

AGENDA
TOWN OF GENEVA
Public Hearing on projects that received Community Development Block Grant (CDBG),
funding from the New York State Office of Community Renewal
Regular Town Board Monthly Meeting
January 10, 2023

Call to order- directly following the Organizational Town Board Meeting. **Public Hearing** to discuss the implementation of the CCMI, Inc., and Real Eats America, Inc., projects that received Community Development Block Grant (CDBG) funding from the New York State Office of Community Renewal (Project Nos. 449ED982-21 and 449ED995-21). The purpose of the hearing is to obtain citizen views regarding any aspect of the project's implementation including, but not limited to, any construction, financing, and employment opportunities resulting from the project. **Legal notices** were published in the Finger Lakes Times on December 30, 2022, Sign Board and on the Town Website.

Public Comments-
Written Comments:
Close Public Hearing- Time: _____ p.m.

1. **Call to order** the Regular meeting _____ p.m.
2. **Privilege of the floor.**
3. **Gratitudes.**
4. **Approval of the minutes:** Approval of the minutes of the Special year end Town Board meeting of December 28, 2022.

Motion _____ Second _____

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. **RESOLUTION NO. 16-2023-** Approving Abstract-001, January 2023, Bills for Payment and Prepaid Bills.

Motion _____ Second _____

TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 16 -2023

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 and

Whereas those abstracts and bills have been reviewed by the supervisor's 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.

11. **RESOLUTION NO. 17-2023-** Resolution introducing a Local Law and calling a Public Hearing: Tax Levy Limit.

Motion _____ Second _____

TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 17 -2023

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 14, 2023, 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 10, 2023, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	_____	_____
Jeffrey Dunham	_____	_____
Robert McCarthy	_____	_____
Mitchell Wilber	_____	_____
Kimberly Aliperti	_____	_____

Dated: _____, 2023

Lorrie S. Naegele, Town Clerk

12. RESOLUTION NO. 18-2023- Approving Audit Services by Allied CPAs, PC.

Motion _____ Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 18 -2023**

Whereas Allied CPAs, PC has for the past few years timely and ably performed the review of the town court and town clerk financial records, and assisted with the preparation of the supervisor's annual financial report to the NYS Comptroller, and is offering to perform the same services in 2023 at the about same rate as in 2022 (maximum total \$6,000), which amount is covered in the town budget; now therefore, it is

RESOLVED the December 31, 2022 engagement letters for audit and review services by Allied CPAs, PC are approved.

13. RESOLUTION NO. 19-2023- Approving NYCLASS Municipal Cooperation Agreement and Key Contact.

Motion _____ Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 19 -2023**

Whereas New York General Municipal Law, Article 5-G, Section 119-o, empowers municipal corporations such as towns to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis; and

Whereas the Town of Geneva wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019; and

Whereas the Town of Geneva wishes to satisfy the safety and liquidity needs of its funds; now therefore, it is

RESOLVED that Town of Geneva Supervisor Mark A. Venuti is authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.

14. **RESOLUTION NO. 20-2023**- Authorizing Investment of Town Reserves.

Motion _____

Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 20-2023**

Whereas the Town of Geneva has had reserves invested in Certificates of Deposit in Wayne Bank, d/b/a Bank of the Finger Lakes, earning 0.40% interest; and

Whereas opportunities for greater returns and flexibility now exist at the Bank of the Finger Lakes and NYCLASS; now therefore, it is

RESOLVED the General Fund Certificate of Deposit at the Bank of the Finger Lakes valued at approximately \$502,000.00 may be renewed for one year at the 4.5% interest rate that has been offered; and it is further

RESOLVED the Sewer Fund Certificate of Deposit at the Bank of the Finger Lakes valued at approximately \$585,817.00 may be renewed for one year at the 4.5% interest rate that has been offered; and it is further

RESOLVED the Sewer Fund Certificate of Deposit at the Bank of the Finger Lakes valued at approximately \$958,417.00 may be closed and the sum invested with NYCLASS at its prevailing interest rate, which exceeds 4%; and it is further

RESOLVED the General Fund Certificate of Deposit at the Bank of the Finger Lakes valued at approximately \$1,072,332.00 may be closed and the sum, along with \$800,000.00 from the General Fund checking account, invested with NYCLASS at its prevailing interest rate, which exceeds 4%.

15. **RESOLUTION NO. 21-2023**- Awarding Contract for Kashong Water Plant Improvements.

Motion _____

Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 21-2023**

WHEREAS, the Town of Geneva with an Intermunicipal Agreement with the Town of Seneca is intending to install Well House Number 4 with appropriate equipment over a new well installed by BEM Systems and upgrades to the Water Treatment Plant, and this project is undertaken to provide adequate capacity to serve current demands and needs into the future; and

WHEREAS, the bid documents were prepared in accordance with NYS State Bidding and EFC requirements, and the project received partial funding from the Environmental Facilities Corporation through the DWSRF (EFC Project Number 18619) in the form of a grants; and;

WHEREAS, on December 21, 2022, three bids were received for general construction; the bids cost ranged from \$833,370 to \$926,624.00, which includes an allowance amount of \$50,000.00; the low bidder was C.P. Ward, Inc., located in Scottsville, New York; MRB Group has spoken with the contractor and the contractor is comfortable with its bid and the scope of work; the contractor is also aware of MBE/WBE requirements and will make a good faith effort to incorporate such companies in its scope of work; and MRB has worked with the contractor previously and found its work satisfactory; now therefore, it is

RESOLVED the Town Board authorizes acceptance of the bids, awards the project to C.P. Ward, Inc. in the amount of \$833,370.00, and authorizes the Supervisor to sign the Notice of Award and execute all contract documents associated with this contract.

16. **RESOLUTION NO. 22-2023**- Awarding Contract for Kashong Water Plant Electrical Improvements.

Motion _____

Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 22-2023**

WHEREAS, the Town of Geneva with an Intermunicipal Agreement with the Town of Seneca is intending to install Well House Number 4 with appropriate equipment over a new well installed by BEM Systems and upgrades to the Water Treatment Plant, and this project is undertaken to provide adequate capacity to serve current demands and needs into the future; and

WHEREAS, the bid documents were prepared in accordance with NYS State Bidding and EFC requirements, and the project received partial funding from the Environmental Facilities Corporation through the DWSRF (EFC Project Number 18619) in the form of a grant; and;

WHEREAS, on December 21, 2022, four bids were received for electrical construction; the bids cost ranged from \$378,000.00 to \$457,914.00, which includes an allowance amount of \$20,000.00; the low bidder was Erie Electrical Corporation located in Rochester, New York; MRB Group has spoken with the contractor and the contractor is comfortable with their bid and the scope of work; the contractor is

also aware of MBE/WBE requirements and will make a good faith effort to incorporate such companies in its scope of work; and MRB has worked with the contractor previously and found the work satisfactory; now therefore, it is

RESOLVED the Town Board authorizes acceptance of the bids and awards the project to Erie Electrical Corporation in the amount of \$378,000.00, and authorizes the Supervisor to sign the Notice of Award and execute all contract documents associated with this contract.

17. RESOLUTION NO. 23-2023– Awarding Contract for Olson Road Water Storage Tank.

Motion _____

Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 23-2023**

WHEREAS, the Town of Geneva with an Intermunicipal Agreement with the Town of Seneca is intending to install a new 1.5 million gallon water storage tank on Olson Road in the Town of Seneca with new water main and an enclosure housing a PRV on Kashong Switch Road, and this project is undertaken to provide adequate capacity to serve current demands and needs into the future.

WHEREAS, the bid documents were prepared in accordance with NYS State Bidding and EFC requirements, and the project received partial funding from the Environmental Facilities Corporation through the DWSRF (EFC Project Number 18619) in the form of a grant; and;

WHEREAS, on December 21, 2022, two bids were received for general construction; the bids cost ranged from \$2,217,000.00 to \$2,588,700.00, which includes an allowance amount of \$35,000.00; the alternate deduct of \$4,800.00 for both projects was not accepted; the low bidder was Preload LLC, located in Louisville, Kentucky; MRB Group has spoken with the contractor and the contractor is comfortable with its bid and the scope of work; the contractor is also aware of MBE/WBE requirements and will make a good faith effort to incorporate such companies in the scope of work; and MRB has worked with the contractor previously and found the work satisfactory; now therefore, it is

RESOLVED the Town Board authorizes acceptance of the bids and awards the project to Preload, LLC in the amount of \$2,217,000.00, and authorizes the Supervisor to sign the Notice of Award and execute all contract documents associated with this contract.

18. Reports of Standing Committees

Economic Development –

Sustainability –

Kashong Conservation Area -

Communication –

Parks and Recreation –

19. Supervisor’s Report:

The supervisor, along with the town assessor, code enforcement officer, water and sewer superintendent, climate smart coordinator, and economic development committee chair met by zoom with NYSERDA representatives to discuss implementation of state law which mandates the phasing out of fossil fuel use in buildings by 2050. They are seeking feedback from the town to inform their plans to accomplish this ambitious task.

The supervisor along with the highway superintendent and code enforcement officer met with the Soil and Water Conservation District manager and technician to discuss flooding and storm-water problems at an area of Carter Road and potential projects to remediate them.

Selected Meetings and Events

December 14 – Traffic Safety Board meeting

County Public Safety Committee meeting

December 21 – Water System Upgrade Project – opening bids

December 22 – Ontario County Board of Supervisors meeting

January 4 – Meeting with Soil and Water Conservation District manager and technician regarding Carter Road stormwater situation and potential projects

January 5 – Board of Supervisors meeting

20. Old Business.

21. New Business.

22. Privilege of the floor.

23. Adjourn: Motion _____ Second _____ Time _____

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

(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 2023

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 2024 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 14^h day of February, 2023, 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 2024 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 by Resolution of the Town Board of the Town of Geneva.

Lorrie S. Naegele, Town Clerk
January 10, 2023