

**MEETING, TOWN BOARD OF GENOA**

**April 13, 2016**

A Regular meeting of the Town Board of Genoa, Cayuga County, State of New York was held at the Town Hall, 1000 Bartnick Road, Genoa NY on April 13, 2016

Present	Lorie Sellen-Gross, Supervisor	Mick Piechuta
	Cheryl Shields, Board Member	Frank Sellen
	Don Slocum, Board Member	Paul Wheeler
	Brandon White, Board Member	Mark Conner
	Al Armstrong, Board Member	Julie Freisinger
	Sue Moss, Clerk	Matthew Kleinman
		George Signor

The meeting was called to order at 7 p.m. by Supervisor Lorie Sellen-Gross with the Pledge of Allegiance to the Flag.

Because the Code Enforcement Officer had to leave early for another meeting, he spoke first at the meeting.

He talked about the water district improvement meeting which took place on March 23. It was reported that the value of the water district is estimated to be \$9 million. It was suggested that the Town budget approximately \$69,000 per year to maintain the water district. Other estimated costs are: \$2 million to run a line from Bolton Point to the Town, \$381,000 to update the pumps and pump house, \$111,000 to replace the water tanks and \$269,000 to replace all hydrants.

The next meeting is scheduled for April 27 at 6 pm. Hopefully, the final cost of the project will be available along with suggestions where to secure monies for the project.

**CODE ENFORCEMENT** (March 2016)

Mick Piechuta

Hours: 30.00 Miles: 157

**PERMITS ISSUED:**

16 – 14	Caleb Ragusa	632 Bartnick Rd.	Garage
16 – 15	Mike Franklin	919 Rt. 34B	Garage
16 – 16	KF Winery	658 Lake Rd.	Pavilions (2)
16 – 17	Crown Const.-Yacalis	729 FL#5	Sun Room
16 – 18	Fessenden Dairy-JP Const.	1028 Rt. 34B	Renovations
16 – 19	Michael Davis	Blakley Rd.	Pole Barn
16 – 20	Ridgecrest Properties	1392 Indian Field Rd.	Doublewide

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INSPECTIONS/VISITS:

A. Thompson	FL#6	Joe Signor	G/L Townline Road
S. Nolan	Mahaney Road	T. Walters	Bruton Road
Atwater Glen	FL#2	Mike Davis	Blakely Road
G. Mahanna	Rt. 90	N. Boles	FL#5
R. Beyea	Bradley Street	J. Snipe	FL#1
Ridge Crest Properties	Indian Field	Fessenden Farms	Rt. 34B
Crown Const.	FL#5	M. Franklin	Rt. 34B
C. Ragusa	Bartnick Road		

COMMENTS/QUESTIONS/CONCERNS:

- Received ruling from Judge Orkin on J. Freisinger case. Will decide what's next.
- Plan review for new home for Michael Davis on Blakely Rd.
- Met with Jodie Pettit regarding Fessenden Dairy Project
- Met with John Starner concerning another home on Powers Rd.
- Continue to review KF Winery's pavilion project.
- Continue to answer questions from residents about projects and other code related questions
- Attended OSHA/PESH Training at Moravia Fire Dept.
- New Code in effect starting April 6, 2016. Both can be used until October 6, 2016
- Have not received new books as of yet. Training will be in either June or July.

Julie Freisinger showed photos to the Board concerning the water on her land after Mr. Perkins had soil brought in to raise the elevation of his property. Prior to this, she had dug a pond on her property to alleviate this water. She left the photos with the Board.

Mr. Signor is still not happy with his assessment after receiving a letter from the Supervisor (after she spoke with the Assessor) explaining the reason for the assessment amount.

The March 9, 2016 meeting minutes were approved via email.

**SUPERVISOR'S REPORT**

Lorie Sellen-Gross

RESOLUTION 35-2016 **SUPERVISOR'S REPORT**

On a motion of Board member Slocum, seconded by Board member White, the following resolution was

ADOPTED Ayes 5 Sellen-Gross, Slocum, White, Shields, Armstrong  
Nays 0

Resolved that the March 2016 Supervisor's Report be approved

**CLERK'S REPORT**

Report on Revenues from Clerk's Office for March 2016

Certified Copies	\$	50.00	
Dog Licenses		181.00	(\$207.00 - \$26.00)
Building Permits		941.75	

**Disbursements for March**

Paid to Supervisor	\$	1172.75
Paid to NYS Ag & Markets		26.00

RESOLUTION 36-2016 **CLERK'S REPORT**

On a motion of Board member Shields, seconded by Board member White, the following resolution was

ADOPTED Ayes 5 Sellen-Gross, Slocum, White, Shields, Armstrong  
Nays 0

Resolved that the March 2016 Clerk's Report be approved

**HIGHWAY REPORT**

Brandon White

The men have been hauling and stockpiling limestone from Seneca Stone. Patching potholes, we still have a lot more to do. They have also changed brushes on road broom. Eric has been ditching on Powers Road, Green Road and Center Road. Work is being done on Lane Road getting it ready to be paved this summer. Everyone attended New York State Workers Compensation annual safety meeting, held at the Moravia firehouse. Frank and Mark are working on changing Material Safety Data Sheets [MSDS] to Safety Data Sheets [SDS]. This has to be done by June 2016.

**ASSESSOR'S REPORT**

Lorie Sellen-Gross

During March and April I finish up the process of reviewing, calculating and applying or removing exemptions for the 2016 Assessment Roll. During this process, all renewal applications for Agriculture, Enhanced STAR, Low income Sr. Citizen and Low income Disability are examined. All new applications are evaluated and all exemptions applied to the 2015 Assessment Roll that may have had a change are reexamined to determine if the owner (as of taxable status date) is eligible for said exemption. Property owners will receive a denial/removal notice about May 1<sup>st</sup> if the exemption will not be approved.

I am also in the midst of reviewing assessments/market values for all properties with physical changes or requested review by owners for 2016 Assessment Roll. I will be and have been visiting new construction as well as demo'd and modified buildings. I also review any property the owners have requested I take a look at, including those I have visited throughout the past year.

I will be out of town the last week of April, but will try to be available by phone for "Urgent Business."

The 2016 Tentative Assessment Roll will be available May 1, 2016.

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I have posted the Office Hours for May when I will be "Sitting with the Rolls." Board of Assessment Review will be held Tuesday, May 31<sup>st</sup> from 4-8pm.  
The 2016 Final Assessment Roll will be available July 1, 2016.

Heather Garner, Assessor

**WATER**

Sue Moss

2,043,200 - March total

65,900 - March average

There was a water line break in Genoa where thousands of gallons of water were lost. It has been repaired.

The Clerk will call Real Properties tomorrow and find out what are the Town's options for filling the vacant seat on the Board of Assessment Review left by the death of Carolyn Robinson.

Lorie informed the Board that the summer performances by the Merry Go Round Theatre are no longer free to the community. There is now a \$500 fee for each performance. She will look into possible avenues for funding.

**RESOLUTION 37-2016 APPROVAL OF BILLS**

On a motion of Board member Shields, seconded by Board member White, the following resolution was

ADOPTED Ayes 5 Sellen-Gross, Slocum, White, Shields, Armstrong  
Nays 0

Resolved to accept the bills as presented

**OLD BUSINESS**

**RESOLUTION 38-2016 APPROVAL OF THE TRANSFER OF THE CABLE FRANCHISE**

On a motion of Board member Slocum, seconded by Board member White, the following resolution was

ADOPTED Ayes 5 Sellen-Gross, Slocum, White, Shields, Armstrong  
Nays 0

Resolved to accept the transfer of the cable franchise

**WHEREAS**, Southern Cayuga County Cablevision, LLC (the “Franchisee”) owns, operates and maintains a cable television system (the “System”) in the Town of Genoa (“Franchise Authority”) pursuant to a franchise agreement (the “Franchise”);

**WHEREAS**, Zito New York, LLC (“Zito”) entered into an Asset Purchase Agreement dated as of February 24, 2016 (the “Agreement”) with Franchisee pursuant to which the Franchisee proposes to sell and assign to Zito the assets of the System, including the Franchise (the “Transfer”); and

**WHEREAS**, the Franchisee requests the consent of the Franchise Authority to the Transfer.

**NOW THEREFORE, BE IT RESOLVED BY THE FRANCHISE AUTHORITY AS FOLLOWS:**

**SECTION 1.** The Franchise Authority hereby consents to the Transfer, to the extent required by the terms of the Franchise and consents to any other transfer of the Franchise to any affiliate of Zito.

**SECTION 2.** The Franchise Authority consents to and approves Zito’s granting a security interest in all of Zito’s rights, powers and privileges under the Franchise and all of its other properties to such lender or lenders (as may be designated by Zito) for financing purposes, under which such lender or lenders shall have the rights and remedies of a secured party under the applicable Uniform Commercial Code.

**SECTION 3.** Zito shall maintain at all times the required capital and insurance coverage as required by the Franchise or law, whichever is greater, and that Zito shall continue to indemnify of the Franchise Authority jointly and severally with the Franchisee, regardless of the date that any damage, loss, liability or claim arises, and even if before the date of this Franchise Transfer resolution or the date of the Agreement to acquire the assets of the Franchisee.

**SECTION 4.** Service requirements as to the time of service, repair, installation of service extensions and drops, and like matters shall be maintained by Zito in a manner as meets any minimum requirements set forth in the Franchise, and that Zito shall at all times comply with the franchise standards required by the New York Public Service Commission, the Federal Communications Commission, and the Federal Cable Communications Policy Act.

**SECTION 5.** On or before 12/31/2016, Zito and the Franchise Authority shall negotiate in good faith the terms of an updated franchise agreement relative to adopting standards to expand services, service speeds, and services options within the Franchise area.

**SECTION 6.** This Resolution shall be deemed effective for purposes of the Transfer upon the closing date under the Agreement.

This agreement was signed and dated by the Supervisor and all Board members.

**NEW BUSINESS**

RESOLUTION 39-2016 **APPROVAL OF FUNDING REQUEST**

On a motion of Board member Slocum, seconded by Board member Shields, the following resolution was

ADOPTED Ayes 5 Sellen-Gross, Slocum, White, Shields, Armstrong  
Nays 0

Resolved to approve the funding request

Lorie informed the Board that she had received \$5003 for the 2015 Cyclical Aid Certification.

RESOLUTION 40-2016 **APPROVAL OF NEW HIRE FOR BOOKKEEPER POSITION**

On a motion of Board member Shields, seconded by Board member Armstrong, the following resolution was

ADOPTED Ayes 5 Sellen-Gross, Slocum, White, Shields, Armstrong  
Nays 0

Resolved to approve the hire of Nancy Niswender as bookkeeper for the Town.

RESOLUTION 41-2016 **APPROVAL OF NEW HIRE FOR BUILDING CARE PERSON**

On a motion of Board member Slocum, seconded by Board member Shields, the following resolution was

ADOPTED Ayes 5 Sellen-Gross, Slocum, White, Shields, Armstrong  
Nays 0

Resolved to approve the hire of Christine Tanner as the building care person for the Town Hall.

Paul Wheeler will be attending the Cornell Local Roads Program at Ithaca College

The annual meeting of the Maple Wood Cemetery will be meeting on the 21<sup>st</sup> of this month at the Museum. The Supervisor received an email from Design Connect

There will be a Comp Alliance/SEQR training at Weedsport. All those employed by the Town are required to attend if they haven't already done so.

With the unexpected death of Carolyn Robinson, the Board of Assessment Review is in need of a new member.

The inter-municipal agreement will be signed and sent in.

With no further business, on a motion of Board member Shields, seconded by Board member Armstrong, the meeting was adjourned at 8:35 p.m. Carried unanimously.