

AGENDA
TOWN OF GENEVA
REGULAR TOWN BOARD MEETING
January 11, 2022

1. **Call to order** the Regular meeting directly following the Organizational Town Board Meeting.

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 20, 2021.

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. 16-2022**- Approving Abstract-001 January 2022, Bills for Payment and Prepaid Bills.

Motion _____ Second _____

TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 16 -2022

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. 17-2022** – 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 -2022

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 8, 2022, 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 11, 2021, by the following vote:

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

Dated: _____, 2022

Lorrie S. Naegele, Town Clerk

12. RESOLUTION NO. 18-2022- Approving Audit Services by Allied CPAs, PC.

Motion _____ Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 18 -2022**

Whereas Allied CPAs, PC has for the past few years 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 2022 at the about same rate as in 2021 (maximum total \$5,750), which amount is covered in the town budget (\$6,000 budgeted); now therefore, it is

RESOLVED the supervisor may sign the December 20, 2021 engagement letters for audit and review services by Allied CPAs, PC.

13. RESOLUTION NO. 19-2022- Approving Proposal for Community Development Block Grant Administrative Services.

Motion _____ Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 19 -2022**

Whereas the Town of Geneva is the recipient of a Community Development Block Grant (CDBG), to assist with the move of Real Eats America, Inc. to the Town, under an agreement with the Housing Trust Fund Corporation, facilitated by the Office of Community Renewal; and

Whereas the award includes \$16,000.00 for program delivery and grant administration; and

Whereas the Town desires assistance with program delivery and grant administration, and duly advertised for proposals for assistance, with a deadline of December 30, 2021 for proposals to be submitted to the Town; and

Whereas the Town received three proposals, from H. Sicherman & Company, Inc. (Sicherman), MRB Group, and AK Strategies; and

Whereas the three proposals were reviewed and scored by supervisor Mark Venuti and town board member Robert McCarthy, with the result being the proposal of Sicherman was the most highly scored and is recommended for approval on the basis that Sicherman (1) has the skills necessary for administration of the grant; (2) has significant experience delivering the services needed, including experience with CDBGs and the OCR; (3) has provided a schedule of costs, including hourly rates for labor and a method for calculating all other costs; (4) has provided background information on the firm and client listings and references; (5) has identified the persons who will provide services and provided their resumes; and (6) has committed that it’s bill will not exceed the amount awarded for those services (unlike the other proposals); and

Whereas the Sicherman proposal received 21 out of a possible 21 points on the Request for Proposals grading sheet based on the above-cited criteria (higher than the other applicants); and

Whereas Sicherman is assisting the town with such services for the CDBG in support of CCMI, Inc.’s move to the town; and

Whereas Sicherman will submit an Agreement between it and the Town of Geneva consistent with its acceptable proposal; now therefore, it is

RESOLVED the proposal of H. Sicherman & Company, Inc. is selected as the winning proposal; and it is further
RESOLVED an agreement between the Town of Geneva and H. Sicherman & Company, Inc., for assisting the Town with the administration of the Community Development Block Grant for the benefit of Real Eats America, Inc., through the Office of Community Renewal, consistent with its proposal and its existing agreement with the town, may be signed by the Supervisor.

14. RESOLUTION NO. 20-2022 - Approving Amendments to the Town’s Fee Schedule.

Motion _____

Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 20-2022**

Whereas the Town Board has authority to establish fees and amend the fee schedule under Chapters 55 (Animals), 63 (Building Construction and Fire Prevention), 132 (Solid Waste), 161 (Water), 165 (Zoning) and A170 (Fees), by resolution of the Town Board; and

Whereas the town board last amended the fee schedule by Resolution 111-2021 on December 20, 2021, but subsequently the town’s Code Enforcement Officer found a few other technical errors on the schedule in need of amending; now therefore, it is

RESOLVED the Fee schedule of the Town of Geneva is amended as follows and as shown on the schedule attached and incorporated into this resolution:

102, Manufactured Home

ss 103-13C, Permit for visiting manufacture home – delete

123, Site Plan Review, change to 165-73, Site Plan Review

ss 123-6C, site plan review application, change to ss 165-75

165, Zoning

ss 165-25H, excavation permit, change to 165-29

ss 165-70B, appeal to Board of Appeals, change to 165-104

ss 165-71B, variance application, change to 165-105

ss 165-72B, special use permit application, change to 165-106

ss 165-74, amendment by petition, change to 165-111.

15. RESOLUTION NO. 21--2022 – Approving a Complete Streets Policy.

Motion _____

Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 21-2022**

Whereas the Town of Geneva is a Climate Smart community with a Climate Smart coordinator, and has been taking actions over the past several years that have earned the town points toward being officially certified by the New York State as a Climate Smart community, and during this time has been awarded state grants for its achievements; and

Whereas the town’s Comprehensive Plan endorses the concept known as “complete streets,” which are streets that provide a safe and attractive environment for all ages and abilities and for all forms of transportation, including auto, public transit, pedestrian and bicycle; and

Whereas the town’s Sustainability Committee supports adoption of a Complete Streets policy; and

Whereas Complete Streets features vary according to the area and may not be appropriate or feasible for all streets and roads, but can include sidewalks, paved shoulders suitable for cycling, lane striping, bike lanes, share-the-road signage, crosswalks, pedestrian control signals, more vegetation to provide shade and a buffer from traffic, and green infrastructure to better manage stormwater; and

Whereas as stated in the New York State Complete Streets Act of 2011, “Complete Streets will contribute to a cleaner, greener transportation system” and “more citizens will achieve the health benefits associated with active forms of transportation while traffic congestion and auto related air pollution will be reduced;” and

Whereas many studies show when roads are better designed for bicycling, walking and transit use, more people do so and reap the benefits; and

Whereas Complete Streets are supported by the Institute of Traffic Engineers, the American Planning Association, the American Public Health Association, the State of New York and many other transportation, planning and public health officials; and

Whereas by adopting a Complete Streets policy the town will continue to move toward being certified a Climate Smart community and will qualify for additional state grants that can be used toward Complete Streets projects and other initiatives that foster sustainable living in the town; now therefore, be it

RESOLVED the Town of Geneva adopts a Complete Streets policy to be implemented on existing town streets and roads and new developments where feasible and warranted; and it is further

RESOLVED, consistent with this policy, the design and construction of new and existing roads in the Town of Geneva should anticipate demand for biking, walking and other alternative modes of transportation; and it is further

RESOLVED the Town of Geneva will explore the creation, and maintenance and enhancement of existing, pedestrian, bicycle and trail connections in the town; and it is further

RESOLVED the Town of Geneva will, to the extent reasonable and affordable, view all transportation improvements as opportunities to improve safety, access and mobility for all travelers in the Town of Geneva and recognize bicycle, pedestrian and transit modes as integral elements of its transportation system; and it is further

RESOLVED the Town Board urges and expects the Town Planning Board to incorporate this Complete Streets policy into its work to the extent feasible and appropriate; and it is further

RESOLVED the Town of Geneva will measure the success of this Complete Streets policy every November at the conclusion of the road construction season, working with the Town Highway Superintendent, to review the progress of implementing Complete Streets amenities, including, but not limited to, the addition of bicycle lanes, shoulder improvements, sidewalks and intersection improvements, and plans for future such improvements.

16. Shall the town board sign on to a letter to Governor Hochul urging the Seneca Meadows landfill be closed in 2025 as the current Seneca Falls local law provides (it may be repealed by the new town board)?

17. Shall the town become a member of the Cayuga Lake Watershed Intermunicipal Organization and pay dues for 2022 of \$28.00.

18. Discuss the issue of the City of Geneva charging town customers significantly more than city customers.

19. Reports of Standing Committees

Economic Development –

Sustainability –

Kashong Conservation Area -

Communication –

Parks and Recreation –

Agricultural Enhancement –

20. Supervisor's Report:

The town is obtaining bids for a fast-charge electric vehicle charging station for the town hall parking lot and will be looking to purchase an electric vehicle for the code enforcement officer this year – it has been budgeted for.

We have placed \$500,000.00 in another one-year Certificate of Deposit in the Bank of the Finger Lakes that will earn 0.4% interest, which is not much but more than the zero it earns in the town's checking account.

Selected Meetings and Events

December 15 – County Public Safety Committee meeting

Ontario County Soil and Water Conservation District board meeting

December 16 – Meeting with Seneca Watershed Steward Ian Smith to discuss areas in the town prone to flooding and possible interventions.

Meeting with Town of Benton supervisor and Town of Geneva Water & Sewer Superintendent re Benton expansion plans

Geneva 2030 executive board meeting

December 17 – Meeting of the First 1000 Days group.

December 23 – Ontario County Board of Supervisors meeting

December 30 – review proposals for administrative services for CDBG for Real Eats America, Inc,

January 4 – Genesee Transportation Council webinar on grant opportunities

Meet with councilperson Bob McCarthy to review administrative services proposals for Real Eats America's CDBG

January 6 – Meeting of 9-Element Watershed Plan Seneca-Keuka partnership group

Ontario County Board of Supervisors meeting

Town Sustainability Committee meeting

January 10 – Conference re the Conservation Kick program the town is in with the Great Lakes Commission

21. Old Business.

22. New Business.

23. Privilege of the floor.

24. 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 **2022**

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

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

County of Ontario
City
Town of Geneva
Village

as follows:

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 2023 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

1.1 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 2023 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 8th day of February, 2022, 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 2023 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. 14456

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