

MINUTES
TOWN OF GENEVA
REGULAR TOWN BOARD MONTHLY MEETING
March 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: Bernie Peck, Highway Superintendent; Floyd Kofahl, Code Enforcement Officer and five residents.

Informal Discussion – 5:30 p.m. Informal discussion with Town Board, department heads and public.

1. **Call to order:** The Regular Town Board Meeting. Pledge of Allegiance/Opening at 6:00 p.m.
2. **Privilege of the floor:** None
3. **Gratitudes:** The Supervisor thanked Jeff, Steve and Charlie the town workers for fixing the Sheriffs room that the raccoons destroyed. Kim Aliperti thanked Amy Naegele for all the research she did looking into NY's Broadband Mapping and Data tool.
4. **Approval of the minutes:** Approval of the minutes of the Public Hearing for a proposed Local Law 1-2022 to override the tax lev limit on February 8, 2022. Motion to approve made by Councilmember Aliperti, second by Councilmember Wilber. Unanimously approved.

Approval of the minutes: Approval of the minutes of the Public Hearing for a Planned Unit Development at St. Rt. 14S; on February 8, 2022. Motion to approve made by Councilmember Dunham, second by Councilmember McCarthy. Unanimously approved

Approval of the minutes: Approval of the minutes of the Regular Meeting of the Town Board on February 8, 2022. Motion to approve made by Councilmember Wilber, second by Councilmember Aliperti. Unanimously approved.

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. Bernie stated the welder in the shop broke and he will need to purchase a new one at a cost of about \$3,000
The Board acknowledges receipt.
8. **Water & Sewer Superintendent's Report:**
Questions, comments.
The Board acknowledges receipt.
9. **Supervisor's report of finances**
Questions, comments.
The Board acknowledges receipt.
10. **2022 RESOLUTION NO. 27- 2022** – Approving Proposal for Controls for Water Treatment Plant Upgrade. 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. 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, and has received high marks from them. 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. AquaLogics 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.

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 March 8, 2022. Unanimously approved.

Date: March 8, 2022

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

11. 2022 RESOLUTION NO. 28-2022- 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. 28 -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-003, March 2022, vouchers 0205- 0392, \$411,569.13 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 March 8, 2022. Unanimously approved.

Date: March 8, 2022

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

12. 2022 RESOLUTION NO. 29-2022 – Accepting Review of Town Justices Records for 2021. 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. 29 -2022**

Whereas the Town's independent accountants, Allied CPAs, PC, have reviewed the financial data and records of the Town Justices for the period January 1, 2021 through December 31, 2021, and have submitted a report to the Town dated February 3, 2022; now therefore it is

RESOLVED the February 3, 2022 report of Allied CPAs, PC of the financial data and records of the Town Justices for the period January 1, 2021 through December 31, 2021 is accepted, and the Justices are advised to address the items noted in the report as exceptions to the agreed-upon procedures.

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 March 8, 2022. Unanimously approved.

Date: March 8, 2022

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

13. 2022 RESOLUTION NO. 30-2022- Accepting Review of Town Clerk's Records for 2021. Motion to approve made by Councilmember Dunham, second by Councilmember McCarthy. Unanimously approved.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 30 -2022**

Whereas the Town's independent accountants, Allied CPAs, PC, have reviewed the financial data and records of the Town Clerk for the period January 1, 2021 through December 31, 2021, and have submitted a report to the Town dated January 19, 2022; now therefore it is

RESOLVED the January 19, 2022 report of Allied CPAs, PC, of the financial data and records of the Town Clerk for the period January 1, 2021 through December 31, 2021 is accepted.

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 March 8, 2022. Unanimously approved.

Date: March 8, 2022

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

14. 2022 RESOLUTION NO. 31-2022 – Authorizing a Town-wide Revaluation of Properties for the 2023 Assessment Roll. Motion to approve made by Councilmember Wilber, second by Councilmember Aliperti. Unanimously approved.

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 31-2022**

WHEREAS the Town of Geneva has undergone the data collection of real properties within the Town and recognizes it is necessary to conduct a revaluation project of all properties for the 2023 assessment roll to maintain a uniform standard of assessment for the Town; and

WHEREAS the Ontario County Real Property Tax Office will provide assistance to the Town with the project, and the State of New York may also provide financial assistance to the Town for the implementation of a system of real property tax administration which conforms to the standards established pursuant to Subdivision 1 of section 1570 of the Real Property Tax Law; and

WHEREAS to complete the revaluation the assessor may need the assistance of Sylvia Staples, who recently retired from the county's real property tax office and consults with town assessors as needed at an hourly rate, and has offered to assist the town assessor with the town's project, at an estimated cost of \$2000-\$4000, which has been provided for in the 2022 town budget; now therefore, it is

RESOLVED the Town of Geneva requests assistance from the Real Property Tax Office of Ontario County to assist with a revaluation project to achieve and maintain a uniform standard of assessment in accordance with Section 305 of the Real Property Tax Law; and it is further

RESOLVED the Supervisor is authorized and directed to expend the necessary funds for the preparation of a revaluation plan and the establishment and maintenance of the Real Property Improvement Program, including payment to Sylvia Staples for consulting services as needed, not to exceed \$4000.00, and to make application to the Office of Real Property Tax Services for financial assistance pursuant to section 1573 of the New York State Real Property Tax 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 March 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>	_____
Mitchell Wilber	<u>X</u>	_____
Kimberly Aliperti	<u>X</u>	_____

Dated: March 8, 2022

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

15. 2022 RESOLUTION NO. 32-2022- Appointing Mary Vandermoortel to the Board of Assessment Review. 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. 32-2022**

Whereas Michael Osborne resigned from his position on the Town's Board of Assessment Review; and

Whereas Rosewood Drive resident Mary Vandermoortel has applied to be appointed to the Board, and her appointment is supported by the Town Assessor; now therefore it is

RESOLVED Mary Vandermoortel is appointed to the Board of Assessment Review to complete the term of Michael Osborne, which expires September 30, 2022.

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 March 8, 2022. Unanimously approved.

Date: March 8, 2022

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

16. 2022 RESOLUTION NO. 33-2022 – Approving Contract with Natural Systems Engineering. 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. 33-2022**

Whereas Yates County awarded a grant for engineering services for the purposes of planning and design of a project to repurpose sections of the abandoned Crooked Lake Canal as a series of wetland retention basins capable of capturing and treating floodwaters from the adjacent Keuka Lake Outlet, that flows into Seneca Lake; and

Whereas the grant recipient is the Town of Geneva, working through Seneca Watershed Steward Ian Smith of the Seneca Watershed Intermunicipal Organization; and

Whereas a request for proposals was made, and Natural Systems Engineering was the successful bidder at a price of \$23,821.78, which is fully covered by the Yates County grant; and

Whereas a professional services contract has been prepared between the Town of Geneva and Natural Systems Engineering for the work and payment of the price, not to exceed its successful bid, and contingent on receipt by the Town of the funds from Yates County; now therefore, it is

RESOLVED the Professional Services Contract with Natural Systems Engineering is approved and may be signed by the Town Supervisor.

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 March 8, 2022. Unanimously approved.

Date: March 8, 2022

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

17. 2022 RESOLUTION NO. 34-2022 – Introducing a Local Law and calling a Public Hearing: for **proposed Local Law No. 2 of 2022 Entitled, "A Local Law Rezoning Two R-1 Parcels to PUD Planned Unit Development."** Motion to approve made by Councilmember McCarthy, second by Councilmember Dunham.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 34 -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 the proposed Local Law attached hereto as Exhibit 1; and

WHEREAS, the Town Board of the Town of Geneva has reviewed the draft of the aforementioned proposed Local Law 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 April 12, 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 newspaper 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 March 8, 2022, by the following vote:

Aye

Nay

Mark Venuti
Jeffrey Dunham
Robert McCarthy
Mitchell Wilber
Kimberly Aliperti

<u> X </u>	<u> </u>
<u> X </u>	<u> </u>
<u> X </u>	<u> </u>
<u> X </u>	<u> </u>
<u> X </u>	<u> </u>

Date: March 8, 2022

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

EXHIBIT #1

FILING LOCAL LAW

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 Ontario
City
Town of Geneva
Village

Local Law No. 2 of the year **2022**

A local law **"Approving with Conditions the Rezoning of Two Parcels of Land to PUD Planned Unit Development and Amending the Official Zoning Map of the Town of Geneva in Accordance with Such Approval"**

(Insert Title)

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

County Ontario
City
Town of Geneva
Village

as follows:

Section 1: The Official Zoning Map of the Town of Geneva, adopted pursuant to Section 165-5 of the Zoning Law of the Town of Geneva, is hereby amended as follows:

Tax Account No. 133.00-1-18.112, containing 4.98 acres of land and currently zoned R-1 Residential, and Tax Account No. 133.00-1-17.110, containing 54.87 acres and currently zoned R-1 Residential Suburban, both parcels also in the Lakeview Overlay District, on the west side of New York State Route 14, for combined total acreage of 59.85, are rezoned in their entirety to PUD Planned Unit Development District subject to the following conditions:

1. Design of stormwater management and treatment facilities to maximize use of green infrastructure and onsite infiltration of stormwater, and where practicable incorporation of stormwater treatment facilities as amenities into any proposed open space and recreation areas.
2. Adherence to the standards for outdoor lighting set forth in Section 165-36 of the Town of Geneva Zoning Code, and wherever practicable incorporate use of LED and other low energy consumption lighting technology into the site design.
3. Integrate wherever practicable renewable energy sources and/or energy conservation facilities and equipment into the project design.
4. Fire hydrants shall be placed in accordance with the approval of the fire department and Town Code Enforcement Officer.
5. Final site plan review shall be completed by the Town Planning Board, for compliance with the Town's Planned Unit Development regulations and Town of Geneva Zoning Code Section 165, Article VIII, Site Plan Review.
6. Only the uses and layout, including, but not limited to, setbacks and acreage of open space, set forth on the Planned Unit Development plan called Geneva Fox Farm dated March 7, 2022 and received by the town on March 8, 2022, and the Planned Unit Development application narrative that is on file with the Town shall be part of any final site plan approval.
7. Adherence to all requirements of the Ontario County Soil and Water Conservation District and/or Seneca Watershed Intermunicipal Organization on the proposed stormwater management facilities to ensure preservation of Seneca Lake water quality. For any comments or recommendations provided by Ontario County Soil and Water Conservation District and/or Seneca Watershed Intermunicipal Organization, the Planning Board shall consider them all in determining whether to approve, approve with modifications or conditions or deny the final site plan on the project associated with this property and this rezoning.

Section 2: The Town Clerk, in accordance with the provisions contained in Section 165-5 of the Zoning Law of the Town of Geneva, and upon final site plan approval by the Planning Board in accordance with Article V of the Zoning Law of the Town of Geneva, shall affix

a note to the Town's Official Zoning Map that the development of the above referenced site was approved under the Town's PUD, Planned Unit Development, zoning provisions, including a reference date to the date such action was taken by the Planning Board and cause the Official Zoning Map of the Town of Geneva to be amended to show Tax Account Nos 133-00-1-17.110 and 133.00-1-18.112 to now be zoned PUD, Planned Unit Development.

Section 3: If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such 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 thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 4: 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 12th day of April, 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, subject to conditions, change the zoning district classification of two parcels of land in the Town of Geneva, identified as Tax Map No. 133.00-1-18.112 and Tax Map No. 133.00-1-17.110 from R-1 Residential Suburban District to PUD Planned Unit Development District and order the amendment of the Official Town Zoning Map to show such change upon the project receiving final site plan approval.

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 14532.

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

18. RESOLUTION NO. 35-2022 – Introducing a Local Law and calling a Public Hearing for **proposed Local Law No. 3 of 2022. Entitled, "A Local Law "Amending Chapter 165 (Zoning) of the Code of the Town of Geneva."** Motion to approve made by Councilmember Wilber, second by Councilmember McCarthy.

TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 35 -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 Amending Chapter 165 (Zoning) of the Town of Geneva, attached as Exhibit "1"; and

WHEREAS, the Town Board of the Town of Geneva has reviewed the draft of the aforementioned proposed Local Law 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 April 12, 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 Town Board of the Town of Geneva adopted the aforementioned resolution on March 8, 2022 by the following vote:

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

Dated: March 8, 2022

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

Exhibit 1

(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. **3** of the year **2022**.

A local law **"Amending Chapter 165 (Zoning) of the Code of the Town of Geneva"**
(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. The definition of "Agricultural Commerce" in Section 165-3 of the Zoning Code of the Town of Geneva is hereby amended with the insertion of the following at the end of the existing definition:

"Additionally, these enterprises may bring together tourism and agriculture for the education and enjoyment of the public and, therefore, agricultural commerce shall include special events, farm tours, agriculture-themed festivals, outdoor music, and other public or private events associated with such previously identified retail or wholesale enterprises."

Section 2. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such 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 thereof directly involved in the controversy in which such judgment shall have been ordered.

Section 3. 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 12th day of April, 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 amend the Zoning Code of the Town of Geneva by amending the definition of "Agricultural Commerce."

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 14532.

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

19. 2022 RESOLUTION NO. 36-2022 – Approving Lease Agreement with CBN Geneva LLC. Motion to approve made by Councilmember Aliperti, second by Councilmember McCarthy. Unanimously approved.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 36 -2022**

Whereas CBN Geneva LLC, d/b/a Community Broadband Networks FLX (CBN), has been using the Town of Geneva's water tower on Lenox Road, which has been drained and is no longer used in the town's water distribution system, for radio equipment, antennas and other equipment for the transmission of high speed internet signals to customers in the town and surrounding areas, and has compensated the town by providing high-speed internet to the town at no charge, which is worth approximately \$75.00 per month, without a written lease agreement; and

Whereas the town has determined a written lease agreement is in order and that it should receive additional compensation in the form of internet service at the town's facilities at 32 White Springs Road at no charge; and

Whereas a Lease agreement has been prepared that provides the Town with internet service at both sites at no charge, a monthly value of approximately \$150.00, that CBN will take over the electric service at the tower site, and other standard protections to the Town, and the agreement has been reviewed by the town attorney and appropriate revisions made; now therefore, it is

RESOLVED, the Lease for Site for Communications Facilities is approved and may be signed by the supervisor.

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 March 8, 2022. Unanimously approved.

Date: March 8, 2022

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

20. 2022 RESOLUTION NO. 37-2022 – Approving Grant Agreement with CCMI, Inc. 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. 37 -2022**

Whereas the Town of Geneva is the recipient of a Community Development Block Grant for the benefit of CCMI, Inc.'s construction of a new manufacturing facility in the Town; and

Whereas a Grant Agreement has been prepared between the Town and CCMI, Inc. that sets forth the conditions that must be met for the Town to provide the grant funding to CCMI, Inc., including that it must meet certain employment goals, required by the grant, before the Town will be obligated to forward any grant funding to CCMI, Inc., and the agreement has been reviewed by the Town's grant administrator, H. SICHERMAN & COMPANY, INC., d/b/a The Harrison Studio, and the supervisor, and is in proper form; now therefore, it is

RESOLVED the Grant Agreement between the Town of Geneva and CCMI, Inc. is approved and may be signed by the supervisor.

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 March 8, 2022. Unanimously approved.

Date: March 8, 2022

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

21. The supervisor would like another legal opinion on the standards applicable when a municipality charges water customers outside the municipality a different rate than those inside. The Board was in full agreement with the Supervisor to get another legal opinion.

22. Reports of Standing Committees

Economic Development –The committee discussed to change the definition of agricultural commerce definition and recommend to the Town Board that the change be made. Next meeting 3/23/2022 at 7:00

Sustainability –Meeting March 10, 2022 at 7:00

Kashong Conservation Area – No meeting

Communication –discussed an affordable Connectivity Program, Financial Fraud effecting the elderly and how to get the information out to the public to inform them about scams and how to help them in any way we can.

Parks and Recreation – Chenango Contracting will be laying the turf down soon. HWS Day of service will be in April and the Supervisor put in for students to help remove the bike park tarps.

Agricultural Enhancement – The Supervisor suggested wind barriers on County Road 6 to keep the snow from drifting.

23. Supervisor's Report: Selected Meetings and Activities can be found on the Agenda.

The supervisor has been working on a trail easement for the Castle Creek Greenway that will be signed by landowners of the part of the trail in the Town of Geneva, granting the easement to the Town; this gives the public the right to use the trail, with liability being covered by the town's insurance. The town owners are the Boys & Girls Club of Geneva, Inc. (community center property), Tracey Wallace, and Cornell University. In the City of Geneva part of the trail the city will be the grantee of the easement.

Discuss putting some wind break trees or shrubs along the east and west edges of the town hall property.

The Town of Benton has plans to install water lines to other areas of the town that will be supplied by Town of Geneva water through the Town of Seneca. After our project increasing the capacity of the plant is completed we will have plenty of water for this expansion.

The adoption of the town's Complete Streets policy gave the town enough points in the Clean Energy Communities program to be awarded an additional \$20,000.00 from the New York State Energy Research and Development agency, bringing our total this year to \$35,000.00. We would like to use the money for the Electric Vehicle charging station planned for the town hall parking lot. We are obtaining bids for installation of the station. We have to submit a proposal for the first \$15,000 by March 22, so the supervisor would like an ok on using the EV charging station for the NYSERDA grant money – we have to apply by that deadline.

The county wants to standardize signage at town transfer stations and is using the Town of Geneva as a prototype. We've been working with county staff on the design of a new entrance sign and interior signs for recycling and waste.

24. Old Business. Town Chicken ordinance allows four (4) chickens on town properties in certain zones. Ag and Market laws limit the sale to six (6) and no less. The Board will look into changing the zoning law to say six (6) chickens are allowed.

25. New Business. Discussion of Public Officer Law and if there is a violation of the Open Meeting Laws were discussed. The Supervisor will look into if you can have a quorum of the board at a committee meeting.

26. Privilege of the floor: None

27. Adjourn: Motion to adjourn made by Councilmember Aliperti, second by Councilmember Wilber. Unanimously approved. Time: 6:55 p.m.

Respectfully, Lorrie S. Naegele, Town Clerk