

**Minutes of the Geneseo Town Board Meeting
December 13, 2023**

Members Present:

William Wadsworth, Town Supervisor
Matthew Griffo, Deputy Town Supervisor
Ron Maxwell, Councilmember
Gary Mix, Councilmember
Robert Deming, Councilmember
Patricia Veley, Deputy Town Clerk

Also Present:

Larry Levey, Highway Superintendent

Visitors:

Eddie Lee, Mr. & Mrs. Angelo Guarino

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 to be held for service men and women serving around the world.

New Business:

Approval of Minutes:

Deputy Supervisor Griffo moved, and Councilmember Mix seconded the motion to approve the November 8, 2023, meeting minutes as presented with discussion.

Deputy Supervisor Griffo would like the first and last name of the person Councilmember Mix will speak with regarding the traffic study on Lima Road. The minutes will be updated to include this information.

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

Approval of Minutes:

Councilmember Deming moved, and Councilmember Maxwell seconded the motion to approve the November 21, 2023, meeting minutes as presented. Motion carried with Wadsworth-aye, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Approval of Abstract #12:

Councilmember Maxwell moved, and Deputy Supervisor Griffo seconded the motion to approve Abstract #12 and vouchers 1371 through 1443 as they stand.

FUND	AMOUNT
GENERAL A VOUCHERS	\$104,502.80
GENERAL B VOUCHERS	\$2,942.84
HIGHWAY DA VOUCHERS	\$146,402.43
HIGHWAY DB VOUCHERS	\$43,836.10
SW6 CAPITAL FUNDS	0.00
SPECIAL LIGHTING DISTRICT VOUCHER (SL)	\$221.44
SEWER DISTRICT #1 (SS1)	\$744.93
WATER OPERATING & MAINTENANCE VOUCHERS (SW0)	\$16,150.93
SPECIAL ITEMS (H2)	\$3,437.50
FIRE CONTRACTS (SF)	0.00
ENGINEERING (SW1)	0.00
TOTAL	\$318,238.97

There were several questions asked and answered about the abstract.

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

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Supervisor Wadsworth stated that Livingston County Personnel Department is requesting that the Town add a third part time clerk position to their roster as the hiring of a Code Clerk added a third part time clerk position. The other part-time clerks work in the Planning Department and the Highway Department.

Add New Position of Part Time Clerk to Town of Geneseo Roster for Livingston County Personnel Department:

Councilmember Mix moved, and Councilmember Deming seconded the motion to add the position of part time clerk to the Town of Geneseo roster for civil service purposes for Livingston County Personnel Department reporting. Motion carried with Wadsworth-aye, Deming-aye, Maxwell-aye, Mix-aye, and Griffio-aye. Nays: None.

Each year the Town must extend their agreement with the County for the use of equipment, machinery, tools, and services sharing. The board took the following action:

Adopt the Extension of the Intermunicipal Agreement with Livingston County for Equipment, Machinery, Tools, and Services Sharing:

Councilmember Deming moved, and Deputy Supervisor Griffio seconded the motion to Adopt the Extension of the Intermunicipal Agreement with Livingston County for Equipment, Machinery, Tools, and Services Sharing from January 1, 2024, to December 31, 2024. Motion carried with Wadsworth-aye, Deming-aye, Maxwell-aye, Mix-aye, and Griffio-aye. Nays: None.

Supervisor Wadsworth presented the board with the year-end budget transfers and amendments and the board took the following action:

End of Year Budget Transfers/Amendments:

Councilmember Deming moved, and Deputy Supervisor Griffio seconded the motion to approve the following budget transfers and amendments:

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Budget Transfers December 13, 2023		Increases will be financed by the following changes					
	Increase	Decrease	Increase	Fund Balance	Decrease	Appropriated	
	Expenditure	Expenditure	Revenue	Set Aside	Contingency	Fund Balance	Explanation
GENERAL FUND A							
A1110.410 Justices - Telephone	\$200.00						Transfer to cover overage
A1110.420 Justices - Security	\$700.00						Transfer to cover overage
A1110.490 Justices - Miscellaneous		\$900.00					Transfer to cover overage
A1220.110 Secretary to Supervisor	\$16,640.00						Increased hours-due to staffing (LM)
A.1220.420 Supervisor - Payroll	\$3,000.00						Transfer to cover overage
A1220.430 Supervisor - Training/Dues		\$2,000.00					
A1220.440 Supervisor - Computer Support		\$1,500.00					
A1320.490 Auditor - Contractual		\$10,000.00					Transfer to cover overage
A1990.400 Contingency					\$6,140.00		Transfer to cover overage
A1320.100 Finance - Salary	\$50,575.00						Increased hours-due to staffing (TL)
A1320.480 Finance - Accountant		\$6,000.00					
A1320.490 Finance - Auditor		\$10,000.00					
A1990.400 Contingency					\$34,575.00		Increased hours-due to staffing (TL)
A1410.430 Town Clerk - Training/Dues	\$1,000.00						Transfer to cover overage
A1410.490 Town Clerk - Miscellaneous		\$1,000.00					Transfer to cover overage
A1620.490 Buildings - Miscellaneous	\$4,000.00						Transfer to cover overage
A1910.400 Unallocated Insurance	\$6,000.00						Transfer to cover overage
A1450.490 Elections - Miscellaneous		\$10,000.00					Transfer to cover overage
A4189.490 PH - Watershed Inspections	\$1,000.00						Transfer to cover overage
A1990.400 Contingency					\$1,000.00		Transfer to cover overage

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A5010.430 Supt. Hwy - training/Dues	\$400.00						Transfer to cover overage	
A5010.490 Supt. Hwy - Miscellaneous	\$35.00						Transfer to cover overage	
A5010.410 Supt Hwy - Telephone		\$435.00					Transfer to cover overage	
A5132.490 Garage - Miscellaneous	\$300.00						Transfer to cover overage	
A5132.480 Garage -Heating fuel/Supplies		\$300.00					Transfer to cover overage	
A5182.450 Street Lights - Electric	\$200.00						Transfer to cover overage	
A5132.450 Garage -Electric		\$200.00					Transfer to cover overage	
A6410.490 Publicity - Tourism	\$2,750.00						Transfer to cover overage	
A1990.400 Contingency					\$2,750.00		Transfer to cover overage	
A8160.120 Recycling - Personal Services	\$2,500.00						Transfer to cover overage	
A8160.220 Recycling - Equipment	\$8,000.00						Transfer to cover overage	
A8540.490 Drainage - Miscellaneous	\$1,750.00						Transfer to cover overage	
A1990.400 Contingency					\$12,250.00		Transfer to cover overage	
A.9030.800 Social Security	\$4,000.00						Transfer to cover overage	
A.9035.800 Medicare	\$1,000.00						Transfer to cover overage	
A.9060.800 Medical/Dental		\$5,000.00					Transfer to cover overage	
Totals in General A	\$104,050.00	\$47,335.00	\$0.00	\$0.00	\$56,715.00	\$0.00		

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General Town Outside Village B							
Code Office/Planning Dept							
B1420.490 Attorney	\$12,000.00						Transfer to cover overage (Legal)
B1440.490 Engineering - Miscellaneous	\$30.00						Transfer to cover overage
B1440.200 Engineering - Zoning Reviews		\$30.00					Transfer to cover overage
B1990.400 Contingency					\$10,000.00		
B3620.100 Code Enf. Officer	\$8,500.00						Transfer to cover overage(Budget)
B3620.110 Code Enf. Clerk	\$12,000.00						Transfer to cover overage(Budget)
B3620.410 Code Enf. Cell Phone	\$300.00						Transfer to cover overage
B3620.430 Code Enf. Training/Dues	\$1,000.00						Transfer to cover overage
B3620.440 Code Enf. Computer Support	\$800.00						Transfer to cover overage
B3620.490 Code Enf. Miscellaneous	\$1,000.00						Transfer to cover overage
B7310.490 Youth Program	\$4,100.00						Transfer to cover overage
B8010.110 Zoning - ZBA Secretary	\$500.00						Transfer to cover overage
B8010.430 Zoning - Training/Dues	\$10.00						Transfer to cover overage
B8010.440 Zoning - Computer Support		\$400.00					Transfer to cover overage
B8010.490 Zoning - Miscellaneous		\$110.00					Transfer to cover overage
B9010.800 NYS Retirement	\$2,800.00						Transfer to cover overage
B.9030.800 Social Securtiy	\$500.00						Transfer to cover overage
B.9035.800 Medicare	\$200.00						Transfer to cover overage
B1120 Sales Tax Revenue			\$33,200.00				
Totals in General B	\$43,740.00	\$540.00	\$33,200.00	\$0.00	\$10,000.00	\$0.00	

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Town Highway Department DA							
DA5142.130 Payroll From CARE Act	\$3,025.00						COVID Pay
DA9010.800 NYS Retirement	\$2,000.00						Transfer to cover overage
DA5142.100 Regular Payroll		\$5,025.00					To cover COVID pay
Totals in Highway DA	\$5,025.00	\$5,025.00	\$0.00	\$0.00	\$0.00	\$0.00	
Town Highway Department DB							
DB5110.130 Payroll from CARE Act	\$2,000.00						COVID Pay
DB5142.100 Regular Payroll		\$2,000.00					To cover COVID pay
DB5142.460 General Road Repair	\$50,000.00						Transfer to cover overage
DB1990.400 Contingency					\$50,000.00		Transfer to cover overage
Totals in Highway DB	\$52,000.00	\$2,000.00	\$0.00	\$0.00	\$50,000.00	\$0.00	
Capital Project Fund H6							
H6-1380.490 Fiscal Agent Fee	\$5,570.00						Project Budget Clean Up
H6-1440.490 Miscellaneous	\$117,230.00						Project Budget Clean Up
H6-4397 USDA Rural Devel. Grant			\$122,800.00				Project Budget Clean Up
H6-1440.490 Miscellaneous	\$89,325.00						To reimburse Highway - District SW6
H6-4397 USDA Rural Devel. Grant			\$89,325.00				To reimburse Highway - District SW6
Totals in Capital Projects H6	\$212,125.00	\$0.00	\$212,125.00	\$0.00	\$0.00	\$0.00	
Fire District SF							
SF3410.400 Fire Contracts - Contractual	\$1.42					\$1.42	Over spent line

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Sanitary Sewer District SS1							
SS1-8120.480 Contractual	\$30.00						Transfer to cover overage
SS1-9010.800 NYS Retirement	\$100.00						Transfer to cover overage
SS1-9060.800 Medical/Dental Insurance	\$55.00						Transfer to cover overage
SS1-8120.490 Miscellaneous		\$185.00					Transfer to cover overage
Totals in Sanitary Sewer SS1	\$185.00	\$185.00	\$0.00	\$0.00	\$0.00	\$0.00	
Water Consolidated Fund SW0							
SW0-1440.490 Engineering Contractual	\$315.00						Transfer to cover overage
SW0-8310.110 Personal Services	\$700.00						Transfer to cover overage
SW0-9010.800 NYS Retirement	\$400.00						Transfer to cover overage
SW0-9060.800 Medical/Dental Insurance	\$300.00						Transfer to cover overage
SW0-8120.450 Electric		\$1,715.00					Transfer to cover overage
Totals in Water Consolidated SW0	\$1,715.00	\$1,715.00	\$0.00	\$0.00	\$0.00	\$0.00	
Water District #1 SW1							
SW1-1440.490 Engineering Contractual	\$12,700.00						Transfer to cover overage
SW1-9901.900 Transfer to Other Funds		\$12,700.00					Transfer to cover overage
Totals in Water District SW1	\$12,700.00	\$12,700.00	\$0.00	\$0.00	\$0.00	\$0.00	
Water District #5 SW5							
SW5-9730.600 BAN Principal	\$0.05						Transfer to cover overage
SW5-9730.700 BAN Interest		\$0.05					Transfer to cover overage
Totals in Water District SW5	\$0.05	\$0.05	\$0.00	\$0.00	\$0.00	\$0.00	

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

The lease agreement for the rental of the town offices expires December 31, 2023. The board was given the new lease agreement for review and took the following action:

Adopt the New Lease Agreement for the Town Offices with Livingston County:
Deputy Supervisor Griffo moved, and Councilmember Deming seconded the motion to Adopt the new lease agreement for the town offices with Livingston County effective January 1, 2024, to December 31, 2025. Motion carried with Wadsworth-aye, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

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Old Business:

Councilmember Mix gave an update on the Traffic and Pedestrian safety Committee meeting and gave the following handout:

Geneseo Traffic Committee Report
12/13/23

1. **Expanding 30 MPH on Lima Rd.**
 - a. Clarify: Could make a persuasive argument that it should be extended to Country Club, not a definitive "it must be extended to Country Club. Environment plays an important role.
 - b. Conversation with Matt Oravec (DOT).
 - i. If DOT were to study, there is a possibility the recommendation might come back that the present speed zones are appropriate. **ANOTHER Example of possible political activism.**
 - ii. End point of present 30 MPH could be outside the village limits. **Would that establish any precedent?**
 - c. Conversation with Eric Osganian.
 - i. Challenges of hiring and retaining police officers.
 - ii. Staffing.
 - iii. Additional responsibilities.
 - d. Appropriate line for expanded 30 mph.
 - e. Further action:
 - i. DOT study/political support?
 - ii. Get accurate regarding actual costs of village annexing.
2. Margaret Lee, LCN. ON December 6, received email from Margaret. She had submitted the letter from the community to the paper, it got misplaced. Eddie Lee and I met with Margaret on October 12th. Sent her an updated letter, it might appear in the LCN.
3. As community residents we all know and experience the safety challenges, needs caused by changing demographics, activities, number of vehicles on the road, additional development. In addition to the South St. crosswalks and the speed limit on Avon RD. there are so many more needs identified both in the 2020 Active Transportation Plan and by local residents, the Traffic Committee met on November 29th to try to reach consensus on priorities and develop a realistic needs matrix that might serve to provide direction for town and village boards.

The committee prioritized; intersections, connectivity of sidewalks, and 6 locations for crosswalks. One example of a potentially viable location for a new crosswalk might be Main St, South St. and The Homestead.

Given the fact the most grants are reimbursement and most require a local share, having an agreed priority should be helpful in planning our respective local budgets, developing both operational line items and establishing fund balances for specific purposes. It should also be helpful in establishing or refining local project schedules.

We are meeting again on 12/20 to finalize the matrix.

Highway/Water Superintendent Levy stated that Morgan View would like a crosswalk from the assisted living area across Morgan View to the old Lattimore building which is being converted into more apartments and would like the Town to do the work. Highway/Water Superintendent Levy is not against doing the work but would like the town to get paid for doing the work. There was also discussion about putting in a sidewalk.

Visitor Rosalie Guarino asked about a letter from Councilmember Maxwell which was turned into the Town Board Members at the August 27, 2023, meeting regarding the garage on West Lake Road being turned into habitable space. She asked for a FOIL regarding pictures taken at the garage and Code Officer Radesi stated the no pictures were taken on the day they requested the FOIL for.

Supervisor Wadsworth stated that Code Officer Radesi was questioned about these pictures and stated that he did not take any that day.

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This is a case where one Code Officer gave his opinion to another Code Officer who gave them a permit that denies the garage as habitable space. If the owner decides to use the garage as habitable space, then he would be told to stop. The owner has no right to occupy that space.

Mrs. Garino stated that people had been staying in the space on weekends all this past summer and now they have six beds in the space, and she is worried about this summer. She just wants the right thing done.

Supervisor Wadsworth restated that this is not permitted to use and if she sees this happening then she should call Code Enforcement and he will come to the property and deal with the situation.

Informational Items:

Town Clerk Monthly report – November

Supervisor Report – October & November

Code Office Report

Executive Session:

Councilmember Deming moved, and Deputy Supervisor Griffo seconded the motion to enter executive session to discuss negotiations inviting Highway/Water Superintendent Levey at 5:41 PM. Motion carried with Wadsworth-aye, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Close Executive Session:

Deputy Supervisor Griffo moved, and Councilmember Deming seconded the motion to close executive session with no action taken at 7:12 PM. Motion carried with Wadsworth-aye, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Allow the Town Board to Toll the statute of limitations to Allow Parties to Negotiate a settlement:

Councilmember Deming moved, and Councilmember Mix seconded the motion to adopt the following:

WHEREAS the Town desires to encourage resolution and/or such further review of disputes between a third party and Town's Planning Board in order to avoid a formal legal action and to avoid the expense and uncertainty of litigation of such disputes, if at all possible; and

WHEREAS the Town is willing to make an agreement to defer and postpone the commencement of litigation to allow time for the parties to negotiate a settlement of the disputes; and

NOW, THEREFORE, BE IT RESEOLVED that the Town board authorizes the Supervisor and the Town Attorney to negotiate an agreement to toll the running of any statute of limitations related to the proposed disputes, which agreement would be presented to the Town board for final approval at a later date.

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

Adjournment:

Councilmember Deming moved, and Councilmember Mix seconded the motion to adjourn the meeting at 7:30 PM. Motion carried with Wadsworth-aye, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Ellen M Zapf, RMC
Town Clerk