

**MINUTES**  
**TOWN OF GENEVA**  
**Regular Town Board Monthly Meeting**  
**January 9, 2024**

PRESENT: Supervisor Mark Venuti                      Councilmember Kimberly Aliperti  
                    Councilmember Robert McCarthy      Councilmember Gordy Baxter

ABSENT:      Councilmember Mitchell Wilber

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

Others Present: Bernie Peck, Highway Superintendent; Howard Bailey, Water & Sewer Superintendent; and three residents.

1. **Call to order:** directly following the Organizational Meeting, the Regular Town Board meeting 6:10 p.m.
2. **Privilege of the floor.** Sharon Barnes asked about holidays off. The Supervisor explained that the Town gets federal holidays off.
3. **Gratitude's.** Highway staff for doing a fine job clearing town and county roads during and after the Saturday-Sunday snowstorm; water & sewer staff for removing snow around the town hall.
4. **Approval of the minutes:** Approval of the minutes of the Special year end Town Board meeting of December 20, 2023. Motion made by Councilmember Aliperti, second by Councilmember Baxter
5. **Town Clerk's report.**  
Questions, comments.  
The Board acknowledges receipt.
6. **Code Enforcement Officer's report.**  
Questions, comments.  
The Board acknowledges receipt.
7. **Highway Superintendent's Report:**  
Questions, comments.  
The Board acknowledges receipt.
8. **Water & Sewer Superintendent's Report:**  
Questions, comments.  
The Board acknowledges receipt.
9. **Supervisor's report of finances for the previous month**  
Questions, comments.  
The Board acknowledges receipt.
10. **2024 RESOLUTION NO. 18-2024-** Approving Abstract-001, January 2024, Bills for Payment, and Prepaid Bills. Motion made by Councilmember McCarthy, second by Councilmember Baxter.

**TOWN OF GENEVA, NEW YORK**  
**RESOLUTION OF THE TOWN BOARD**  
**RESOLUTION NO. 18 -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-1, January 2024, vouchers 0001-0103 total \$281,994.16 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 aforementioned resolution was adopted by the Town Board of the Town of Geneva on January 9, 2024. Unanimously approved.

Date: January 9, 2024.

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

11. The supervisor will be away February 3-14 and the board discussed moving the next town board meeting to Monday, Feb. 19 or Wednesday, Feb. 21. The Board kept the original meeting date for February 13, 202, to be CHANGED BY THE Deputy Supervisor.

12. **2024 RESOLUTION NO. 19-2024-** Resolution introducing Local Law and calling a Public Hearing: Tax Levy Limit. Motion made by Councilmember Aliperti, second by Councilmember McCarthy

**RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 19 -2024**

**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 a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

**WHEREAS**, the Town Board of the Town of Geneva has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" 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 be, and she hereby is, directed to schedule a public hearing to be held on February 13, 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, be and hereby is, authorized to forward to the official newspapers 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 be, and she hereby 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 be, and hereby is, authorized 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 aforementioned resolution was adopted by the Town Board of the Town of Geneva on January 9, 2024, by the following vote:

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

Dated: January 9, 2024

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**Exhibit 1**

LOCAL LAW FILING

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

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(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 of Ontario  
City  
Town of Geneva  
Village

Local Law No.   1   of the year 2024

A local law to override the tax levy limit established in General Municipal Law §3-c  
(Insert Title)

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

County of    Ontario  
City  
Town of    Geneva                            as follows:  
Village

Section 1:            Legislative Intent

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.

**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 the 13<sup>th</sup> day of February, 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 permit the Town Board to adopt a budget for the 2025 fiscal year that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Any resident of the Town of Geneva 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.

This is by Resolution of the Town Board of the Town of Geneva.

Lorrie S. Naegele, Town Clerk

January 9, 2024

**13. 2024 RESOLUTION NO. 20-2024-** Approving Purchase of Mower. Motion made by Councilmember McCarthy, second by Councilmember Baxter.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 20 -2024**

Whereas the Town needs a new zero-turn mower, which was provided for at \$15,000.00 in the 2024 Town budget; and

Whereas the Water & Sewer Superintendent can purchase a 2024 Ferris Zero-Turn Mower, model 5902064, from Twin Pines Power Equipment for \$14,524.17, which is below the regular retail price for this mower; and

Whereas the Superintendent will consign to auction the 2019 Ferris Zero-Turn Mower the new mower will replace; now therefore, it is

RESOLVED the Water & Sewer Superintendent is authorized to purchase the 2024 Ferris Zero-Turn Mower, model 5902064, from Twin Pines Power Equipment for \$14,524.17, and to consign to auction the Town's 2019 Ferris Zero-Turn Mower.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Geneva on January 9, 2024. Unanimously approved.

Date: January 9, 2024,

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**14. 2024 RESOLUTION NO. 21-2024-** Amending Resolution 73-2023, Authorizing Renewal of a Bond Anticipation Note Motion made by Councilmember Aliperti, second by Councilmember Baxter.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 21 -2024**

Whereas Town Board Resolution 73-2023, approved on November 14, 2023, authorized renewal of a Bond Anticipation Note for Water District 3, Extension 8, and it wrongly stated the amount due as \$69,388.59, instead of the correct amount of \$69,688.59, and it also wrongly stated, after payment of \$3,700.00, the amount due would be \$65,688.59, instead of the correct amount of \$65,988.59; now therefore, it is

RESOLVED, on the Bond Anticipation Note for Water District 3, Extension 8, the amount due on or about December 16, 2023, was \$69,688.59, and, after a principal payment of \$3,700.00, the amount due on or about December 16, 2024, is \$65,988.59, and the Supervisor is authorized to sign a new Bond Anticipation Note for one year with the Bank of the Finger Lakes for \$65,988.59, plus interest.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Geneva on January 9, 2024. Unanimously approved.

Date: January 9, 2024.

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**15. Reports of Standing Committees**

Economic Development – Jan. 24<sup>th</sup> Wednesday at the Town Hall 7 p.m.

Sustainability – no mtg.

Kashong Conservation Area – FL Land Trust did their yearly inspection.

Communication – no mtg.

Parks and Recreation – Closed for the season.

**16. Supervisor's Report: Selected Meetings and Events on the Agenda.**

The 9-Element Watershed Plan for Seneca and Keuka Lakes has been completed and a final report has been submitted to the NYS Department of State, which provided grant funding. The plan came in under budget so there is about \$25,000 left for projects. This is managed by a group the supervisor is a member of. Storm water and other pollution control projects are underway and planned in the watershed. Having the 9E plan adds points that improve the scores of grant applications and will inform and guide actions to protect the Seneca Lake watershed, which includes Keuka Lake.

The supervisor has been reappointed to the county Planning & Environmental Quality Committee (among other things, oversees the county landfill), and appointed to the county Ways & Means Committee. He is also chair of the county Traffic Safety Board and Alternatives to Incarceration Board, and is on the board of the Ontario County Soil & Water Conservation District

A public meeting on establishing a reuse center in Geneva will be held on February 26 at 6:30 p.m. at the Geneva Community Center, 160 Carter Road. Details to follow.

Tap Grant for sidewalks MRB did the grant application and it went out January 9, 2024.

**17. Old Business.** Wednesday January 31 at 4 pm at the Town Hall Cornell Professor Paul Curtis is doing a presentation on deer population analysis open to the public.

**18. New Business.** Working on a committee to look into Engineering and grant writing services, Councilmember Robert McCarthy volunteered to help. Code enforcement officer will be added, and the supervisor will look for 1 or 2 others.

**19. Privilege of the floor.** None

**20. Adjourn:** Motion to adjourn made by Councilmember Aliperti, second by Councilmember Baxter. Time: 6:33 p.m.

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Respectfully Submitted, Lorrie S, Naegele Town Clerk