

**Minutes of the Geneseo Town Board Meeting
October 11, 2023**

Members Present:

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

Also Present:

Larry Levey, Highway Superintendent

Excused:

William Wadsworth, Town Supervisor

Visitors:

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.

New Business:

Approval of Minutes:

Councilmember Deming moved, and Deputy Supervisor Griffo seconded the motion to approve the August 23, 2023, meeting minutes as presented. Motion carried with Wadsworth-absent, Deming-aye, Maxwell-absent, Mix-aye, and Griffo-aye. Nays: None.

Approval of Abstract #10:

Deputy Supervisor Griffo moved, and Councilmember Deming seconded the motion to approve Abstract #9 and vouchers 1266 through 1313 as they stand.

FUND	AMOUNT
GENERAL A VOUCHERS	\$58,082.05
GENERAL B VOUCHERS	\$3,496.58
HIGHWAY DA VOUCHERS	\$5,621.85
HIGHWAY DB VOUCHERS	\$30,947.76
SW6 CAPITAL FUNDS	0.00
SPECIAL LIGHTING DISTRICT VOUCHER (SL)	\$206.01
SEWER DISTRICT #1 (SS1)	\$108.78
WATER OPERATING & MAINTENANCE VOUCHERS (SW0)	\$1,315.01
SPECIAL ITEMS (H6)	0.00
FIRE CONTRACTS (SF)	0.00
ENGINEERING (SW1)	0.00
TOTAL	\$99,778.04

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

Councilmember Maxwell arrived at 4:35 P.M.

Lima Road Water Line Expansion Project Completion Resolution:

Deputy Supervisor Griffo stated that the Town received a request that the Town Board pass a resolution that states the Lima Road Water Line Expansion Project is complete. The Board took the following action:

Lima Road Water Line Expansion Project Completion Resolution:

Deputy Supervisor Griffo moved, and Councilmember Deming seconded the motion to accept the Lima Road Water Project is Complete:

WHEREAS the Town of Geneseo has substantially completed construction of the Lima Road Water Project; and

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WHEREAS the Town Board of Trustees of the Town of Geneseo received notice of final completion for the Lima Road Water Project; NOW, therefore be it.

RESOLVED, that the Town Board of Trustees of the Town of Geneseo accepts the Lima Road Water Project as complete and authorizes final payment to the contractors.

BE IT FURTHER RESOLVED that the Town Board of Trustees of the Town of Geneseo hereby states an operator appropriately licensed by New York State has been retained to oversee operation of the water system. Daniel B. Levey #NY0040096 and Larry L. Levey #NY0039658.

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

Highway – Local Speed Limits

There was a lengthy discussion regarding the speed limit on Route 39 in front of the Geneseo High School which included the following:

- Increased enforcement in front of the school
- Safety concerns.
- Recommend by the local police.
- Ways to build a good argument to get the speed limit reduced.
- 30mph on Lima Road ends 30-40 yards before the intersection with Volunteer Road.
- Highway/Water Superintendent Levey explained the process on how to reduce or increase the speed limit on public roads. One is using the TE-9 form which would be submitted to the DOT, who would then monitor the traffic speeds and then give their recommendations. Another would be for the village to annex Lima Road to a determined point, further north.
- Speed used on Country Club Road.

Local Law 3 of 2023 – Property Tax Levy in Excess of the Limit Established in General Municipal Law §3-c:

The Town Board was presented with Local Law 3 of 2023 entitled Property Tax Levy in Excess of the Limit Established in General Municipal Law §3-c and was asked to set a public hearing. The Board took the following action:

**LOCAL LAW NO. 3 OF THE YEAR 2023
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, 2024, 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.

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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, 2024, 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.

Set a Public Hearing for Local Law 3 of 2023 – Property Tax Levy in Excess of the Limit Established in General Municipal Law §3-c:

Councilmember Maxwell moved, and Councilmember Deming seconded the motion to set a public hearing by the Town Board of the Town of Geneseo for Local Law 3, 2023 entitled Property Tax Levy in Excess of the Limit Established in General Municipal Law §3-c to be held on the 25th day of October at 4:45 P.M., at the Geneseo Town Hall Building, 4630 Millennium Drive Geneseo, New York 14454. Motion carried with Wadsworth-absent, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Code Department Fee Schedule:

Code Officer Radesi has given the Town Board Members copies of the updated fee schedule and would like them to pass a resolution adopting the new fee schedule. The Board took the following action:

Adopt the New Code Department Fee Schedule:

Deputy Supervisor Griffo moved, and Councilmember Deming seconded the motion to adopt the new Code Department Fee Schedule to take effect October 31, 2023.

**Town of Geneseo
Code Enforcement Fee Schedule**

****Permit Fees are Based on Inspections****
UPDATED: October 31, 2023

BUILDING FEES

<u>Residential:</u>	<u>Cost/sq. ft.</u>	<u>Minimum</u>
Single Family Dwelling	\$0.35 sq. ft./	\$150.00 Min
Incl. Additions & Alterations, Repairs		
Double/Multi-family Dwelling	\$0.50 sq.ft./	\$200.00 Min
Incl. Additions & Alterations, Repairs		
Basement/Foundation/Crawl Space		
<i>*Note: Basement and Crawl Space permits will not be credited to permit. *</i>		
Additions & New Homes	\$0.35 sq. ft./	\$100.00 Min.
Temporary Structure/ Tent Permit		\$75.00 Min.
Accessory Buildings		
Garage Attached	\$0.35 sq. ft./	\$80.00 Min.
Accessory Bldg.—Max. 200 sq.ft.	\$0.20 sq. ft./	\$50.00 Min.

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Accessory Bldg.—Over 200 sq.ft.	\$0.35 sq. ft./	\$75.00 Min.
Agriculture Bldg.—Flat Fee		\$35.00 Min.
Porch or Deck (> 16 sq.ft.)	\$0.20 sq. ft./ +	\$50.00 Min.
Chimney/Fireplace/Stove/Generator/Solar		\$50.00 Min.
Replacement Furnace, Un-vented Appliances		\$50.00 Min.
On Demand Hot Water and Vented Appliances		\$50.00 Min.
Replacement Hot Water Tank		\$50.00 Min.
Replacement Roof	0.05 sq. ft./ +	\$75.00 Min.
Erosion Control (Town only)		
Residential <10,000 sq. ft.		\$50.00 Min.
Flood Permit (Town only)		\$50.00 Min.
Fireworks Permit		\$75.00 Min.
Pools <i>*Note: Additional \$100 refundable fee on receipt of Cert. of Compliance. The fee is non-refundable after 120 days.</i>		
In-ground—Residential	\$0.40 sq. ft./	\$100.00 Min.
Above-ground	\$0.30 sq. ft./	\$75.00 Min.
Final Certificates of Occ. or Certificates of Compl.		
Residential—Single-family	\$0.05 sq. ft./ or	\$50.00 Min.
Residential—Double-family	\$0.05 sq. ft./ or	\$75.00 Min.
Demolition Permit		
Residential		\$75.00 Min.
Sheds/Barns/Garages/Etc.		\$50.00 Min.
Renewal of Building Permits		
First Residential		\$50.00 Min.
Second & Thereafter (Res. & Comm.)		Same as Original Permit
Temporary Cert. of Occupancy—Residential		
Single Family—First		\$50.00 Min.
Single Family—Second		\$75.00 Min.
Single Family—Third (Max)		\$100.00 Min.
Multi Family—First		\$100.00 Min.
Multi Family—Second		\$150.00 Min.
Multi Family—Third (Max)		\$200.00 Min.
Residential Service Electrical	3rd Party Electrical Inspection +	\$50.00 Min.
Residential Generator	3rd Party Electrical Inspection +	\$50.00 Min.

Town of Geneseo
Code Enforcement Fee Schedule

****Permit Fees are Based on Inspections****
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Failure to Follow Building Permit Inspection Schedule		
Failure to follow one inspection		\$50.00 Min.
Failure to follow two inspections		\$150.00 Min.
Failure to follow three or more inspections		\$300.00 Min.
Work started without Building Permit—Based on Project Value or Code Enforcer Discretion		
\$100-\$2,500		\$50.00 Min.
\$2,501-\$10,000		\$75.00 Min.
\$10,001-\$50,000		\$150.00 Min.
Over \$50,001		\$200.00 Min.
Stop Work Order Rescinded		\$100.00 Min.
Anything not included on the list that requires a permit		\$50.00 Min.

Commercial:

Basement/Foundation/Crawl Space	0.25 sq. ft./	\$300.00 Min.
<i>*Note: Basement and Crawl Space permits will not be credited to permit. *</i>		
Commercial	\$0.35 sq. ft./	\$200.00 Min.
Sprinkler Permit	\$0.05 sq. ft./	\$150.00 Min.
Construction Trailer		\$200.00 Min.
Dumpster Enclosure		\$135.00 Min.
Plumbing Fixture Add-on (over 6)	\$5.00 each/	\$100.00 Min.
Temporary Structure/ Tent Permit		\$75.00 Min.

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Accessory Buildings		
<u>Garage</u>	<u>\$0.50 sq. ft./</u>	<u>\$100.00 Min.</u>
<u>Attached Garage</u>	<u>\$0.50 sq. ft./</u>	<u>\$75.00 Min.</u>
<u>Accessory Bldg.—Max. 200 sq. ft.</u>	<u>\$0.25 sq. ft./</u>	<u>\$75.00 Min.</u>
<u>Accessory Bldg.—Over 200 sq. ft.</u>	<u>\$0.25 sq. ft./</u>	<u>\$75.00 Min.</u>
<u>Agriculture Bldg.—Flat Fee</u>		<u>\$35.00 Min.</u>
<u>Porch or Deck (> 16 sq. ft.)</u>	<u>\$0.35 sq. ft./</u>	<u>\$100.00 Min.</u>
<u>Chimney/Fireplace/Stove/Generator</u>	<u>Cost x \$0.03 +</u>	<u>\$75.00 Min.</u>
<u>Replacement Furnace, Un-vented Appliances</u>	<u>Cost x \$0.03 +</u>	<u>\$75.00 Min.</u>
<u>On Demand Hot Water and Vented Appliances</u>	<u>Cost x \$0.03 +</u>	<u>\$75.00 Min.</u>
<u>Replacement Hot Water Tank</u>		<u>\$75.00 Min.</u>
Erosion Control (Town only)		
<u><10,000 sq. ft. Max</u>		<u>\$100.00 Min.</u>
<u>>10,000 sq. ft. Over</u>		<u>\$200.00 Min.</u>
<u>Flood Permit (Town only)</u>		<u>\$75.00 Min.</u>
<u>Fireworks Permit</u>		<u>\$200.00 Min.</u>
Pools *Note: Additional \$100 refundable fee on receipt of Cert. of Compliance. The fee is non-refundable after 120 days.		
<u>In-ground</u>	<u>\$0.50 sq. ft./ +</u>	<u>\$200.00 Min.</u>
Final Certificates of Occ. or Certificates of Compliance		
<u>Commercial</u>	<u>\$0.05 sq. ft. +</u>	<u>\$150.00 Min.</u>
<u>Apartment</u>	<u>\$0.05 sq. ft./ +</u>	<u>\$85.00 Min. Per Unit</u>

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Code Enforcement Fee Schedule**

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Demolition Permit	
<u>Commercial—Interior</u>	<u>\$300.00 Min.</u>
<u>Commercial—Exterior</u>	<u>\$500.00 Min.</u>
<u>Sheds/Barns/Garages/Etc.</u>	<u>0.15sq.ft./ + \$30.00 Min.</u>
Renewal of Building Permits	
<u>First</u>	<u>\$100.00 Min.</u>
<u>Second & Thereafter</u>	<u>Same as Original</u>
Temporary Cert. of Occupancy	
<u>First</u>	<u>\$150.00 Min.</u>
<u>Second</u>	<u>\$200.00 Min.</u>
<u>Third (Max)</u>	<u>\$275.00 Min.</u>
Failure to Follow Building Permit Inspection Schedule	
<u>Failure to follow one inspection</u>	<u>\$100.00 Min.</u>
<u>Failure to follow two inspections</u>	<u>\$200.00 Min.</u>
<u>Failure to follow three or more inspections</u>	<u>\$400.00 Min.</u>
Work started without Building Permit—Based on Project Value or Code Enforcer Discretion	
<u>\$100-\$2,500</u>	<u>\$100.00 Min.</u>
<u>\$2,501-\$10,000</u>	<u>\$150.00 Min.</u>
<u>\$10,001-\$50,000</u>	<u>\$200.00 Min.</u>
<u>Over \$50,001</u>	<u>\$300.00 Min.</u>
<u>Stop Work Order Rescinded</u>	<u>\$200.00 Min.</u>
<u>Operating Permit</u>	<u>\$50.00 Min.</u>

Zoning Fees:

Zoning Booklet	
Design Criteria Book	
<u>Public Hearing Publication Fee</u>	<u>\$75.00 Min.</u>
Flood Inspection Letter (with an inspection)	
Flood Inspection Letter (without an inspection)	
<u>General Zoning Letter</u>	<u>\$50.00 Min.</u>
Sign Permits (Cost = Sq.ft. + min.)	
<u>Signs up to 20 sq. ft.</u>	<u>\$65.00 Min.</u>

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Signs 21 sq. ft. to 30 sq. ft.	\$0.75 sq. ft./	\$100.00 Min.
Signs 31 sq. ft. to 50 sq. ft.	\$1.00 sq. ft./	\$150.00 Min.
Signs 51 sq. ft. and larger	\$1.25 sq. ft./	\$250.00 Min.
Freestanding	\$1.50 sq. ft./	\$275.00 Min.
Temporary Sign Permit—Deposit only (i.e., Political)		\$25.00 Min.
Plan Reviews		
Residential—One- and Two-Family		\$100.00 Min.
Residential—Multi-Family		\$150.00 Min.
Commercial		\$200.00 Min.

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Annual Fire Inspections or Code Enforcer Discretion		
Up to 10,000 sq. ft.		\$75.00 Min.
Each additional 10,000 sq. ft.		\$50.00/per
Special Use Permit		\$50.00 Min.
<i>*Note: After approval from Town of Geneseo Planning Board</i>		

Mobile Home Parks:

Single-wide Mobile Home	\$0.25 sq. ft.	
With garage	\$0.25 sq.ft. of garage	
Double-wide Mobile Home	\$0.25 sq.ft.	
With garage	\$0.25 sq. ft. of garage	
Mobile Home Transfer fee		\$25.00 Min.
Annual License Fee		
1-50 Sites		\$250.00 Min.
51-100 Sites		\$500.00 Min.
101-150 Sites		\$750.00 Min.
Annual Inspection Fee		\$50.00/per

Other Fees:

Subdivision Fees		
<i>*Note: Based on parcels subdivided off</i>		
Less than 2 acres		\$50.00 Min.
Less than 10 acres		\$75.00 Min.
Less than 25 acres		\$100.00 Min.
Less than 100 acres		\$125.00 Min.
More than 100 acres		\$150.00 Min.
Agriculture Subdivision		\$35.00 Min.
Fuel Tank Installation		\$50.00 Min.
Code Enforcement Officer Hourly Rate		\$65.00/hour
<i>*Note: Based on a meeting at a site</i>		
Sewer Hook-Up Fees		
Residential (plus time and materials)		\$750.00 Min.
Commercial (plus time, materials, & engineer costs)		
Water Hook-Up Fee		\$1,800.00 Min.
Solar Permit Fees		
On-Site Use under 1 Megawatt		\$75.00 Min.
Off-Site Use over 26 Kilowatt but under 1 Megawatt		\$1500.00 Min
Non-Residential Off-Site use over 1 Megawatt		\$5000.00 per megawatt

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Application Fees:	
<u>Site Plan Application Fee</u>	<u>\$50.00 Min.</u>
<u>Major Subdivision</u>	<u>\$200.00 Min.</u>
<u>Minor Subdivision</u>	<u>\$100.00 Min.</u>
<u>Special Use Permit Application Fee</u>	<u>\$50.00 Min.</u>

Site Development Fees (Commercial):	
<u>Water Hookup</u>	<u>\$1800 (by owner) (\$322 in Lakeville Estates)</u>
<u>Sewer Hookup</u>	<u>\$500.00 (by owner)</u>

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

Sidewalk on Volunteer Road

Deputy Supervisor Griffo stated he spoke with Highway/Water Superintendent Levey regarding the sidewalk on Volunteer Road. There was a discussion with the DOT and paperwork with detailed instructions and a permit we requested but never received. Widening sidewalks was also discussed, which would mean updating the Town Code and changing the Design Criteria.

Informational Items:

Town Clerk Monthly report – September
Code Office Report

Executive Session:

Deputy Supervisor Griffo moved, and Councilmember Deming seconded the motion to enter executive session to discuss negotiations inviting Attorney Russell at 5:00 PM. Motion carried with Wadsworth-absent, 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 5:15 PM. Motion carried with Wadsworth-absent, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Adjournment:

Councilmember Deming moved, and Councilmember Maxwell seconded the motion to adjourn the meeting at 5:16 PM. Motion carried with Wadsworth-absent, Deming-aye, Maxwell-aye, Mix-aye, and Griffo-aye. Nays: None.

Ellen M Zapf, RMC
Town Clerk