

MINUTES
TOWN OF GENEVA

PUBLIC HEARING for proposed Local Law 2-2024 "Amending a Previously Approved Planned Unit Development District by Rezoning a Parcel of Land Included in the PUD and by Amending the Conditions of the PUD Relative to the Remaining Parcels in the PUD"

REGULAR TOWN BOARD MONTHLY MEETING

April 9, 2024

PRESENT: Supervisor Mark Venuti; Councilmember Kimberly Aliperti; Councilmember Gordy Baxter
Councilmember Robert McCarthy and Councilmember Mitchell Wilber.

Others Present: Code Enforcement Officer Floyd Kofahl; Highway Superintendent Bernie Peck; Water and Sewer Superintendent Howard Bailey; and six residents.

Recording Secretary: Lorrie S. Naegele, Geneva Town Clerk
The actions described below are not necessarily listed in order of occurrence.

Informal Discussion – 5:30 p.m. Informal discussion with Town Board, department heads and public.

1. **Call to order-** 6:00 pm. The public hearing for proposed Local Law 2-2024: "Amending a Previously Approved Planned Unit Development District by Rezoning a Parcel of Land Included in the PUD and by Amending the Conditions of the PUD Relative to the Remaining Parcels in the PUD." Legal Notice was published in the Finger Lakes Times on March 28, 2024, and notices were posted on the town's website and sign board.

Public Comments- Jeff Huether, Turk Rd. spoke in support of the change.

Written Comments: None

Close Public Hearing- Time: 6:03 p.m.

2. **Call to order:** The Regular Town Board Meeting directly following the public hearing.

3. **Privilege of the floor:** Linda Peterson, White Sp. Dr. discussed a violation letter about their sump-pump being hooked up to the sewer. The board explained that it is State Law and in the Town Code and any that are found hooked up incorrectly need to be corrected. Charlie Pitifer, Carter Rd. Spoke about water issues on his property from the solar farm drainage.

4. **Gratitude's:** Part-time town employee Jacob Fox for leading the town in taking actions that increase the use of clean energy that have now qualified the town for a \$175,000 grant from NYSERDA; this follows grants over the past few years of \$5000, \$10,000, and \$75,000.

5. **Approval of the minutes:** Approval of the minutes of the Regular Meeting of the Town Board of March 12, 2024. Motion to approve made by Councilmember Wilber, second by Councilmember Aliperti. Unanimously approved.

Approval of the minutes: Approval of the minutes of the Special Meeting of the Town Board of March 19, 2024. Motion to approve made by Councilmember Baxter, second by Councilmember McCarthy. Unanimously approved.

6. **Town Clerk's/ Tax Collector report.**

Questions, comments. Tax collectors 2024 settlement Report to the County on April 4, 2024.

The Board acknowledges receipt.

7. **Code Enforcement Officer's report.**

Questions, comments.

The Board acknowledges receipt.

8. **Highway Superintendent's Report:**

Questions, comments.

The Board acknowledges receipt.

9. **Water & Sewer Superintendent's Report:**

Questions, comments.

The Board acknowledges receipt.

10. **Supervisor's report of finances**

Questions, comments.

The Board acknowledges receipt.

11 **2024 RESOLUTION NO. 43-2024-** Approving Abstract-004 April 2024 Bills for Payment and Prepaid Bills. Motion to approve made by Councilmember Aliperti, second by Councilmember Wilber. Unanimously approved.

TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 43-2024

Whereas certain abstracts and bills for services and goods received or to be received by the town have been presented for payment or necessarily paid, Abstract-4, April 2024, vouchers 292-378 total \$498,712.27 and

Whereas those abstracts and bills have been reviewed by the town bookkeeper, the supervisor, and other members of the town board, and are in proper order for payment or approval, now therefore, it is

RESOLVED the pre-paid bills that are presented are approved and the supervisor is authorized to pay the unpaid bills.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the resolution on April 9, 2024.

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

12. Review of Full Environmental Assessment form Parts 1, 2 and 3 for rezoning the Burkholder property from PUD to AG.

13. **2024 RESOLUTION NO. 44-2024** – Determination of Significance of Proposed **Local Law 2-2024**. Motion to approve made by Councilmember McCarthy, second by Councilmember Baxter. Unanimously approved.

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF GENEVA, ONTARIO COUNTY, NEW YORK,
DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. 2 OF 2024
RESOLUTION NO. 44-2024**

WHEREAS the Town of Geneva Town Board, hereinafter referred to as Town Board, has determined Local Law No. 2 of 2024 to be a Type 1 action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon the Long Form Environmental Assessment Form, Parts 1 and 2, prepared for this action, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the aforementioned resolution on April 9, 2024, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	<u>X</u>	<u> </u>
Kimberly Aliperti	<u>X</u>	<u> </u>
Mitchell Wilber	<u>X</u>	<u> </u>
Robert McCarthy	<u>X</u>	<u> </u>
Gordon Baxter	<u>X</u>	<u> </u>

Dated: April 9, 2024

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

14. **2024 RESOLUTION NO. 45-2024**: – Authorizing Site Access Agreement with Cornell University for Geneva Greenway. Motion to approve made by Councilmember Aliperti, second by Councilmember Wilber. Unanimously approved.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 45-2024**

Whereas the Town of Geneva is working with the City of Geneva and private owners of land to establish a greenway trail, primarily on an abandoned railroad line, from the northeast in the city, and running southwesterly through the city and town and into the Town of Seneca; and

Whereas Cornell University has offered the Town a Site Access Agreement for a portion of the Geneva Greenway through property of Cornell for a four-year term unless extended by the parties; which connects to the greenway through properties of Tracey Wallace and the Boys & Girls Club of Geneva, Inc., which are already part of the Geneva Greenway; now therefore, it is

RESOLVED, the Town Board approves the Site Access Agreement with Cornell University and authorizes the supervisor to sign the agreement on behalf of the Town of Geneva.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the resolution on April 9, 2024.

Lorrie S. Naegele,
Lorrie S. Naegele, Town Clerk

15. 2024 RESOLUTION NO. 46-2024- Approving Fees for Solar Installation and Building Inspection. Motion to approve made by Councilmember Wilber, second by Councilmember Aliperti. Unanimously approved.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 46-2024**

WHEREAS the Town of Geneva fee schedule (Town Code section A-170) does not include fees for solar installation or building inspection, and they are necessary and reasonable to assist the Town in defraying the costs of the building department; and

WHEREAS under section A-170-2 of the Town Code the fee schedule may be amended by resolution of the Town Board; now therefore, it is

RESOLVED the fee schedule of section A-170, subsection 63, Building Construction, is amended by adding the following:

Solar installation	residential \$50, commercial \$100
Building inspection	\$100

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the resolution on April 9, 2024.

Lorrie S. Naegele,
Lorrie S. Naegele, Town Clerk

16. Discuss request of a resident of Bay View Circle for screening on the path the runs between two residences from Phase III of the development to the public road. The board agreed to the screening and will look into the matter further.

17. 2024 RESOLUTION NO. 47-2024- Scheduling a Public Hearing for Proposed **Local Law No. 3-2024**. Motion to approve made by Councilmember McCarthy, second by Councilmember Baxter. Unanimously approved.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 47-202**

WHEREAS, the Town Board of the Town of Geneva, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon the proposed Local Law attached as Exhibit 1 entitled "A Local Law Recodifying Provisions of the Code of the Town of Geneva Contained in Chapter 75 (Erosion Control and Stormwater Management), Chapter 80 (Flood Damage Prevention), Chapter 129 (Soil Erosion) and Chapter 165 (Zoning)"; and

WHEREAS, the Town Board of the Town of Geneva has reviewed the draft of the proposed Local Law and deems it in the best interests of the Town of Geneva to proceed in accordance with the Code of the Town of Geneva and the Laws of the State of New York in adopting said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is directed to schedule a public hearing to be held on May 14, 2024, at 6:00 p.m. at the Geneva Town Hall, 3750 County Road 6, Geneva, New York; and be it further

RESOLVED, that the Town Clerk is directed to forward to the official newspaper of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

RESOLVED, that the Town Clerk is directed to post a copy of the proposed Local Law on the Town of Geneva sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Geneva for its consideration; and be it further

RESOLVED, that the Town Clerk is directed to provide all other notices as required by law for the adoption of this local law

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the aforementioned resolution on April 9, 2024, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	<u>X</u>	_____
Kimberly Aliperti	<u>X</u>	_____
Mitchell Wilber	<u>X</u>	_____
Robert McCarthy	<u>X</u>	_____
Gordon Baxter	<u>X</u>	_____

Dated: April 9, 2024

Lorrie S. Naegele

EXHIBIT #1

FILING LOCAL LAW

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County Ontario
Town of Geneva

Local Law No. 3 of the year 2024.

A Local Law Recodifying Provisions of the Code of the Town of Geneva Contained in Chapter 75 (Erosion Control and Stormwater Management), Chapter 80 (Flood Damage Prevention), Chapter 129 (Soil Erosion) and Chapter 165 (Zoning)

Be it enacted by the **Town Board** (Name of Legislative Body)

County of Ontario
Town of Geneva

as follows:

Section 1. This local law, containing amendments, deletions, repeals, alterations, or new provisions in the Code of the Town of Geneva, is adopted pursuant to the authority contained in §20 3. of the Municipal Home Rule Law.

Section 2. Paragraph C of §75-8 (Purpose of plan; contents; structure) of the Stormwater Management and Erosion Control Law contained in Chapter 75 of the Code of the Town of Geneva is hereby repealed and a new paragraph C is hereby inserted in its place to read as follows:

- C. The structure and content of the stormwater management and erosion control plan shall be as follows: The structure and content shall be as specified in the New York State Stormwater Management Design Manual, dated October 2001, or as later revised, and shall contain such other information as shall be required by the Code Enforcement Officer and Planning Board of the Town of Geneva

Section 3. Paragraphs A and B of §80-6 (Basis for establishing areas of special flood hazard) of Chapter 80 (Flood Damage Prevention) of the Code of the Town of Geneva are hereby repealed and new paragraphs A and B are hereby inserted in their places to read as follows:

- A. The areas of special flood hazard are identified by the Federal Emergency Management Agency in a scientific and engineering report entitled National Flood Insurance Map 2024, Town of Geneva, dated 7/14/23."
- B. The above documents are hereby adopted and declared to be a part of this chapter. The Flood Insurance Study and/or maps are on file at the Town Clerk's office, 3750 County Road 6, Geneva, New York.

Section 4. Chapter 129 (Soil Erosion) of the Code of the Town of Geneva is hereby amended as follows:

- A. Paragraphs F and G of §129-7 (Activities requiring a permit) are hereby repealed and new paragraphs F and G are hereby inserted in their places to read as follows:
 - F. Stripping or grading which affects more than 5,000 square feet of ground surface within any parcel or any contiguous area.
 - G. Excavation or filling which exceeds a total of 10 cubic yards of material within any parcel or contiguous area.
- B. Paragraph C of §129-8 (Exempted activities) is hereby repealed in its entirety and Paragraphs D, E and F are hereby re-lettered as Paragraphs C, D and E, respectively.

Section 5. Chapter 165 (Zoning) of the Code of the Town of Geneva is hereby amended as follows:

- A. Paragraph D (Permitted with site plan approval) of §165-15 (AG Agricultural District) is hereby amended with the insertion of new subsections (13) and (14) to read as follows:
 - (13) Food service establishment;
 - (14) Entertainment and sports venue.
- B. Subsection (9) of paragraph F (Permitted accessory uses) of §165-15 (AG Agricultural District) is hereby repealed and a new subsection (9) is hereby inserted in its place to read as follows:

(9) Solar energy system, major or solar farm, only north of White Springs Lane and/or west of County Road 6, subject to provisions of Chapter 130;

C. Subsection (3) of paragraph I (Additional requirements for agricultural commerce and agricultural tourism) of §165-15 (AG Agricultural District) is hereby repealed and a new subsection (3) is hereby inserted in its place to read as follows:

(3) Where the property on which agricultural commerce or agricultural tourism events will take place abuts a residential parcel or a residence, there shall be a vegetated buffer area, screening the area in which the agricultural commerce or agricultural tourism events will take place, conforming to the standards set forth in § 165-40, not less than 15 feet in width, planted with trees and shrubs spaced in a manner that will result in a continuous visual screen along the property boundary abutting the residential parcel or residence.

D. Paragraph G (Buffer requirement) of §165-16 (B General Business District) is hereby amended with the insertion of the following sentence at the end of the existing wording:

“See Town of Geneva’s Site Design and Development Criteria adopted by the Town Board on July 9, 2019, as amended, Appendix H-12.0 through 12.5, incorporated herein.”

E. Paragraph I (Buffer requirement) of §165-17 (I-1 General Industrial District) is hereby amended with the insertion of the following sentence at the end of the existing wording:

“See Town of Geneva’s Site Design and Development Criteria adopted by the Town Board on July 9, 2019, as amended, Appendix H-12.0 through 12.5, incorporated herein.”

F. Paragraph G (Buffer requirement) of §165-18 (I-2 Light Industrial District) is hereby amended with the insertion of the following sentence at the end of the existing wording:

“See Town of Geneva’s Site Design and Development Criteria adopted by the Town Board on July 9, 2019, as amended, Appendix H-12.0 through 12.5, incorporated herein.”

G. §165-51 (Limitations on approvals) is hereby amended with the insertion of new paragraph C to read as follows:

C. For a failure to commence construction as set forth above, the Town Board may, by local law, remove the PUD district designation and return the property to its former or another zoning designation.

H. Paragraph A (Required off-street automobile parking spaces) of §165-55 (Off-street parking spaces) is hereby amended with the insertion of the following sentence at the end of the existing wording:

“Notwithstanding the above, during site plan review by the Planning Board, the Planning Board may substitute a banked parking area for some of the required parking spaces if appropriate for the expected customary use and property.”

I. Table 1. Required Off-Street Parking Spaces, contained in §165-55 (Off-street parking spaces) and referred to in paragraph A of §165-55, is hereby amended by changing the Minimum Number of Spaces as follows for the Land Uses identified below (*those Land Uses not set forth below shall remain on Table 1 with the Minimum Number of Spaces currently identified*):

Land Use	Minimum Number of Spaces
Detached 1-family dwelling	1 per dwelling
Semidetached 1-family dwelling	
Townhome dwelling	
1-family cottage court dwelling	
2-family dwelling	
Manufactured home park	
Multifamily dwelling	
Assisted living dwelling	0.25 per dwelling or bed
Congregate care facility	
Short-term rental	0.25 per permitted occupant
Retail sales, retail services, financial services	1 per 500 square feet of net space
Food service establishments	0.5 space per occupant based on maximum occupant load
General and professional office	3 per 1000 square feet of net space
Indoor retail shopping mall	1 per 500 square feet of net space
Child-care center	3 per 1,000 square feet of net space
Conference or convention center	0.75 per maximum occupant load
Entertainment and sports venue	0.5 per maximum occupant load
Funeral home	0.5 per maximum occupant load
Hospital, clinic	1 per employee and exam and occupant room
Library, museum, other cultural facilities	1 per 500 square feet of net space
Membership club	5 per 1,000 square feet of new space
Public or private school, including higher education	1 per 6 students of driving age;

Land Use	Minimum Number of Spaces
	otherwise to accommodate employees
Theater or concert hall	0.5 per occupant load
Automobile salvaging or dismantling Equipment rental or sales yard	1 per 1,000 square feet of net area
Food processing, packaging and shipping Light industry Manufacturing, fabrication and assembly Structural steel fabricating, metalworking	1 per 1,000 square feet of net area
Brewing or distilling of liquors, wines, beer	1 per 1,000 square feet of net area or 0.5 per occupant load
Research laboratories	1 per 1,000 square feet of net area
Self-storage facility	1 per 500 square feet of net area

J. Paragraph D (Location of parking required spaces) of §165-55 (Off-street parking spaces) is hereby repealed and a new paragraph D is hereby inserted in its place to read as follows:

- D. In any residential district, required automobile parking spaces shall be provided on the same lot, or, for any lot that is unable to provide such required automobile parking spaces on the same lot, required automobile parking spaces may be provided on one other lot, over which the same owner or owners have a written, legal right to use as parking for such lot and provided that such other lot is located no more than 200 feet from the lot requiring the parking.

Section 6. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 7. This local law shall take effect immediately upon filing with the Secretary of State.

Exhibit 2

TOWN OF GENEVA

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held by the Town Board of the Town of Geneva on May 14, 2024, at 6:00 p.m., at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, regarding the adoption of a Local Law which would amend provisions of the Code of the Town of Geneva as follows:

1. Regulations in the Stormwater Management and Erosion Control Law dealing with the structure and content of the stormwater management and erosion control plan;
2. Regulations in the Flood Damage Prevention Law dealing with the basis for establishing areas of special flood hazard;
3. Regulations in the Soil Erosion Law dealing with activities requiring a permit and exempted activities;
4. Regulations in the Zoning Law dealing with:
 - a. permitted uses in the Agricultural District;
 - b. requirements for agricultural commerce and agricultural tourism;
 - c. buffer requirements in the General Business District, the General Industrial District and the Light Industrial District;
 - d. limitations on approvals of a Planned Unit Development;
 - e. off-street parking spaces, including the minimum number of spaces for certain land uses.

Any person shall be entitled to be heard upon said proposed Local Law at such public hearing. Copies of said proposed Local Law are available for review at the Town of Geneva Town Hall, 3750 County Road 6, Geneva, New York 14532.

This by Resolution of the Town Board of the Town of Geneva.
Lorrie S. Naegele, Town Clerk

18. 2024 RESOLUTION NO. 48-2024.- Revising Water Rate for the Town of Seneca. Motion to approve made by Councilmember Aliperti, second by Councilmember Wilber. Unanimously approved.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 48-2024**

Whereas Town of Geneva and the Town of Seneca are parties to an agreement that provides a formula governing the amount each town can charge the other for water; and

Whereas Town Board Resolution 35 of 2024 approved a water rate increase to the Town of Seneca from 0.986 per thousand gallons to \$1.24, by adding 20% to the Town of Geneva's costs, as opposed to 10% that is provided in the agreement between the towns, under the assumption the Town of Seneca had agreed to that change; and

Whereas later communications revealed the Town of Seneca had not understood this change was being made and would like to negotiate that and perhaps other changes to the agreement; now therefore, it is

RESOLVED the rate for water charged to the Town of Seneca for 2024 unless and until further modified will be \$1.13 per thousand gallons.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the resolution on April 9, 2024.

Lorrie S. Naegele,
Lorrie S. Naegele, Town Clerk

19. 2024 RESOLUTION NO. 49-2024 - Revising 2024 Town Budget. Motion to approve made by Councilmember Wilber, second by Councilmember Baxter. Unanimously approved.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 49-2024**

Whereas there was an addition error in the Highway Superintendent's proposal for paving roads, in that it stated the total cost for paving four roads was \$375,555.00, and it requested \$390,000.00, but the costs listed for the four roads actually total to \$540,390.00; and

Whereas this error was not realized before the 2024 town budget was approved at \$390,000.00 for this purpose, the Highway Superintendent believes the four designated roads, Kashong, Armstrong, Snell and Old Lake, should be paved this year, and the Town has sufficient funds in its unallocated fund balance to revise the budget by adding \$150,390.00 to that item; now therefore, it is

RESOLVED the highway budget is revised by changing DA5110.4 from \$390,000.00 to \$540,390.00, and revenue line DA1120 (sales tax) from \$936,000.00 to \$1,086,390.00; and it is further

RESOLVED the general fund budget is revised by changing revenue line A1120 (sale tax) from \$864,000.00 to \$713,610.00, and the appropriated fund balance from \$131,405.00 to \$281,795.00.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the resolution on April 9, 2024.

Lorrie S. Naegele,
Lorrie S. Naegele, Town Clerk

20. Discussion of a survey proposed by the committee looking at the Town's deer population and issues. The board is reviewing a one page survey.

21. 2024 RESOLUTION NO. 50 -2024- Authorizing Adoption of Local Law 2-2024. Motion to approve made by Councilmember McCarthy, second by Councilmember Aliperti.

**LOCAL LAW 2 of 2024
TO AMEND THE PLANNED UNIT DEVELOPMENT DISTRICT PREVIOUSLY APPROVED BY LOCAL LAW 3 OF 2019**

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 50-2024**

Whereas, a resolution was duly adopted by the Town Board of the Town of Geneva for a public hearing to be held by said Town Board on April 9, 2024, at 6:00 p.m. at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, to hear all interested parties on a proposed Local Law Amending a Previously-Approved Planned Unit Development District by Rezoning a Parcel of Land Included in the PUD and by Amending the Conditions of the PUD Relative to the Remaining Parcels in the PUD; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Geneva on March 28, 2024

WHEREAS, said public hearing was duly held on April 9, 2024, at 6:00 p.m. at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

WHEREAS the Town Planning Board reviewed the local law and had no comments, and the Ontario County Planning Board will review the local law at its April 10, 2024, meeting and no substantive negative comments are anticipated; and

WHEREAS, the Town Board of the Town of Geneva, after due deliberation, provided there are no substantive negative comments on the local law by the Ontario County Planning Board that it should consider, finds it in the best interest of the Town of Geneva to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Geneva hereby adopts said Local Law No. 2 of 2024, entitled, "A Local Law Amending a Previously Approved Planned Unit Development District by Rezoning a Parcel of Land Included in the PUD and by Amending the Conditions of the PUD Relative to the Remaining Parcels in the PUD", a copy of which is attached hereto and made a part hereof, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Geneva, to give due notice of the adoption of said local law to the Secretary of State of New York, to publish an abstract of this local law in the Town's official newspaper and to post a copy of this local law on the Town of Geneva sign board; and it is further

RESOLVED that this resolution and any action taken to implement it will be held in abeyance until comments from the Ontario County Planning Board are received, and, if there are substantive negative comments that should be considered by the Town Board, this resolution will be withdrawn and reconsidered at the next Town Board meeting.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the Town Board of the Town of Geneva adopted the aforementioned resolution on April 9, 2024, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	<u>X</u>	<u> </u>
Kimberly Aliperti	<u>X</u>	<u> </u>
Mitchell Wilber	<u>X</u>	<u> </u>
Robert McCarthy	<u>X</u>	<u> </u>
Gordon Baxter	<u>X</u>	<u> </u>

Dated: April 9, 2024

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

22. Reports of Standing Committees

Economic Development – Next Meeting May 22, Wednesday at 7 p.m.

Sustainability – No Meeting. Mattress Day White Springs Road Sat. 4/13/2024 8am-11am.

Kashong Conservation Area FL Trust will help put up new signs

Communication – Looking into alert by phone for town information. The committee will propose a resolution to move forward at the May meeting.

Parks and Recreation- Next meeting April 23 at 7 pm. Work on Bike Park Sat April 20th 11am. To 2pm. Kick off Meeting food truck and events June 22 from 12 – 3pm.at the bike park and box field.

23. Supervisor's Report; Selected Meetings and Events are on the agenda.

The Town has been awarded a \$175,000 grant from the New York State Energy Research & Development Authority for completing a number of clean energy initiatives that can be used for additional clean energy initiatives, such as installing solar panels on town property and purchasing electric vehicles.

The town highway superintendent and the supervisor approved the contract with Ontario County for the town highway department to mow the roadsides of County Road 6 between the lines of the Town of Phelps and Yates County, and County Road 4 between County Road 6 and the Town of Seneca. The rate has been increased and the contract covers the next two years.

24. Old Business. None

25. New Business. None

26. Privilege of the floor. None

27. Adjourn: Motion to adjourn made by Councilmember Baxter, second by Councilmember McCarthy. Time: 7:24 p.m.

Respectfully Submitted, Lorrie S, Naegele Town Clerk