

**Minutes of the Geneseo Town Board Meeting
September 25, 2024**

Members Present:

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

Others Present:

Erica Elliott, Attorney

Visitors:

Gretchen Crane, Cathy Janson, and Chris Lynch from Temple Hill Cemetery

Meeting Opening:

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

Approval of Minutes:

Councilmember Deming moved, and Councilmember Mix seconded the motion to approve the September 11, 2024, meeting minutes as presented. Motion carried with Wadsworth- aye, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Supervisor Wadsworth welcomed Gretchen Crane, Cathy Janson, and Chris Lynch of the Temple Hill Cemetery Board, and gave them the privilege of the Floor:

Gretchen Crane, Cathy Janson, and Chris Lynch representing Temple Hill Cemetery asked the Board for financial assistance for the cemetery for 2025.

There was discussion about mowing and upkeep of the cemetery, payroll, insurance, utilities, and machinery repairs, and how much costs have increased. Their fund drive has not met their goal of \$18,000. The spirit walk that took place and was well attended but it is donation-based. They ended last year in the red and are asking for \$25,000 to help with the expenses for next year.

Supervisor Wadsworth thanked them for coming and all they did for the cemetery. The Board will review the 2025 budget and try to meet their request.

Supervisor Wadsworth stated that Mary Roodenburg a member of the Board of Assessment Review, whose term ends on September 30, 2024, would like to continue serving. The Board took the following action:

Reappoint Mary Roodenburg to the Board of Assessment Review:

Deputy Supervisor Griffo moved, and Councilmember Mix seconded the motion to reappoint Mary Roodenburg to the Board of Assessment Review term to expire September 30, 2029. Motion carried with Wadsworth- aye, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Discussion – Appoint a New Town Historian:

Councilmember Mix stated that he and Village Trustees Marlene Hamann-Whitmore and Eddie Lee conducted interviews for the Historian position. Their recommendation to both the Town and Village Boards is Susan Conklin. Councilmember Mix is asking the Board for approval to appoint Susan as the Town Historian. The Board took the following action:

Appoint Susan Conklin as the Town Historian:

Councilmember Mix moved, and Councilmember Deming seconded the motion to appoint Susan Conklin as Town Historian term to expire December 31, 2026. Motion carried with Wadsworth- aye, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

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Discussion – Local Law #2 of 2024:

Supervisor Wadsworth stated that due to inaccurate wording in Section 2 of the recently passed Local Law #1 of 2024, the Board would need to pass a new law with the correct wording, and to do this a new public hearing would be required. The Board took the following action:

Set Public Hearing for Local Law #2 of 2024:

Deputy Supervisor Griffo moved, and Councilmember Maxwell seconded the motion to publish the following legal notice to set the public hearing in Local Law #2 of 2024.

Town of Geneseo
Notice of Proposed Local Law
Volunteer Firefighters and Volunteer Ambulance Workers Property Tax Exemption

NOTICE IS HEREBY GIVEN that on September 25, 2024, there has been presented to the Town Board of the Town of Geneseo New York, proposed Local Law No. 2 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.

THEREFORE, pursuant to statute the Town Board will hold a public hearing on said Local Law at 4:45 P.M. on October 9, 2024, at the Geneseo Town Hall, 4630 Millennium Drive, Livingston County New York. At that 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.

September 25, 2024
By Order Of The Town Board
Ellen M Zapf, RMC
Town Clerk
Geneseo, New York

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

LOCAL LAW NO. 2 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.

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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 Town 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.

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.

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Discussion – 2025 Budget:

Supervisor Wadsworth would like to set a public hearing to override the tax cap for the 2025 budget. He is not positive we would need to go over the tax cap but would like everything in order in case we need to go over the limit. The Board took the following action:

Set a Public Hearing for Local Law 3 of 2024 – Property Tax Levy in Excess of the Limit Established in General Municipal Law §3-c:

Councilmember Mix moved, and Councilmember Maxwell seconded the motion to set a public hearing by the Town Board of the Town of Geneseo for Local Law 3, 2024 entitled Property Tax Levy in Excess of the Limit Established in General Municipal Law §3-c to be held on the 9th day of October 2024, at 4:50 P.M., at the Geneseo Town Hall Building, 4630 Millennium Drive Geneseo, New York 14454.

**LOCAL LAW NO. 3 OF THE YEAR 2024
OF THE TOWN OF GENESEO**

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c.

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

Section 1. Legislative Intent

It is the intent of this local law to allow the Town of Geneseo to adopt a budget for the fiscal year commencing January 1, 2025, that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Geneseo, in the County of Livingston, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2025, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.
Motion carried with Wadsworth-aye, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye.
Nays: None.

Councilmember Mix would like a copy of the list of local laws kept in the Town Clerk’s Office.
Town Clerk Zapf will provide the List.

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Update - Pedestrian and Traffic Safety Board:

Councilmember Mix gave the following update:

- Received a letter of support from Patty Johnson of the Livingston County Traffic and Safety Board and should receive more letters of support.
- Sending a letter to Commissioner Dominquez of the DOT asking for more data backing up the response letter regarding speed limit reduction in front of the school.

There was a lengthy discussion regarding sidewalk districts and the process for creating a district.

Update - New Town Office Property:

Supervisor Wadsworth gave the following update:

- This needs to be a priority.
- Need the easement for the right of way from the Aprile's.
- Need the list of materials from the architect.
- Would like to borrow the money by the first of the year.
- Process the ARPA Fund allocation for the mechanicals.
- Need to send out a bid notice and an RFP.

Executive Session:

Deputy Supervisor Griffo moved, and Councilmember Maxwell seconded the motion to enter executive session at 5:27 PM to discuss collective bargaining negotiations. Motion carried with Wadsworth-aye, Deming-aye, Griffo-aye, Maxwell-aye, and Mix-aye. Nays: None.

Close Executive Session:

Councilmember Deming moved, and Councilmember Maxwell seconded the motion to close executive session at 6:00 PM with no action taken. Motion carried with Wadsworth-aye, Deming-aye, Griffo-aye, Maxwell-aye, and Mix-aye. Nays: None.

Supervisor Wadsworth would like to hold a budget workshop meeting on Wednesday, October 2, 2024. The board took the following action:

Set Date for Budget Workshop:

Councilmember Deming moved, and Councilmember Mix seconded the motion to set a budget workshop for Wednesday, October 3, 2024, at 10:00 AM in the Geneseo Town Hall Conference Room, 4630 Millennium Drive, Geneseo, NY. Motion carried with Wadsworth-aye, Deming-aye, Griffo-aye, Maxwell-aye, and Mix-aye. Nays: None.

Discussion – Transfer Station:

Supervisor Wadsworth stated that the Transfer Station is over budget for this year and the main reason is the significant increase in the cost to remove recycling. This is a break-even service, and the town has had to subsidize the service over the last two years.

There was discussion on ways to increase revenues to cover the increased cost of the service. One suggestion was to use punches for recycling. The Board will review it further.

Informational Items:

Letter – Genesee Valley Conservancy

Adjournment:

Councilmember Deming moved, and Councilmember Maxwell seconded the motion to adjourn the meeting at 6:07 PM. Motion carried with Wadsworth-aye, Deming-aye, Griffo-aye Maxwell-aye, and Mix-aye. Nays: None.

Ellen M. Zapf, RMC
Town Clerk