

AGENDA
TOWN OF GENEVA

PUBLIC HEARING for a proposed Local Law 1-2022 to override the tax levy limit established in General Municipal Law §3-c."
PUBLIC HEARING for introduction of a proposal for a Planned Unit Development at State Route 14S. Tax map # 133.00-1-17.110.
REGULAR TOWN BOARD MONTHLY MEETING
February 8, 2022

1. Informal Discussion – 5:30 p.m. Informal discussion with Town Board, department heads and public.
2. **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 January 28, 2022.

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

3. **Call to order-** The Public Hearing on a proposal for a Planned Unit Development at State Route 14S, Tax map # 133.00-1-17.110. Legal Notice was published in the Finger Lakes Times on January 28, 2022.

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

4. **Call to order:** The Regular Town Board Meeting. Pledge of Allegiance/Opening – Councilmember Mitch Wilber.

5. **Privilege of the floor.**

6. **Gratitudes** -

7. **Approval of the minutes:** Approval of the minutes of the Organizational Meeting of the Town Board on January 11, 2022.

Motion _____ Second _____

Approval of the minutes: Approval of the minutes of the Regular Meeting of the Town Board on January 11, 2022.

Motion _____ Second _____

8. **Town Clerk's report.**

Questions, comments.
The Board acknowledges receipt.

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

Questions, comments.
The Board acknowledges receipt.

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

Questions, comments.
The Board acknowledges receipt.

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

Questions, comments.
The Board acknowledges receipt.

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

Questions, comments.
The Board acknowledges receipt.

13. **RESOLUTION NO. 22-2022-** Approving Abstract-002 February 2022, Bills for Payment and Prepaid Bills.

Motion _____ Second _____

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

14. **RESOLUTION NO. 23-2022** – Authorizing adoption of Local Law 1-2022 to override the tax levy limit. Motion to approve made by Councilmember _____, second by Councilmember _____. Unanimously approved.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 23 -2022**

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 January 11, 2022, 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 to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Geneva, on January 28th, 2022, and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on February 8th, 2022, 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, the Town Board of the Town of Geneva, after due deliberation, 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. 1 of 2022, entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made a part of this resolution, 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, and to give due notice of the adoption of said local law to the Secretary of State of New York.

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 February 8, 2028, by the following vote:

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

Dated: _____, 2022

Lorrie S. Naegele, Town Clerk

15. **RESOLUTION NO. 24-2022-** Approving tax levy limit override for special districts and/or fire protection districts

Motion _____ Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 24 -2022**

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 2023 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 do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Geneva on February 8, 2022, by the following vote:

Aye Nay

Mark Venuti
Jeffrey Dunham
Robert McCarthy
Mitch Wilber
Kimberly Aliperti

Dated: _____, 2022

Lorrie S. Naegele, Town Clerk

16. RESOLUTION NO. 25-2022 – Approving Renewal of a Bond Anticipation Note.

Motion _____ Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 25-2022**

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, 2022, at which time \$36,656.91, 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 \$4,545.00 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, \$32,111.91, plus interest, due in one year.

17. RESOLUTION NO. 26-2022- Supporting Grant Application for Sidewalks.

Motion _____ Second _____

**TOWN OF GENEVA, NEW YORK,
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 26-2022**

WHEREAS, the Town of Geneva Town Board (hereinafter referred to as Town Board) supports the submission of a 2022 New York State Department of Transportation (NYS DOT) Transportation Improvement Program (TIP) grant application in cooperation with the Genesee Transportation Council (GTC) to install sidewalks on Carter Road and along West Washington Street and County Road 6; and

WHEREAS, the TIP program provides assistance for local governments for implementation of highway, bridge, transit, bicycle, pedestrian and other surface transportation projects; and

WHEREAS, there is a 20% match required for the TIP program and if funding is received, it will allow the Town of Geneva to design and construct sidewalks in several targeted areas of the Town along Carter Road, West Washington Street and County Road 6; now therefore, it is

RESOLVED, the Town Board, on behalf of the Town, identifies the Town Supervisor as the authorized representative for the TIP application and project, able to execute necessary documents relative to and as required for this application; and it is further

RESOLVED, that the Town of Geneva, recognizes and fully supports the submission of the 2022 NYS DOT TIP grant application.

The above Resolution was duly adopted on February 8, 2022 by the Town of Geneva Town Board.

Lorrie Naegele, Town Clerk
Town of Geneva

18. RESOLUTION NO. 27- 2022 – Approving Proposal for Controls for Water Treatment Plant Upgrade.

Motion _____ Second _____

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 27-2022**

WHEREAS, the Town of Geneva Town Board previously approved a project to make improvements to its water system which involves a new well at the existing well field and upgrades at the treatment plant. These upgrades will increase the water supply capability and increased pumping abilities as required. Part of the improvements require updates to the control panels with accessories at the well field and in the treatment plant. Other work associated with this project is remote telemetry at the Kashong Point plant, water storage tanks in the Town of Seneca, and Supervisory Control and Data Acquisition (SCADA) upgrades; and

WHEREAS, AquaLogics Systems, Inc. of Syracuse, New York (AquaLogics) has successfully worked with a number of municipalities in the Finger Lakes region on control systems, telemetry and SCADA, including the Town of Geneva. This is a highly specialized field and it is important to have a relationship with a trusted vendor that can supply the equipment and programming necessary for quality function, and be available to consult and service the system should problems or other needs arise. AquaLogics will supply the equipment required and set the appropriate programming for the control system. Its work will be coordinated with the electrical contractor on the project. MRB Group, the town's engineers on the project, have worked with AquaLogics and found them highly qualified to complete the required tasks. For these reasons competitive bidding under the Town's Procurement Policy is not appropriate for this purchase; and

WHEREAS, a representative of AquaLogics visited the site and spoke with the town's Water Superintendent and a MRB Group representative to discuss the needed improvements. Based on that discussion a scope of work was developed along with a proposal to complete this portion of the project. The proposal is dated December 8, 2021 and is attached to this agenda. The total fee is \$97,228.00, covering the four main categories of work needed; and

WHEREAS, this work is part of the total town Water Improvement Project and is covered in the budget for the project. AquaLogic recognizes and agrees its work is subject to the Minority and Women Owned Business Enterprise requirements of the Environmental Facilities Corporation that is assisting with grant funding for the project; now therefore, it is

RESOLVED the Geneva Town Board accepts the proposal of AquaLogics Systems, Inc. in the amount of \$97,228.00 and authorizes the Supervisor to sign the proposal for the equipment and labor to be completed as described in the December 8 2021 proposal.

The above Resolution was duly adopted on February 8, 2022 by the Town Board of Geneva.

Lorrie Naegele, Town Clerk

19. Reports of Standing Committees

- Economic Development –
- Sustainability –
- Kashong Conservation Area -
- Communication –
- Parks and Recreation –
- Agricultural Enhancement –

20. Supervisor's Report:

I signed a five-year extension of the mutual aid agreement with the county for sharing highway equipment and labor services. This type of action is authorized by a county resolution and also a town resolution the town board approved at the town's organizational meeting. The town benefits greatly by help from county equipment and operators on town projects, and we also assist the county at times.

The Seneca 7 relay foot race around Seneca Lake that goes through the town is scheduled for Sunday, April 24. We're always asked if we have any concerns and I check with the highway superintendent and he is fine with the race so we do not raise any objections.

21. Old Business.

22. New Business.

23. Privilege of the floor.

24. Adjourn: Motion _____ Second _____ Time _____

(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.