

**MINUTES**  
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 and 133.00-1-18.112.**

**REGULAR TOWN BOARD MONTHLY MEETING**  
**February 8, 2022**

PRESENT: Supervisor Mark Venuti                      Councilmember Jeffery Dunham      Councilmember Kimberly Aliperti  
                    Councilmember Robert McCarthy      Councilmember Mitchell Wilber

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

Others Present: Charlie Bracko, Water and Sewer Superintendent and seven residents.

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- None  
Written Comments: None  
Close Public Hearing-                      Time: 6:01 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. Jacob Fox explained to the residents what his plans were for the property.

Public Comments- Connor Hurst, St RT 14; asked about the property fencing. Steve High, Hasting Rd asked to hold over the Public hearing until next month. The Supervisor explained that they have to wait to hear from the County Planning Board and the Town Planning Board and a Local Law will need to be drawn up so this is not the final public hearing for this project.  
Written Comments: None  
Close Public Hearing- Time: 6:07 p.m.

4. Call to order: The Regular Town Board Meeting. Pledge of Allegiance/Opening at 6:08 p.m. led by Councilmember Mitch Wilber.
5. Privilege of the floor: None
6. Gratitudes: The Supervisor thanked Charlie Bracko and Jeff Ilacqua for repairing his room from the raccoon damage. Mitch Wilber thanked the Town crew for all their work of keeping the roads clear after the snow storm.

7. Approval of the minutes: Approval of the minutes of the Organizational Meeting of the Town Board on January 11, 2022. Motion to approve made by Councilmember Wilber, second by Councilmember McCarthy. Unanimously approved.

Approval of the minutes: Approval of the minutes of the Regular Meeting of the Town Board on January 11, 2022. Motion to approve made by Councilmember Dunham, second by Councilmember McCarthy. Unanimously approved.

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 Supervisor is researching on how the city is charging town residents who are city customers for their water bills.  
The Board acknowledges receipt.

12. Supervisor's report of finances  
Questions, comments.  
The Board acknowledges receipt.

13. **2022 RESOLUTION NO. 22-2022**- Approving Abstract-002 February 2022, Bills for Payment and Prepaid Bills. Motion to approve made by Councilmember Aliperti, second by Councilmember Wilber. Unanimously approved.

**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, Abstract-002, February 2022, vouchers 0092- 204, \$793,926.54 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.

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. Unanimously approved.

Date: February 8, 2022

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

14. **2022 RESOLUTION NO. 23-2022** – Authorizing adoption of Local Law 1-2022 to override the tax levy limit. Motion to approve made by Councilmember McCarthy, second by Councilmember Dunham. 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 28<sup>th</sup>, 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 8<sup>th</sup>, 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	<u>X</u>	<u>      </u>
Jeffrey Dunham	<u>X</u>	<u>      </u>
Robert McCarthy	<u>X</u>	<u>      </u>
Mitch Wilber	<u>X</u>	<u>      </u>
Kimberly Aliperti	<u>X</u>	<u>      </u>

Dated: February 8, 2022

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**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  
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 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 2023 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 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.

**15. 2022 RESOLUTION NO. 24-2022**- Approving tax levy limit override for special districts and/or fire protection districts. Motion to approve made by Councilmember Wilber, second by Councilmember Aliperti. Unanimously approved.

**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:

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

Dated: February 8, 2022

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**16. 2022 RESOLUTION NO. 25-2022** – Approving Renewal of a Bond Anticipation Note. Motion to approve made by Councilmember Aliperti, second by Councilmember Wilber. Unanimously approved.

**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.

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. Unanimously approved.

Date: February 8, 2022

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**17. 2022 RESOLUTION NO. 26-2022**- Supporting Grant Application for Sidewalks. Motion to approve made by Councilmember Aliperti, second by Councilmember McCarthy. Unanimously approved. Councilmember Dunham asked if residents have been polled or advised so the board could hear their input. The Supervisor advised the plan was featured in the last Town Times and he's discussed it on the radio show he is on. We will put the plans on Facebook and the town's website, and the Supervisor said he would call some key people who live on Carter Road to make sure they know.

**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.

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. Unanimously approved.

Date: February 8, 2022

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**18. Reports of Standing Committees**

Economic Development – Discussed wineries and breweries holding events and will hold another meeting and then make a proposal to the town board.

Sustainability – No meeting

Kashong Conservation Area – No meeting

Communication – Working on a testimonial page for the web site, updated the welcome packet and get your information in for the Town Times by March 15<sup>th</sup>.

Parks and Recreation – In winter rest

Agricultural Enhancement – Mitch Wilber and Ken Livermore of the committee attended the recent meeting of the Seneca Watershed Intermunicipal Organization, which is chaired by the Supervisor.

**19. 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.

**20. Old Business.** We will Respond to a resident's letter about busses on White Springs Road.

**21. New Business.** None

**22. Privilege of the floor.** Carol Higgins- from Snell Road asked Councilmember McCarthy what was being discussed about wineries and breweries and how many people were on the committee. He explained that many things are being looked into to keep harmony with the tourism and the residents. There are about ten people on the committee and when they have an informational document done they will bring it before the board.

**23. Adjourn:** Motion to adjourn made by Councilmember Aliperti, second by Councilmember Wilber. Unanimously approved. Time: 7:42 p.m.

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Respectfully, Lorrie S. Naegele, Town Clerk