this work.
5. Christmas decorations are set and ready to go up this week and next. Lights to be turned on the Friday after Thanksgiving Day.
6. A new Parking sign and arrow is on order for the muni driveway next to Hicks Funeral Home. It will match the carved one near Center St.

Trustee Wilcox reported the following for the water/sewer department: In addition to working with the DPW crew on the items above, they have been replacing water meters, and waiting for the County to give them info on the Millennium Drive extension. They are now flushing hydrants in that area every Sunday. They have 95% of the pipe in stock and ready to go as soon as the County gives the okay to start installing the water line. It was noted that a water meter was replaced at the Conservancy office.

12. TRUSTEE REPORTS:

Deputy Mayor Brennan: nothing further.

Trustee Duff: Margaret mentioned a conversation she had with a solicitor that recently came to her door selling energy solutions.

Trustee Gajewski: no further report.

Trustee Wilcox: The Tourism continues to sell ads for the new brochure. They have lost members of the committee and are looking for some new members. The Healthy Campus Community Coalition is now on hold. However, a social host flyer is being distributed on campus.

13. CLERK/TREASURER’S REPORT:

Clerk Merrick distributed the October Treasurer’s report to the Board.

The following budget transfers were reviewed by the Board.

From	To	Amount
<b>GENERAL FUND</b>		
A4540.461 Amb. Admin. Fees	A1325.1 Clerk/Treas. Pers. Service	\$8,000
A3120.42 PD Gas & Oil	A3120.41 PD Vehicle repairs	\$1,301
A4540.45 Med Ex Billing Fees	A4540.452 ALS/EMS Payments	\$12,000
A8160.1 Refuse Personal Service	A8140.1 Storm Sewers Pers. Service	\$3,000
A8160.4 Refuse contractual	A8560.4 Shade Trees contractual	\$1,135
A9015.8 PD Retirement Contributions	A9010.8 All other employees-retiremt.	\$8,494
<b>WATER FUND</b>		
F8330.21 Purification equipment	F8330.22 Purification projects	\$60
<b>SEWER FUND</b>		
G1325.43 Clerk/Treas. Computer	G1325.48 Clerk/Treas. Copier fees	\$250
G8130.1 WWTP Pers. Service	G8120.1 Sanitary Sewers pers. Service	\$15,000
G8130.20R WWTP Projects reserve	G8130.21 WWTP equipment	\$32

Trustee Gajewski moved approval of the transfers with second from Deputy Mayor Brennan. All were in favor.

Following review by Trustee Duff, the Board reviewed abstract 006 of fiscal year 2015-16. Trustee Duff moved and Trustee Gajewski seconded the motion to approve payment for voucher #415 through #508 in the following amounts:

General Fund voucher #415-508	\$ 287,549.20
Water Fund voucher #417-#500	\$ 115,038.96
Sewer Fund voucher #418-#503	\$ 71,702.29
HR19-Main Street Project #032-#035*	<u>\$ 106,816.57</u>
Total	\$ 581,107.02

\*Vouchers were reviewed and approved for payment by MRB Group prior to submittal. The vote was as follows: Deputy Mayor Brennan-Aye, Trustee Duff-Aye, Trustee Gajewski-Aye, Trustee Wilcox-Aye, and Mayor Hatheway-Aye. It was noted that the Town of Geneseo voucher would be amended after the initial abstract was distributed to account for a reduced cost of the shared Code Office personnel line.

14. OLD/NEW BUSINESS:

Deputy Mayor Brennan mentioned that she had a meeting with Planning Board Chair David Woods and Clerk Mack to go over code topics. One topic they have been looking at is that the Planning Board some time back made a recommendation for a code change with regard to restaurants. Currently restaurants require a

*special use permit*. Typically *special use permits* are initially granted for one or a small number of years and they need to be renewed or re-issued. Restaurant owners are not happy about coming back in. The Planning Board is recommending that restaurants that don't serve alcohol be granted a *use permit*, not a *special use permit*. The *use permit* would not need to be renewed. A public hearing must be held for a *special use permit* renewal and that hearing cannot be waived. Because of that, there is a need for an advertisement and notice to owners within a certain proximity to the establishment. Those are costs that the applicant has to bear.

The remedy would be simple in that only the Bulk and Use tables in the back of the Code would need to be amended, David continued. Deputy Mayor Brennan wondered how the board members would feel about that change. Discussion followed and the consensus was that it would be a good thing to change.

15. ADJOURN:

With no further business to discuss, Trustee Gajewski moved to adjourn the meeting with second from Deputy Mayor Brennan. The motion carried and the meeting adjourned at 7:21PM.

Marsha B. Merrick, Village Clerk