

**Town of Genesee
Little Genesee, NY 14754
Regular Board Meeting
February 19, 2019**

ATTENDANCE: Supervisor Alex Smith; Councilpersons Joshua Bluhm, Howard Cornwall, and Michael Cannon; Highway Superintendent Ben Reynolds; Code Enforcement Officer Jon Barnes; Town Clerk Bonita Brunner

ABSENT: Councilman Alyn Holcomb

VISITORS: Peggy Cowell, Larry Douglas, Rae Smith

This meeting was brought to order by Supervisor Smith at 7 pm with the Pledge of Allegiance.

FLOOR PERMISSION:

Mr. Douglas wished to bring a matter to the Board's attention. On January 30 he mailed his 2019 taxes on 3 properties. These were returned to him by the Tax Collector on February 5 as his envelope was postmarked February 1 and, therefore, would be responsible for the February amounts. Mr. Douglas feels that the Town should give him a special reduction this year due to the error by the post office and the weather conditions. Discussion about the action taken by Gov. Cuomo allowing a 21-day extension for payment of property taxes due to the winter weather. However, only two towns in Allegany County took advantage of this extension. Decision made that Mr. Douglas would pay the amounts due for February. The Supervisor will contact the Association of Towns and Allegany County regarding this special reduction. If a determination is made, the February penalty amount could be returned to him.

REPORTS:

There was no Supervisor's Report. This will be included in the end of year report being prepared by Berry & Berry.

Town Clerk presented the following reports:

- Clerk's Report for January 2019 indicated total monies collected were \$215.75. Of this, \$167.25 was paid to the Supervisor for the General Fund, \$120.00 to NYS Ag and Markets for dog licenses, and \$28.50 to Allegany Co DPW for landfill tickets.
- Petty Cash Report was presented for the month of January. There is currently \$51.01 available as \$48.99 was used to purchase a desk heater for the Clerk's office.
- Minutes from the January Organizational and Board Meeting were previously e-mailed to all Board Members.

Town Justice Report:

- Review of Court Fines collected during January totaling \$1,495.00.

Code Enforcement Officer Report:

- A report was presented by Code Enforcement Officer Barnes indicating no new complaints. Regarding the pending issue with the Coliseum, a letter was received from the owners listing their issues with this matter. To date, nothing has been done by the owners to secure the building. Mr. Barnes has been in contact with Town Attorney Brautigam regarding the necessary procedures to bring this matter to Court. Regarding the Doxey property, Mr. Doxey has attempted to move some debris from the property but probably it will be necessary to bring him to Court also.
- Discussion about the building permit fees presently being charged by the Town. Mr. Barnes presented a recommended fee schedule that would be based on cost per square foot for building projects. He suggests coordinating with the Assessors regarding this prior to any changes in our fee schedules.
- The house being built on Sherry Hollow is almost done and he anticipates a certificate of compliance being issued within the next two weeks.

Motion made by CP Cannon and 2nd by CP Cornwall to accept all reports as submitted. Ayes all. Motion carried.

COMMITTEE ASSIGNMENTS & REPORTS

Buildings & Repairs – Holcomb and Cannon

- Supervisor Smith advised that during the recent extreme cold there was no heat in the building. Shembeda Plumbing was contacted and it was discovered that two pipes were broke in the Assessors office. It was also necessary for them to bring in heat tapes and insulation in the crawl space.

Highway Department – Holcomb and Bluhm

Parks – Cannon and Cornwall

Cemeteries – Holcomb and Cornwall

Grants – Smith and Cornwall

Code Enforcement – Cannon and Holcomb

Audit Committee – Holcomb and Cannon

OLD BUSINESS

Internal Audits for 2018.

CP Cannon advised he had spoken with Accountant Jack Berry regarding the question as discussed at the January meeting. The question raised was settled and CP Cannon advised that the internal audits were completed.

Resolution #2019 – 3

RESOLUTION ACCEPTING THE INTERNAL AUDITS FOR 2018

WHEREAS, as per the Town of Genesee Accounting Policies & Procedures Manual it is required that the Town Accountants annually prepare information for the Town Board Audit Committee to review the records of the Town Supervisor, Town Clerk, and Tax Collector and

WHEREAS, as per the Uniform Justice Court Act 2019-a, it is the duty of the Town Justice to present his financial records annually to the Town Board Audit Committee for review of the Town Justice's records;

WHEREAS, the Town of Genesee Audit Committee has reviewed the records of the Town Supervisor, Town Clerk, Tax Collector and Town Justice. They have been duly examined and verified that the monies collected have been turned over to the proper officials as required by law. This review was conducted by Councilmen Michael Cannon in January 2019 and presented to the Town Board for their review.

NOW THEREFORE,

BE IT RESOLVED that the Internal Audit for the year 2018 is accepted. The Town Clerk is authorized to notify the Office of Court administration of this audit by sending a certified copy of this resolution to their Internal Audit Services Unit.

CP Bluhm made a motion, 2nd by Supervisor Smith, that this resolution be approved.

Roll call vote taken as follows:	CP Bluhm	Aye
	CP Cannon	Aye
	CP Cornwall	Aye
	Supervisor Smith	Aye

Resolution 2019-3 approved.

Sewer System at Town Barns

Superintendent Reynolds advised that he has received one proposal which would total approximately \$7,700. He is still waiting for estimates from two other engineers.

NEW BUSINESS

Late Taxes Relief

Further discussion regarding the request made for an extension to pay taxes without a penalty. The Clerk/Tax Collector advised the Board that there were 10 other individuals who had their taxes returned for late filing. She feels that, if an extension is given to one resident it would have to be

given to them all. Supervisor Smith will check with Association of Towns and the County Treasurer to see if this would be possible. If necessary, the Tax Collector can make refunds to anyone affected by this decision.

Library Construction Aid Request

Rae Smith, Director of the Genesee Library, presented information to the Board regarding plans for improvement of the building in 2019. There are several grants that the Library can apply for to complete these goals. They are:

- Install a book drop box
- Update electrical system
- Replace all windows with energy efficient ones
- Add insulation
- Replace/add lighting as needed
- Repainting – both inside and out
- Install new energy efficient front door
- Update bathroom for ADA compliance

As a per-requisite to apply for these grants they would need to increase the term of the lease from 10 years to 15 years. Therefore, CP Cornwall made a motion, 2nd by CP Bluhm, as follows:

Resolution #2019-6:

**RESOLUTION MODIFYING THE LEASE TERM WITH THE
GENESEE LIBRARY**

WHEREAS, in 2018 the Genesee Town Board leased the Genesee Library for a period of 10 years;

WHEREAS, in consideration of the availability of building improvement grants, it is necessary for the Town to increase this to a 15-year lease;

RESOLVED, that the Town Board of the Town of Genesee hereby approves the lease being extended from August 1, 2018 through August 1, 2033. The Town Supervisor is also allowed to sign any documents regarding this change.

Roll call vote taken as follows:	CP Bluhm	Aye
	CP Cannon	Aye
	CP Cornwall	Aye
	Supervisor Smith	Aye

Resolution 2019-6 approved. Clerk will provide the Library Board with an amendment to the lease agreement for signatures.

Discussion held involving the Board, Code Enforcement Officer Barnes, and CP Cornwall who is a specialist in ADA matters. It was determined that both Mr. Barnes and CP Cornwall will be in contact with Ms. Smith for a site visit about these possible changes. The Board indicated that their recommendation would be to repair the electrical in the building and then make it ADA compliant.

The Library will keep the Town advised as to any changes/additions being made regarding these projects.

Capitol Project

Clerk advised she had received a telephone call from a representative of NYS DOT in Hornell who indicated that the Town has been approved, through Senator Youngs' office, for a grant to purchase a generator and construction of a Highway garage addition and a Salt Storage Shed in the amount of \$125,000. This will be effective May 1, 2019. The town will be responsible to "front the money" and will be reimbursed by the Grant.

To begin this process, Resolution #2019-4 was presented to the Board as follows:

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE OF THE STATE-AID PROGRAM ELIGIBLE COSTS, OF A CAPITOL PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the Purchase and installation of an emergency generator at the highway department, construct an addition to the highway garage for cold vehicle storage, and construction of a salt storage shed. P.I.N. 6755.45.301 (the Project") is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, a sum not to exceed \$125,000 in Program Funding is available to progress the project.

WHEREAS, the Town of Genesee desires to advance the Project by making a commitment of 100% of the State share of the costs of the Generator Purchase and Two Construction Projects.

NOW, THEREFORE, the Genesee Town Board, duly convened does hereby

RESOLVE, that the Genesee Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Genesee Town Board hereby authorizes the Town of Genesee to pay in the first instance 100% of the cost of Equipment Purchase and Building Construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$125,000 is hereby appropriated from the Town of Genesee and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full state share costs of the project exceeds the amount appropriated above, the Genesee Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Town Supervisor of the Town of Genesee be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the Town of Genesee with the New York State Department of

Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's/Sponsor's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a Certified Copy of this resolution be filed with the New York State Commissioner of Transportation of the State of New York by attaching it to any necessary Agreement in connection with the Project between the Town of Genesee and the State of New York; and it is further

RESOLVED, this Resolution shall take effect immediately.

CP Bluhm made a motion, 2nd by CP Cannon, to approve this resolution.

Roll call vote taken as follows:	CP Bluhm	Aye
	CP Cannon	Aye
	CP Cornwall	Aye
	Supervisor Smith	Aye

Resolution 2019-4 approved.

Signage on Butternut Brook Road

Supervisor Smith has been contacted by the Portville Fire Department requesting additional signage at the sharp curve on Butternut Brook Road. Last year the Town had additional arrow signs put up which were approved by NYS DOT. No further action taken at this time.

2018 Numbers from Portville Fire Department

Supervisor Smith has obtained numbers from the Portville Fire Department regarding total calls made in the Town of Genesee for 2018. This report shows that a total of 384 calls were made by the department, 105 of which (or 27%) were made in the Town of Genesee. Supervisor Smith is still attempting to get numbers from the Bolivar Fire Department. Discussion regarding an inquiry by a resident as to why the Town of Genesee residents who live in the Bolivar Fire District cannot vote or hold office on Fire Department matters. Supervisor Smith advised that this is because we are a Fire Protection District and not a Fire District. Discussion about the possibility of getting this changed in the future.

Estimate for Additional Heating in Town Hall

When Shembeda Plumbing was at the Town Hall working on the heating problem, it was their opinion that we did not have enough baseboard units for the rooms. They have supplied an estimate of \$1,920.00 to add additional runs in the Judge's office, the Assessors' office, the Courtroom/Main Hall, and the Clerk's office. The Board decided that this should be approved. Shembeda Plumbing will be advised and the work will be scheduled.

New Election Dates for 2019

Gov. Cuomo has made several changes to election law. There will now be only one primary, which will be held June 25. New dates have been set for anyone wishing to run for election. Petition signing will begin on February 26 and signatures must be submitted by April 4. There will also be one polling place in the County that will allow early voting. There will be 10 days for early voting during October and November.

The following individuals are up for re-election during 2019: Town Supervisor, Town Justice, Town Clerk, Highway Superintendent, 2 Councilmen and 2 Assessors.

JCAP Grant Request

Judge Pritchard has been notified that his JCAP grant request has been denied. He would now like to be able to use Town monies for the requested items. A copy of the request will be obtained from Judge Pritchard and presented to the Board for their decision in this matter.

Approval for 2018 Budget Transfers

Budget transfers have been submitted by Accountants Berry & Berry to close out the 2018 Budget year. The major transfers in the General Fund were for the Deputy Town Clerk's wages when the Town Clerk had surgery, and an overage in cemetery contractual. In the Highway Fund, overall revenues were up but expenditures were also up. It was necessary to use almost \$71,000 in appropriated fund balance to cover these expenditures.

Resolution #2019-5 was presented to the Board as follows:

RESOLUTION ACCEPTING THE 2018 BUDGET TRANSFERS

WHEREAS, it is necessary to make monetary transfers to the 2018 Town of Genesee Budget to finalize figures for the year ending December 31, 2018;

RESOLVED, that the 2018 Budget be amended by the transfers between appropriations and appropriations of unanticipated revenues and fund balance as listed in the attached Financial Statements as prepared by Accountants Berry & Berry, for the year ending December 31, 2018.

CP Cannon made a motion, 2nd by CP Bluhm, to approve this resolution.

Roll call vote taken as follows:	CP Bluhm	Aye
	CP Cannon	Aye
	CP Cornwall	Aye
	Supervisor Smith	Aye

Resolution 2019-5 approved.

PAYING OF BILLS:

Abstracts totaling \$157,610.78 were reviewed for paying the Town bills as follows:

Abstract	Voucher Nos.	Abstract Amount
General Fund	13 – 32	\$ 93,595.89
Highway Fund	3 - 22	\$ 64,014.89

CP Cornwall made a motion to pay the above bills, 2nd by CP Bluhm. Ayes all. Motion passed.

Motion to adjourn the meeting was made by CP Cannon, 2nd by CP Cornwall. Meeting was adjourned at 9:20 p.m.

Bonita Brunner
Town Clerk
Dated: February 21, 2019