

MINUTES
TOWN OF GENEVA
PUBLIC HEARING for a proposed Local Law 1-2024 to override the tax levy limit established in General Municipal Law §3-c."
REGULAR TOWN BOARD MONTHLY MEETING
February 13, 2024

PRESENT: Deputy Supervisor Robert McCarthy, Councilmember Gordy Baxter, , Councilmember Mitchell Wilber and Councilmember Kimberly Aliperti.

ABSENT: Supervisor Mark Venuti

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

Others Present: Code Enforcement officer Floyd Kofahl; Highway Superintendent Bernie Peck; Water and Sewer Superintendent Howard Bailey; and three town residents.

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 Proposed Local Law: " A Local Law to override the tax levy limit established in General Municipal Law §3-c." Legal Notice was published in the Finger Lakes Times on February 2, 2024.

Public Comments- None

Written Comments: None

Close Public Hearing-

Time: 6:01 p.m.

2. **Call to order:** The Regular Town Board Meeting directly after the Public Hearing.

3. **Privilege of the floor:** John Serrett, Orchard Park, asked about Iversons property in the Orchard. The CEO explained due to cost it was on hold and has no drainage issues.

4. **Gratitude:** Councilmember Aliperti thanked Amy Naegele for all her research for the town Communication Committee and all her work on the Town Times. Councilmember Wilber thanked Howard Bailey for showing him the infrastructure for the town.

5. **Approval of the minutes:** Approval of the minutes of the Organizational Meeting of the Town Board on January 9, 2024. Motion made by Councilmember Aliperti, second by Councilmember Baxter. Unanimously approved.

Approval of the minutes: Approval of the minutes of the Regular Meeting of the Town Board on January 9, 2024. Motion made by Councilmember Baxter, second by Councilmember Aliperti. Unanimously approved.

6. **Town Clerk's report.**

Questions, comments.

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 town is having its yearly Audit so the Town Board will receive the report at next month's meeting.

11. **2024 RESOLUTION NO. 22-2024-** Approving Abstract-002 February 2024 Bills for Payment and Prepaid Bills. Motion made by Councilmember Wilber, second by Councilmember Baxter

TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 22-2024

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-2, February 2024, vouchers 104-029 total \$628,922.74 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.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Geneva, County of Ontario pursuant to General Municipal Law §3-c, and to allow the Town of Geneva to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 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 the town board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the town board.

Section 3: Tax Levy Limit Override

The Town Board of the Town of Geneva, County of Ontario, is hereby authorized to adopt a budget for the fiscal year 2025 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4: Severability

If any clause, sentence, paragraph, section, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or 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 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.

13. 2024 RESOLUTION NO. 24-2024. Approving tax levy limit override for special districts and/or fire protection districts. Motion made by Councilmember Wilber, second by Councilmember Baxter.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 24 -2024**

WHEREAS the Town Board of the Town of Geneva is the governing body of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof; and

WHEREAS, it is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Geneva, on behalf of the aforesaid special districts and/or fire protection districts, pursuant to General Municipal Law §3-c, and to allow the Town of Geneva, on behalf of the aforesaid special districts and/or fire protection districts, to adopt a budget for the fiscal year 2023 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c; and

WHEREAS this resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Geneva, County of Ontario, is hereby authorized to adopt a budget for the fiscal year 2025 on behalf of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva, I do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Geneva on February 13, 2024, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Kimberly Aliperti	X	_____
Mitch Wilber	X	_____
Mark Venuti ABSENT	_____	_____
Robert McCarthy	X	_____
Gordy Baxter	X	_____

Dated: February 13, 2024.

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

14. 2024 RESOLUTION NO. 25-2024 – Approving Renewal of a Bond Anticipation Note improvements to the Kashong Point Water Supply Facility. Motion made by Councilmember Aliperti, second by Councilmember Wilber.

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 25-2024**

Whereas the Bond Anticipation Note, originally dated March 3, 2005, with Five Star Bank, now with Bank of the Finger Lakes, for the financing of the improvements to the Kashong Point Water Supply Facility, is due on March 1, 2024, at which time \$27,111.91, plus interest, is due; and

Whereas the full amount due cannot be paid without significant cost to property owners, and it need not be paid in full and may be and has been renewed annually with a payment against principal and the interest due; now therefore, it is

RESOLVED the Supervisor of the Town of Geneva is authorized to pay \$5,000.00 toward principal, and the interest due, and to sign a new Bond Anticipation Note with the Bank of the Finger Lakes binding the Town of Geneva for the new balance due, \$22,111.91, plus interest, due in one year.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva, I do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Geneva on February 13, 2024. Unanimously approved.

Date: February 13, 2024,

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

15. 2024 RESOLUTION NO. 26-2024- Bid Authorization for Pump Station Improvements. Motion made by Councilmember Baxter, second by Councilmember Aliperti.

**TOWN OF GENEVA, NEW YORK,
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 26-2024**

WHEREAS, the Town of Geneva is intending to make improvements to the West Lake Road Sewer Pump Station located at 4169 State Route 14, Geneva, New York, by removing the existing pumps and replacing with new pumps, piping modifications and upgraded electrical equipment, including VFDs and an emergency generator, and required demolition, miscellaneous items upgrade, and site restoration for disturbed areas, undertaken to provide additional sanitary sewage capacity for current conditions and future needs; and

WHEREAS the project will require two bids: one General Contractor bid for the pump changeout with piping modifications and minor upgrades and the second for electrical upgrades and changes; sequencing and change-out of pumps are to be addressed during construction to avoid the Station being out of service; and

WHEREAS the project documents (Plans and Specifications) will be prepared and ready to go to bid, and the project will be bid in accordance with NYS Bidding requirements and Town of Geneva procurement Law; now therefore it is

RESOLVED the Town Board authorizes the advertisement of the bids for the West Lake Road Sewer Pump Station in accordance with bidding laws of New York State, and the Board authorizes the Town Clerk to place the advertisement of the project in the official newspaper of the Town of Geneva.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva, I do hereby certify that the aforementioned resolution is adopted by the Town Board of the Town of Geneva on February 13, 2024. Unanimously approved.

Date: February 13, 2024,

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

16. 2024 RESOLUTION NO. 27-2024 – Bid Authorization for Kashong Switch Road Tank Rehabilitation. Motion made by Councilmember Wilber, second by Councilmember Aliperti.

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 27-2024**

WHEREAS, the Town of Geneva, with an Intermunicipal Agreement (IMA) with the Town of Seneca, is intending to complete rehabilitation of the 1,000,000 water storage tank which is located on Kashong Switch Road in the Town of Seneca to provide adequate capacity and storage to serve current demands and needs into the future; and

WHEREAS, the project received funding from the Environmental Facilities Corporation (EFC) in the form of a grant through the Drinking Water State Revolving Fund (EFC Project Number 18619), and the NYS Department of Health provided an approval letter for the project on August 30, 2022 with Standard Terms and Conditions; and

WHEREAS, the project documents (Plans and Specifications) have been prepared and are ready to go to bid, the project will be bid in accordance with NYS Bidding requirements, EFC Requirements and the IMA between the Town of Geneva and the Town of Seneca; MWBE firms are encouraged to bid on the project, and the Town of Geneva will be the facilitator of the bid per EFC requirements on behalf of the Town of Seneca; now therefore it is

RESOLVED the Town Board authorizes the advertisement of the bids for the Tank Rehabilitation project of the tank located on Kashong Switch Road in the Town of Seneca in accordance with bidding laws of New York State and the IMA between the Town of Geneva and the Town of Seneca, and the Board authorizes the Town Clerk to place the advertisement of the project in the official newspaper of the Town of Geneva.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva, do hereby certify that the aforementioned resolution is adopted by the Town Board of the Town of Geneva on February 13, 2024. Unanimously approved.

Date: February 13, 2024,

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

17. 2024 RESOLUTION NO. 28- 2023 – Approving Agreement with Geneva City School District for Pickleball Courts. Motion made by Councilmember Wilber, second by Councilmember Aliperti.

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 28-2023**

Whereas pickleball is a fast-growing sport, residents requested the Town look into building courts, and the Town investigated the cost of building 2 pickleball courts on town property, primarily using town forces, and the estimate was approximately \$50,000; and

Whereas the supervisor learned the Geneva City School District recently built new tennis courts, the old courts were no longer in use and could be converted to pickleball courts; and

Whereas the supervisor contacted the school superintendent about converting the old tennis courts to pickleball courts and was advised the superintendent had also been approached about this by a group of citizens and was interested in such a project if the Town would contribute half the cost; and

Whereas converting the tennis courts into 8 pickleball courts is estimated to cost approximately \$60,000, and there is also ample parking and a nearby storage shed for equipment; and

Whereas the proposal for the Town to contribute to the cost of this project in return for public access to the courts when school was not in session or district programs using the courts was discussed by the Town Board at its November 14, 2023 meeting, and the Board indicated support; and

Whereas an agreement has been prepared that provides the Geneva City School District will convert part of its tennis courts on the high school campus to 8 pickleball courts, and will allow the public to use the courts, and the adjacent parking lot and storage shed, when school is not in session and the courts are not being used for a district program, such as during school vacations, summer recess and after the high school recesses for the day, and the town will pay one-half the cost of the project, not to exceed \$40,000; now therefore it is

RESOLVED the agreement is approved and may be signed by the supervisor.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva, I do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Geneva on February 13, 2024. Unanimously approved.

Date: February 13, 2024,

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

18. 2024 RESOLUTION NO. 29- 2024 – Approving Agreement with Three+One Company, Inc. for Investment Services. Motion made by Councilmember Wilber, second by Councilmember Aliperti.

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 29-2024**

WHEREAS the Town of Geneva has funds in various accounts that could be invested to generate revenue until needed, but the Town has no investment advisor to assist with such decisions; and

WHEREAS Ontario County and the Town of Canandaigua, among others, have contracted with Three+One Company, Inc. (three+one) for investment services, which include analyzing a municipality's financial position, cash flow needs, and appropriate investment vehicles to generate additional revenue for the municipality, and the county and town are very satisfied with the services of this company and recommend it; and

WHEREAS a representative of three+one met with the supervisor and town bookkeeper to discuss the services, and the company has presented a Professional Services Agreement to the Town which provides three+one will perform an analysis of the Town's financial situation and cash flow needs and advise the Town for one year on wisely investing funds to generate additional revenue, at a cost of \$14,900, however, the agreement further provides that if, after its analysis, three+one cannot show that working with it will generate additional revenue for the Town in excess of its fee, the Town may cancel the agreement and pay nothing to three+one; now therefore, it is

RESOLVED the Professional Services Agreement with Three+One Company, Inc. is approved and may be signed by the supervisor.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva, do hereby certify that the aforementioned resolution is adopted by the Town Board of the Town of Geneva on February 13, 2024. Unanimously approved.

Date: February 13, 2024,

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

19. Reports of Standing Committees

Economic Development – Discussed Occupancy Tax.

Sustainability – No meeting.

Kashong Conservation Area- Working on new signs.

Communication – Town Times, looking into alert systems for the town and virtual museum in Ontario County will feature Ansley School House when up and running.

Parks and Recreation- winter Break. Meeting in March

21. Supervisor's Report: The town will host another county-sponsored mattress recycling event at 32 White Springs Road on Saturday, April 13. Free to county residents. Don't put old mattresses or box springs in the trash; bring them to the event – it all gets recycled. Pre-registration required but not open yet. Stay tuned and pass the word.

22. Old Business. Deer Management Study Group- It will take a few years to study. They have to identify deer impact problems and possible solutions.

23. New Business. None.

24. Privilege of the floor. None.

25. Adjourn: Motion to adjourn made by Councilmember Wilber, second by Councilmember Baxter. Time: 6:24 p.m.

Respectfully Submitted, Lorrie S, Naegele Town Clerk