



## MEETING, TOWN BOARD OF GENOA

FEBRUARY 8, 2006

A Regular meeting of the Town Board of Genoa, Cayuga County, State of NY was held at Town Hall 1000 Bartnick Road, Genoa, NY on Feb. 8, 2006

**Present:** Stuart Underwood, Supervisor  
Lorie Fessenden, Council Member  
Dale Sellen, Council Member  
Cheryl Shields, Council Member  
Kate Beckley, Town Clerk

**Also Present:** Brenda Tyrrell  
Kenton Patchen  
Lou DeLap  
Donald Slocum  
Guy and Karen Green  
Jeff and Lorie Reeves

Meeting called to order at 7:47 pm by S. Underwood with the Pledge of Allegiance to the Flag

**CHANGES TO AGENDA:** None

### CLERK'S REPORT:

Clerk has retrieved December Minutes from town website and will distribute to Board  
Has been in contact with Steve Johnson web designer and will begin updating website and posting 2006 minutes on-line as soon as taxes are done

Town Clerk Verifications: Clerk still hasn't been able to discover what's required, will follow up

CLERK REVENUES: Clerk gave report to Underwood, noted dog licensing revenues

### **R28**

#### **RESOLUTION: ACCEPT JANUARY CLERK'S REPORT**

On a motion of Shields, seconded by Sellen, the following resolution was

**ADOPTED**

Ayes: 4: Underwood, Shields, Fessenden, Sellen

Nays: 0

Resolved: accept January Clerk's report

### **R29**

#### **RESOLUTION: APPROVAL OF MINUTES**

On a motion of Shields, seconded by Underwood, the following resolution was

**ADOPTED**

Ayes: 3: Underwood, Shields, Sellen

Nays: 1: Fessenden

Resolved: the January minutes are approved

With note: request monthly water consumption figure

With clarification: Tyrrell's conversations with Locke were *with regard to their possible interest in our water billing program*

### REPORT OF TOWN OFFICIALS

#### WATER REPORT:

##### **USAGE:**

Tyrrell: 4,807,800 gallons last three-month period

Notes it seems high, flushing and hydrants may have played a part

Underwood: Issues of concern regarding Locke water billing issue

Shields: Has seen information indicating that arrangements of this type can succeed; will follow up

#### WATER COMMITTEE REPORT:

Shields: will advertise the March 8 meeting

Capital Reserve Fund mentioned

Further discussion to be put on March agenda



**BUILDINGS AND GROUNDS REPORT:**

Shields: Marilyn will have one night Booknook in February resume in March and look for increased attendance failing that will possibly discontinue endeavor in April

**PROGRAMS AND GRANTS REPORT:**

Fessenden: \$1,000,000 Aquatic Invasive Species Grant available from NY Does not seem to be a current town concern

Also \$600,000 grant available to localities for providing more accessibility where needed in homes

Interested. Paperwork due Feb 28. Will follow up with the details

Reports ongoing sorting and discarding in repository

**CODE ENFORCEMENT REPORT:**

Underwood: Manzari absent. Underwood reported garbage complaint had been filed against John and Vickey Freelove at 1147 Stewarts Corners Road

**HIGHWAY REPORT:**

Sellen: weather easy, 234 tons on State roads, 255 tons on Town and County roads Trimming, patching, putting up signs

County Highway has provided additional \$60 per mile for plowing, will help offset fuel and blade costs

**SUPERVISOR'S REPORT:**

**R30**

**RESOLUTION: ACCEPT SUPERVISOR'S REPORT**

On a motion of Shields, seconded by Fessenden, the following resolution was ADOPTED

Ayes: 4: Underwood, Shields, Fessenden, Sellen  
Nays: 0

Resolved: to accept Supervisor's report

**BILLS:**

**R31**

**RESOLUTION: ACCEPT BILLS**

On a motion of Shields, seconded by Sellen, the following resolution was ADOPTED

Ayes: 4: Underwood, Shields, Fessenden, Sellen  
Nays: 0

Resolved: to accept bills including 2 bills from Kay Dougherty not on abstract

**NEW BUSINESS:**

Jeff and Lorie Reeves:

Permit has been issued by DEC for the mining of gravel  
Site boundary is 150' from Reeves' house

Letter which first outlined mining proposal is presented to Board

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Reeves: Board should have seen and discussed letter so public concerns could have been returned to DEC before permit could be issued

Underwood signed for receipt of letter in Rich Harrison's name but did not write his own name beneath and did not checkmark a box indicating he was acting as agent

No response to letter was received by DEC within 30 days so permit process simply moved forward

A legal notice regarding permit did appear in The Citizen but was not noticed by Reeves

The DEC allegedly never looked at the site

Map used by DEC shows the pond but does not show the house

Operation of mine: hours when facility could be lit up and running

Dust: an inevitable annoyance and a serious health hazard

Affect on property resale value

Noise: Machinery such as crusher, etc.

Tyrrell:

Water run-off issues of mining

Shields:

Foundation damage by vibration of ground

Settling of earth caused by vibration

Affect on nearby wells

Underwood:

Damage to newly-refurbished Town roads by truck traffic

Affect on other citizens in addition to Reeves

Reeves and Underwood:

Phone calls to DEC: Joanne March and Nynette

Their response: basically, the permit is issued, nothing needs to be done right now

No mining is underway, no problems are occurring which need to be addressed

Reeves: Want to act now as mining could begin at any time

Full board unified in considering situation important and time-sensitive

Strategies for response to situation discussed:

Underwood: Suggest writing letter

Lorie Reeves: Want permit revoked and permit process begun again from beginning, with original mining proposal brought before open board meeting

Guy Green: Reeves have very strong case to claim procedure was mishandled and permit could be revoked legally

Reeves: perhaps call Albany?

Underwood: Can weight limit on affected road bridges be used to limit accessibility?

Reeves: The legality of map which did not represent the house could be brought into question

Reeves: Can DEC prove they visited the site?

Shields: Run it by Wayne for his input

Guy Green: Use town's lawyer, put immediate correspondence out on lawyer's letterhead

Shields: Call lawyer, draft letter, do within 24 hours?

Fessenden: Mail letter asap to record our position?

All board members agree to act as soon as possible to follow up on this situation

**OTHER BUSINESS:**

Fessenden: discussed GHA Insurance

Paul Schmidt says Town agreed to share expense but that hasn't been addressed in 3 years

Where is original agreement? Can we find it in the Minutes?

How far can we go to fund this?

They are asking us to begin now without retroactive payments

We'll need to decide in advance for budget

Put on March agenda



Underwood: Employee Handbook; request Fessenden get a copy to each board member for review

Underwood: Gas Lease; apparently Town has 8 parcels of relevance to gas lease  
Will get paperwork to Board, see if there's any interest

Underwood: Dog enumeration, not now  
Contract for lawn mowing: put on March agenda

**OLD BUSINESS**

**R32**

**RESOLUTION: REPLACE SIGN AT FRONT DOOR OF TOWN HALL**

On a motion of Shields, seconded by Sellen, the following resolution was

**ADOPTED**

Ayes: 4 Underwood, Shields, Fessenden, Sellen

Nays: 0

Resolved: Underwood will replace existing sign with one which facilitates the changing of names and hours as needed; notify Board of cost

**DISCUSSION:**

Sellen: Advertise employment position becoming available with Town Highway Department

Starting wage \$12.50 hr.

Run ad 02/10/06 through 03/03/06

With no further business:

On a motion of Shields, seconded by Fessenden, meeting was adjourned at 9:39 pm:  
carried unanimously