

**Minutes of the Geneseo Town Board Meeting
July 10, 2024**

Members Present:

Matthew Griffo, Deputy Town Supervisor
Ronald Maxwell, Town Councilmember
Robert Deming, Town Councilmember
Gary Mix, Town Councilmember
Ellen M Zapf, RMC Town Clerk

Others Present:

Larry Levey, Highway/Water Superintendent
Jared Radesi, Code Enforcement Officer
Dave Fitch, Attorney
Mary Underhill, LCPD

Excused:

William Wadsworth, Town Supervisor

Visitors:

David Parish, Lori Updyke, Shirley Doell, Rosalie and Angelo Guarino, Janet Mahoney, Albert Tubero, Jodi Nellis, Linda LeMoyne, and Eddie Lee.

Meeting Opening:

Deputy Supervisor Griffo called the meeting to order at 4:30 PM and led the group in the pledge to the flag. Deputy Supervisor Griffo requested a moment of silence to be held for service men and women serving around the world.

Deputy Supervisor Griffo asked if there any visitor comments and they are as follows:

Visitor Lori Updyke began to speak of a code complaint she has brought to Code Officer Radesi's attention about an issue she is having with a neighbor. Town Attorney Dave Fitch spoke up and said that according to New York State law all code issues should be discussed with the Code Department and that the Town Board meeting is not the appropriate venue for this discussion. He also stated that if she would like to make a complaint against the Code Officer or the Code Department that she should make a formal complaint with the Town Clerk.

Visitor Rosalie Guarino began to speak of a code complaint and was advised with the same directive as Visitor Updyke and that if she would like to make a formal complaint against the Code Officer or Code Department, she would do that at the Town Clerk's Office.

Deputy Supervisor Griffo welcomed Code Enforcement Officer Jared Radesi and gave him the privilege of the floor.

CEO Jared Radesi spoke with the Board regarding Gov Well, a software vender he met with for use in the code office. He is currently working with Williamson Law Book software, and it is very antiquated and difficult to work with. He presented the Board with a packet that describes what the software does and what would need to be done to get the software up and running. It also included pricing.

Long Point Road/West Lake Road – Stormwater Management System

Deputy Supervisor Griffo welcomed Mary Underhill from the Livingston County Planning Department to discuss the WQUIP Grant for which they are reapplying. Below are some of the information Mary provided:

- The state has lowered the points needed to be approved for the grant.
- There is support from the owner of the property that is needed in order to complete the work.
- Grant will pay for the materials and engineering.
- Town will be responsible for equipment and operation and staff hour costs - \$192,000 in kind maximum.
- The project will help with water quality, sediment, and erosion control.
- There will be an annual maintenance cost to the Town.
- The grant application is due by the end of the month.

The board agreed to move forward with the project and write a letter of support for the grant application. The board took the following action:

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Sign a letter of Support and to be the Applicant for the WQUIP Grant Application:

Deputy Supervisor Griffo moved, and Councilmember Deming seconded the motion to allow Supervisor Wadsworth to sign a letter of support for the WQUIP grant application and to be named the applicant for the grant. Motion carried with Wadsworth-absent, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Mary Underhill also gave a Watershed update:

- Working on a Watershed Plan Update.
- The current plan is 20 years old.
- We have some State funding and are moving aggressively to meet the deadline of 2025.
- Working with two consultants.
- There are major contributors that impact the lake like climate change, modern technology, and increases in harmful algae blooms.
- There are opportunities for the public to participate in upcoming meetings and offer feedback.

The Board thanked Mary for coming to the meeting.

Approval of Minutes:

Councilmember Mix moved, and Councilmember Maxwell seconded the motion to approve the June 12, 2024, meeting minutes as presented. Motion carried with Wadsworth-absent, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Approval of Abstract #6 of 2024:

Councilmember maxwell moved, and Councilmember Deming seconded the motion to approve Abstract #6 of 2024 and vouchers 336 through 393 as they stand.

FUND	AMOUNT
GENERAL A VOUCHERS	\$55,211.20
GENERAL B VOUCHERS	\$6,794.60
HIGHWAY DA VOUCHERS	\$16,060.73
HIGHWAY DB VOUCHERS	\$225,868.96
SW6 CAPITAL FUNDS	\$0.00
SPECIAL LIGHTING DISTRICT VOUCHER (SL)	\$0.00
SEWER DISTRICT #1 (SS1)	\$193.97
WATER OPERATING & MAINTENANCE VOUCHERS (SW0)	\$7104.97
SPECIAL ITEMS (H2)	\$0.00
FIRE CONTRACTS (SF)	\$0.00
ENGINEERING (SW1)	\$0.00
BOOHER HILL RD WATER DISTRICT (SW5)	\$0.00
TOTAL	\$311,234.43

Motion carried with Wadsworth-absent, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Councilmember Maxwell left the meeting at 5:35 PM.

Accept the Town Clerk’s Monthly Report – June 2024:

Councilmember Deming moved, and Council member Mix seconded the motion to accept the Town Clerk’s Monthly Report for June 2024.

<u>Supervisor for General Fund</u>	<u>\$ 4,393.50</u>
<u>Supervisor for Part Town Fund</u>	<u>\$ 4,014.80</u>
<u>Livingston County Treasurer for Dog Licenses</u>	<u>\$ 112.00</u>
<u>NYS Ag. & Markets for spay/neuter program</u>	<u>\$ 42.00</u>
<u>New York State Department of Health</u>	<u>\$ 157.50</u>
<u>TOTAL</u>	<u>\$ 8,719.80</u>

Motion carried with Wadsworth-absent, Deming-aye, Maxwell-absent, Mix-aye, and Griffo-aye. Nays: None.

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Agreement to Spend Highway Funds:

Councilmember Mix moved, and Councilmember Deming seconded the motion to accept the Agreement to Spend Highway funds presented to the Board by Highway/Water Superintendent Levey. Motion carried with Wadsworth-absent, Deming-aye, Maxwell-absent, Mix-aye, and Griffo-aye. Nays: None.

Surplus 2006 Volvo Trac Excavator:

Councilmember Deming moved, and Councilmember Mix seconded the motion to surplus the following Highway Equipment:

2006 Volvo Trac Excavator Model #EC140B 84 HP

Motion carried with Wadsworth-absent, Deming-aye, Maxwell-absent, Mix-aye, and Griffo-aye. Nays: None.

Genesee Valley Conservancy Oak Tree Half Marathon and 5K:

Deputy Supervisor Griffo stated that the Genesee Valley Conservancy will be holding a half marathon and 5k on Sunday September 1, 2024, in the Town and Village of Geneseo and is requesting that the Town restrict traffic on Nations, Roots Tavern, and Houston Roads to local traffic only for the safety of the runners. The Board took the following action:

Genesee Valley Conservancy Oak Tree Half Marathon and 5K:

Councilmember Mix moved, and Councilmember Deming seconded the motion to allow restricted traffic to local traffic only on Nations, Roots Tavern, and Houston Roads on Sunday September 1, 2024, for the Oak Tree Half Marathon and 5K. Motion carried with Wadsworth-absent, Deming-aye, Maxwell-absent, Mix-aye, and Griffo-aye. Nays: None.

Partial Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers:

Deputy Supervisor Griffo stated that if the Board would like to allow the Partial Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers a local law would need to be put in place. In order to pass the local law a legal notice would need to be published to notify the town residents that the Board is considering the local law. The Board took the following action:

Set Public Hearing for Partial Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers:

Councilmember Deming moved, and Councilmember Mix seconded the motion to Publish the following legal notice to set the public hearing for Local Law 1 of 2024.

NOTICE IS HEREBY GIVEN that on July 10, 2024, there has been presented to the Town Board of the Town of Geneseo New York, proposed Local Law No. 1 for 2024. A Local Law to add a new Article to Chapter 96 "Taxation" to the Code of the Town of Geneseo, Providing a Partial Exemption from Real Property Taxes to Certain Volunteer Firefighters and Volunteer Ambulance Workers.

The purpose of this Local Law is to add provisions to the Town of Geneseo Code to provide for real property tax exemptions to the extent of up to ten percent of the assessed value of such property for an enrolled member and spouse residing in the Town of Geneseo of an incorporated volunteer fire company, fire department, and incorporated voluntary ambulance.

THEREFORE, pursuant to statute the Town Board will hold a public hearing on said Local Law at 4:45 P.M. on August 14, 2024, at the Geneseo Town Hall, 4630 Millennium Drive, Livingston County New York, at which time and place all persons interested will be heard.

A copy of the proposed Local Law is on file for public review at the Town Clerk's Office of the Town of Geneseo during normal business hours or can be requested via email: townclerk@geneseony.org.

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July 10, 2024
By Order Of The Town Board
Ellen M Zapf, RMC
Town Clerk
Geneseo, New York

Motion carried with Wadsworth-absent, Deming-aye, Maxwell-absent, Mix-aye, and Griffio-aye.
Nays: None.

LOCAL LAW NO. 1 OF 2024

A LOCAL LAW TO UPDATE AND AMEND CHAPTER 96, ARTICLE VII, OF THE TOWN CODE OF THE TOWN OF GENESEO TO AUTHORIZE A PARTIAL TAX EXEMPTION FROM REAL PROPERTY TAXES TO CERTAIN ELIGIBLE VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS IN ACCORDANCE WITH NEW YORK STATE REAL PROPERTY TAX LAW SECTION 466-a

Be it enacted by the Town Board of the Town of Geneseo as follows:

ADD new Article VII, entitled “Partial Tax Exemptions for Volunteer Firefighters and Ambulance Workers.”

Section 1. ADD new §96-21 entitled “Purpose and Intent.” The intent of this Local Law is to adopt a real property tax exemption for certain qualifying volunteer firefighters and volunteer ambulance workers in the Town of Geneseo in accordance with New York State Real Property Tax Law §466-a.

Section 2. ADD new §96-22 entitled “Extent of Exemption.” Real property owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service residing in the Town of Geneseo shall be exempt from taxation to the extent of 10% of the assessed valuation for county purposes provided the owner(s) meet the qualifications set forth in Section 3 below.

Section 3. ADD new §96-23 entitled “Exemption Granted.”

A. To be eligible for the exemption authorized by Real Property Tax §466-a and implemented by this Local Law, the real property must be owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service residing in the Town of Geneseo subject to the following additional requirements:

(a) the enrolled member resides in the town which is served by such incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; (b) the property is the primary residence of the enrolled member; (c) the property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the enrolled member’s residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and (d) the enrolled member has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service for at least two (2) years.

B. Any enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service residing in the Town of Geneseo who accrues more than twenty (20) years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, who also meets all the requirements set forth in Section 3, shall be granted the 10% exemption as described above for the remainder of his or her life as long as his or her primary resident is located within the Town of Geneseo.

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C. An un-remarried spouse of volunteer firefighter or volunteer ambulance worker killed in the line of duty shall be eligible to receive the 10% exemption as described above provided that: (a) such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member; and (b) such deceased volunteer had been an enrolled member for at least five (5) years; and (c) such deceased volunteer had been receiving the exemption prior to his or her death.

D. An un-remarried spouse of a deceased volunteer firefighter or volunteer ambulance worker shall be eligible to receive the 10% exemption as described above provided that: (a) such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member; and (b) such deceased volunteer had been an enrolled member for at least twenty (20) years, and (c) such deceased volunteer and un-remarried spouse had been receiving the exemption prior to the death of such volunteer.

Section 4. ADD new §96-24 entitled “Severability.” If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. ADD new §96-25 entitled “Effective Date.” This local law shall take effect immediately upon filing with the Secretary of State.

Councilmember Maxwell returned to the meeting at 5:45 PM.

Councilmember Mix stated that the Kiwanis Club has purchased sixteen new panels for the grill at Long Point Park. Each panel cost \$100.00 for a total expenditure of \$1,600.00. They are asking the Town to help with the costs as it is located at Long Point Park.

There was discussion regarding items that are donated to the Town and if the Town is responsible for the upkeep of these items. It was decided that since the Kiwanis Club purchased the grill so they could use it for their fundraising purposes the Town is not required to help pay for the upkeep. Councilmember Mix will draft a reply and get feedback from Board Members before sending it out.

There was further discussion regarding the Town donation policy and that it needs to be updated with more precise wording.

Visitor Linda LeMoyne spoke to the Board about the purchase of a new town office building and the renovations that will need to be done. She is concerned about the cost and the bonding of the project and how this will affect taxpayers. She had asked questions at a previous meeting, one being how much interest will be charged and has not received an answer.

There was discussion regarding the cost of the project, what the interest rate will be, and has the cost of utilities for the new building been looked at.

Visitor LeMoyne is concerned that the public has no knowledge that the Town is planning on borrowing money to renovate the new office and how much it will cost. She suggested that the Town create a Facebook page or call the local paper to let them know of the project.

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Councilmember Mix stated that the Town is activating due diligence. The Town has discussed different options for relocating. We found a building at a reasonable price and did receive feedback. There has been discussion regarding the cost of utilities versus paying rent to the County for the current office space which includes utilities.

Deputy Supervisor Griffo offered to have Linda come in and see the plans for the new building. He stated that we have not purchased the building yet and we will not until we have all the figures.

Update - Pedestrian and Traffic Safety Board:

Councilmember Mix gave the following update:

- The next meeting will be on July 16, 2024.
- They have not heard back from the DOT regarding the traffic study in front of the school.
- A report was just put out by the NYS Comptroller that traffic fatalities are increasing.

Update - Website:

Councilmember Deming stated that the new website is up and running.

Informational Items:

- Code Office Report

Adjournment:

Deputy Supervisor Griffo moved, and Councilmember Mix seconded the motion to adjourn the meeting at 6:20 PM. Motion carried with Wadsworth-absent, Deming-aye, Griffo-aye Maxwell-aye, and Mix-aye. Nays: None.

Ellen M Zapf, RMC
Town Clerk