

**MINUTES**  
TOWN OF GENEVA  
**PUBLIC HEARINGS for 2022 Preliminary Town Budget**  
**REGULAR TOWN BOARD MONTHLY MEETING**  
October 12, 2021

PRESENT: Supervisor Mark Venuti                      Councilmember Kimberly Aliperti  
            Councilmember Robert McCarthy          Councilmember Mark Palmieri

ABSENT:            Councilmember Jeffery Dunham

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; Bernie Peck, Highway Superintendent; Floyd Kofahl, Code Enforcement Officer 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 for the 2022 Preliminary Town Budget.

Public Comments- None  
Written Comments- None  
Close Public Hearing- Time: 6:01p.m.

3. **Call to order:** 6:01 p.m. The Regular Town Board Meeting. Flag salute/opening led by Councilmember Aliperti

4. **Privilege of the floor.** Derek Edinger; Head of brewery operations & co-founder of Ardennes Brewing LC. He asked the board to consider an expansion of the definition of Agricultural Commerce in section 165-3 of the Town Zoning Code. The letter is attached to the minutes. Carole Higgins; Snell Road, has concerns about the lighting at Ardennes Brewery and gave a copy of the Planning Board minutes of August 26, 2021 to the Board members.

5. **Gratitudes.** The Supervisor expressed his gratitude to Howard Baily, Highway and water & sewer employees for all the work on the box field and bike park. Gratitude to Amy Naegele for getting the Town Times out and how professional it looks.

6. **Approval of the minutes:** Approval of the Regular Meeting of the Town Board on September 14, 2021. Motion to approve made by Councilmember McCarthy, second by Councilmember Palmieri. Unanimously approved.

**Approval of the minutes:** Approval of the Public Hearing for Real Eats CDBG application September 29, 2021. Motion to approve made by Councilmember Aliperti, second by Councilmember Palmieri. Unanimously approved.

**Approval of the minutes:** Approval of the Special Meeting of the Town Board 2022 Budget September 29, 2021. Motion to approve made by Councilmember Palmieri, second by Councilmember McCarthy. Unanimously approved.

7. **Town Clerk's report.**  
Questions, comments.  
The Board acknowledges receipt.

8. **Code Enforcement Officer's report.**  
Questions, comments.  
The Board acknowledges receipt.

9. **Highway Superintendent's Report:**  
Questions, comments. Slate Rock Bridge will be closed for the winter soon.  
The Board acknowledges receipt.

10. **Water & Sewer Superintendent's Report:**  
Questions, comments.  
The Board acknowledges receipt.

11. **Supervisor's report of finances for the previous month**  
Questions, comments.  
The Board acknowledges receipt.

12. **2021 RESOLUTION NO. 84-2021-** Approving Abstracts, Bills for Payment and Prepaid Bills. Motion to approve made by Councilmember McCarthy, second by Councilmember Aliperti. Unanimously approved.

**TOWN OF GENEVA, NEW YORK**  
**RESOLUTION OF THE TOWN BOARD**  
**RESOLUTION NO. 84 -2021**

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-010 October 2021 voucher 0963-1046, \$206,827.03 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 October 12, 2021. Unanimously approved.

Date: October 12<sup>th</sup>, 2021

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**13. 2021 RESOLUTION NO. 85-2021-** Approving 2022 Annual Budget of the Town of Geneva, Including Fire Contracts and Special Districts. Motion to approve made by Councilmember Aliperti, second by Councilmember Palmieri. Unanimously approved.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 85-2021**

Whereas the Tentative 2022 Town Budget, including Fire Contracts and Special Districts, was filed with the Town Clerk and presented to the Town Board on or about September 14, 2021; and

Whereas the Town Board held a public work session on the Tentative 2022 Town Budget on September 29, 2021, making adjustments and approving the Preliminary 2022 Town Budget; and

Whereas the Preliminary 2022 Town Budget was filed with the Town Clerk on September 30, 2021, and a public hearing on this budget was scheduled for October 12, 2021; and

Whereas the public hearing was held on October 12, 2021; now therefore it is

RESOLVED the Preliminary 2022 Town Budget, and any non-substantive amendments, is adopted as the 2022 Budget of the Town of Geneva, including Fire Contracts and Special Districts.

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 October 12, 2021. Unanimously approved.

Date: October 12<sup>th</sup>, 2021

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**14. 2021 RESOLUTION NO. 86-2021-** Authorizing Renewal of Bond Anticipation Note for Water District 1, Extension 4. Motion to approve made by Councilmember Aliperti, second by Councilmember Palmieri. Unanimously approved.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
2021 RESOLUTION NO. 86 -2021**

Whereas a bond resolution of the Town of Geneva for improvements to Water District 1, Extension 4 was adopted by the Town Board on April 14, 1992, which resulted in a Bond Anticipation Note with Five Star Bank, now with Wayne Bank, last renewed October 18, 2020 in the amount of \$10,500.00, coming due October 18, 2021, together with interest at the rate of 2.25%; 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; and

Whereas a payment against principal of \$3,500.00, and the anticipated interest due, has been budgeted; now therefore, it is

RESOLVED the Supervisor of the Town is authorized to pay \$3,500.00 toward principal, and the interest due, on or before October 18, 2021, and to sign a new Bond Anticipation Note for a year with Wayne Bank binding the Town of Geneva for the balance due of \$7,000.00, plus interest.

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 October 12, 2021. Unanimously approved.

Date: October 12<sup>th</sup>, 2021

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**15. 2021 RESOLUTION NO. 87 -2021** – Authorizing Scheduling of Public Hearing For A Proposed Local Law Entitled, "A Local Law to Amend a portion of the Town of Geneva Zoning Map.(Rezoning Part of the Geneva General Hospital Property) Adopted Pursuant to Section 165-5 of The Code Of The Town Of Geneva." Motion to approve made by Councilmember McCarthy, second by Councilmember Palmieri.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD**

**RESOLUTION NO. 87 -2021**

**RESOLUTION AUTHORIZING SCHEDULING OF A PUBLIC HEARING  
FOR A PROPOSED LOCAL LAW -6-2021**

**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 November 9th, 2021, 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 October 12<sup>th</sup>, 2021 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	_ X _	_____
Jeffrey Dunham ABSENT	_____	_____
Robert McCarthy	_ X _	_____
Mark Palmieri	_ X _	_____
Kimberly Aliperti	_ X _	_____
Dated: _____, 2021		_____
		Lorrie S. Naegele, Town Clerk

**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. 6 of the year 2021**

A Local Law to Amend a Portion of the Town of Geneva Zoning Map  
(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: Purpose: It is the purpose of this Local Law to amend the Official Zoning Map of the Town of Geneva, adopted pursuant to Section 165-5 of the Zoning Law of the Town of Geneva, relative to Tax Map No. 119.00-1-9.200 that has an address of 3700 Pre-Emption Road and is an approximately 23.21 acre parcel that abuts Pre-Emption Road (County Road 6) on the east and New York State Route 14A on the west and that currently has approximately 6.6 acres abutting Pre-Emption Road zoned in the Residential Medium Density District and the remaining approximately 16.61 acres abutting New York State Route 14A zoned in the Agricultural District.

Section 2: The Official Zoning Map of the Town of Geneva is hereby amended by changing the zoning district classification of part of said Tax Map No. 119.00-1-9.200, said part being the easterly portion thereof extending for the full width of said parcel from Pre-Emption Road (County Road 6) westerly for approximately 942.26 feet to the rear line, as extended, of the proposed Lot 2 of the Geneva General Hospital Subdivision Plan for this parcel, prepared by BME Associates, dated September 9, 2021 and being Project No. 21-0084,

to now be Town Center Mixed-Use District. The rest of this parcel located west of the above-described portion shall remain zoned in the Agricultural District.

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 9th day of November, 2021, 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 Official Zoning Map of the Town of Geneva by changing part of the zoning district classification of a parcel of land in the Town of Geneva identified as Tax Map No. 119.00-1-9.200 with an address of 3700 Pre-Emption Road, from Residential Medium Density District and Agricultural District to Town Center Mixed-Use District, said rezoned portion of this parcel being the easterly portion thereof extending for the full width of said parcel from Pre-Emption Road (County Road 6) westerly for approximately 942.26 feet to the rear line, as extended, of the proposed Lot 2 of the Geneva General Hospital Subdivision Plan for this parcel, prepared by BME Associates, dated September 9, 2021 and being Project No. 21-0084. The rest of this parcel located west of the above-described portion shall remain zoned in the Agricultural District.

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

**16. 2021 RESOLUTION NO. 88-2021** - Approving a 3% Increase in Town Water Rates for 2022. Motion to approve made by Councilmember Palmieri, second by Councilmember Aliperti. Unanimously approved.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 88 -2021**

Whereas Town of Geneva water rates have not been increased in several years while expenses of maintaining the water plant and system have increased; and

Whereas the town Water and Sewer Superintendent recommends that water rates be increased 3% in 2022 to cover expenses and maintain the service; now therefore, it is

RESOLVED town water rates shall be increased 3% in 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 October 12, 2021. Unanimously approved.

Date: October 12<sup>th</sup>, 2021

Lorrie S. Naegele

Lorrie S. Naegele, Town Clerk

**17. 2021 RESOLUTION NO. 89-2021:** Revising Town Procurement Policy. Motion to approve made by Councilmember McCarthy, second by Councilmember Aliperti. Unanimously approved.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 89-2021**

Whereas the Town of Geneva is from time to time the recipient of Community Development Block Grants, through the Housing Trust Fund Corporation and the Office of Community Renewal, to assist with projects in the town; and

Whereas for federally funded projects it is the policy of the federal government that Section 3 residents and businesses (low and very low income residents and the businesses that employ them) participate in the procurement of goods and services for projects to the greatest extent feasible; and

Whereas it is the policy of the State of New York to increase procurement and contracting opportunities for minority and women owned business enterprises, when appropriate; now therefore, it is

RESOLVED the Procurement Policy of the Town of Geneva shall be revised to add a new section 7, as set forth in the attached Exhibit 3 that adds to the Town's Procurement Policy the obligation, when feasible and appropriate, to solicit Section 3 residents and businesses, and minority and women owned businesses, when procuring goods and services for projects.

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 October 12, 2021. Unanimously approved.

Date: October 12<sup>th</sup>, 2021

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**18. 2021 RESOLUTION NO. 90-2021:** Thanking Lorie Peck for Service as Town Assessor. Motion to approve made by Councilmember Aliperti, second by Councilmember Palmieri. Unanimously approved.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 90-2021**

Whereas Town of Geneva resident Lorie Peck has served as Town Assessor for the past eleven years, and previously for twelve years as clerk to the assessor, for a total of twenty-three years in the office; and

Whereas the job of assessor is often difficult and thankless; and

Whereas Lorie Peck has ably and faithfully served the town in these capacities, but has resigned as assessor to pursue other challenges; now therefore, it is

RESOLVED the Geneva Town Board thanks Lorie Peck for her long and faithful service to the Town of Geneva and wishes her well in her new endeavors.

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 October 12, 2021. Unanimously approved.

Date: October 12<sup>th</sup>, 2021

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**19. 2021 RESOLUTION NO. 91-2021:** Approving Agreement for Community Development Block Grant Administrative Services. Motion to approve made by Councilmember Aliperti, second by Councilmember Palmieri. Unanimously approved.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
2021 RESOLUTION NO. 91-2021**

Whereas the Town of Geneva is the recipient of a Community Development Block Grant (CDBG), to assist with the move of CCMI, 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 September 23, 2021 for proposals to be submitted to the Town; and

Whereas the Town received one proposal, from H. Sicherman & Company, Inc. (Sicherman), which proposal shows 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; and

Whereas the Sicherman proposal received 19 out of a possible 20 points on the Request for Proposals grading sheet based on the above-cited criteria; and

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

RESOLVED the Agreement between the Town of Geneva and H. Sicherman & Company, Inc., for assisting the Town with the administration of the Community Development Block Grant, through the Office of Community Renewal, attached as Exhibit 4, 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 October 12, 2021. Unanimously approved.

Date: October 12<sup>th</sup>, 2021

Lorrie S. Naegele  
Lorrie S. Naegele, Town Clerk

**20. 2021 RESOLUTION NO. 92-2021:** Authorizing Scheduling of Public Hearing for a Proposed Local Law Entitled, "A Local Law Amending Chapter 63 (Building Construction and Fire Prevention) of the Code of the Town of Geneva." Motion to approve made by Councilmember McCarthy, second by Councilmember Palmieri. Unanimously approved.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
2021 RESOLUTION NO. 92-2021**

**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 entitled "A Local Law Amending Chapter 63 (Building Construction and Fire Prevention) of the Code of the Town of Geneva", and

**WHEREAS**, the Town Board of the Town of Geneva has reviewed the draft of the aforementioned proposed Local Law, attached hereto as Exhibit "4", 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, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on November 9, 2021, 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 "5"; 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 this Local Law before the Town Board of the Town of Geneva for its consideration.

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 October 12, 2021 by the following vote:

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

Dated: \_\_\_\_\_, 2021

\_\_\_\_\_  
Lorrie S. Naegele, Town Clerk

**21. Reports of Standing Committees**

Economic Development – Next meeting October 27<sup>th</sup> at 7 pm.

Sustainability – Impact Earth’s report on its waste audit was not up to the standards expected so the company withdrew its bill. E-Waste collection is this weekend at the Geneva school bus garage.

Kashong Conservation Area – working on maps

Communication – met on Sept. 25<sup>th</sup> updating website and the new edition of the Town Times is out.

Parks and Recreation – working on the bike park and the Box field is coming along.

Agricultural Enhancement – No Meeting Harvest time.

**22. Supervisor’s Report**; The Office of the State Comptroller, after review of the Town’s 2020 financial records against its Fiscal Stress Monitoring System, which is an annual review, has scored the Town of Geneva as neither under fiscal stress nor environmental stress.

Selected Meetings and Events are listed on the agenda

**23. Old Business**. None

**24. New Business**. The Board approved four Local Laws that need to go into the Code Book. We received the estimate for the new supplement; the board will wait until next month to add two more Local Laws to the supplement No. 26.

**25. Privilege of the floor**. Carole Higgins; Snell Road, voiced her concerns to the Board that the conditions the Planning Board had put in place for Ardennes Brewery on August 26, 2021 Planning Board meeting should be followed.

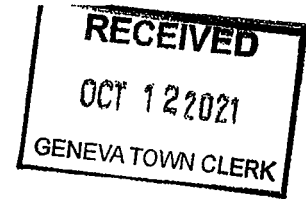
**26. Adjourn**: Motion to adjourn made by Councilmember Aliperti, second by Councilmember Palmieri. Unanimously approved. Time 6:35 p.m.

\_\_\_\_\_  
Respectfully, Lorrie S. Naegele, Town Clerk

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Ardennes Brewing LLC (DBA Brewery Ardenne's)  
570 Snell Road  
Geneva, NY 14456



October 12, 2021

Members of the Geneva Town Board  
3750 County Road 6  
Geneva, NY 14456

Dear Members of the Geneva Town Board:

We would like you to consider an expansion of the definition of Agricultural Commerce in section 165-3 of the Town Zoning Code to promote tourism which includes events and music (changes highlighted in **bold**):

AGRICULTURAL COMMERCE — A retail or wholesale enterprise operated as an accessory use to an active farm on the same premises, providing products or services principally utilized in agricultural production, including structures, agricultural equipment and agricultural equipment parts, batteries and tires, livestock, feed, seed, fertilizer and equipment repairs, or the sale of grain, fruit, produce, trees, shrubs, flowers or other products of agricultural operations, and including breweries, cideries, distilleries, wineries, and juice production, that are not otherwise specifically defined as a farm operation. **Additionally, these enterprises bring together tourism and agriculture for the education and enjoyment of the public, and therefore agricultural commerce shall include: hay rides, corn mazes, hay mazes, petting zoos (farm animals only), farm tours and agriculture-themed festivals, outdoor music, and other public or private events associated with such previously identified retail or wholesale enterprises.**

The Town slogan is "Gateway to the Finger Lakes Wine Country" and this proposed expanded definition promotes tourism which is a major revenue source for the town. Additionally, these businesses and events bring enjoyment to the community, create additional jobs, and benefit the numerous other breweries, wineries, and agricultural commerce businesses in the Town which also support this change.

Regards,

Derek Edinger  
Head of Brewery Operations & Co-founder

CC: Floyd Kofahl, Code Enforcement Officer  
Lorie Naegele, Town Clerk