

**MINUTES  
TOWN OF GENEVA  
Public Hearing  
and  
Regular Town Board Monthly Meeting  
February 11, 2025**

PRESENT: Supervisor Mark Venuti; Councilmember Kimberly Aliperti; Councilmember Robert McCarthy; Councilmember Gordy Baxter, and Councilmember Mitchell Wilber

Recording Secretary: Lorie Peck, Geneva Town Clerk

Others Present: Floyd Kofahl, Code Enforcement Officer; and Howard Bailey, Water and Sewer Superintendent: Jeffery Cook and Glenn Thorton representing Rolling Hills Subdivision and 2 town residents.

**CALL TO ORDER: 6:00PM** The public hearing on proposed Local Law 1 of 2025: " 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 23<sup>rd</sup>, 2025.

Public Comments: None

Written Comments: None

Close Public Hearing: Time: 6:02 p.m.

**2. CALL TO ORDER: 6:03PM** Regular town board meeting. Pledge of Allegiance/Opening – Councilmember Kim Aliperti.

**3. Privilege of the floor:** James Morlang, 2273 Maney Rd, Waterloo, NY, representing Carol Brown, 209 Carter Rd, Geneva, spoke in regard to a flooding issue Brown was having due to the neighbor at 207 Carter Road. The neighbor's sump pump was pumping water onto Brown's property causing damage to her yard. Supervisor Mark Venuti advised him that the town does not have any right to go on private property and she would need to hire an attorney and file a civil suit. The code enforcement officer stated he went there and there was nothing he could do, and the DEC had also been there.

Glen Thorton, Rolling Hills Sub-division spoke on the changes they made to the original plan. The number of lots has been reduced from 135 to 129 with .85 acres being the largest. The price range will be \$150K or more depending on upgrades. They moved the houses along the western line and extended the berm and trees to help with the spraying from Cornell and added 2 stormwater ponds. The small community park will be eliminated. There will be no homeowner's association. There will be sidewalks from Gambee Road to Anglo Street on the east side of Carter Road. The cost will be covered by the developer, but the town will only charge \$500.00 for the park and rec fee per home instead of \$1,000.00 to help with the cost of the sidewalks. They are proposing on the dedication plan (color yellow) is the land they would like to dedicate to the town and the town would maintain it. They have contracted for the traffic study.

Charlie Pitifer of Carter Road spoke about 2 recent fires in the Town of Geneva and advised the town to participate in the box so city fire department would be called. He encouraged the town to give the City of Geneva some money and suggested \$150K.

**4. Gratitudes.** Highway Superintendent Bernie Peck for evaluation of Gambee Road and Route 14 intersection and participation at meeting with Dept. of Transportation staff and Assemblyperson Gallahan. Mitch Wilber thanked Kim Aliperti for the e-notifications on the webpage.

**5. Approval of the minutes:** Approval of the minutes of the Organizational Meeting of the town board of January 14, 2025. Motion made by Councilmember McCarthy, second by Councilmember Baxter. Unanimously approved.

**6. Approval of the minutes:** Approval of the minutes of the regular meeting of the town board of January 14, 2025. Motion made by Councilmember Baxter, second by Councilmember Aliperti. Unanimously approved.

**7. Town Clerk's report.**

Questions, comments. None

The Board acknowledges receipt.

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

Questions, comments. None

The Board acknowledges receipt.

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

Questions, comments. None

The Board acknowledges receipt.

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

Questions, comments. None

The Board acknowledges receipt.

**11. Supervisor’s report of finances for the previous month**

Questions, comments. Mark stated that Eric was having some issues with adjustment and his report was now correct. The Board acknowledges receipt.

**12. 2025 RESOLUTION NO. 19-2025**- Approving Abstract 002, February 2025, Bills for Payment and Prepaid Bills. Motion made by Councilmember Wilber, second by Councilmember Aliperti. Unanimously approved.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 19 -2025**

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 2025, vouchers 111-155 totaling \$194,628.64 and

Whereas those abstracts and bills have been reviewed by the town 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.

Date: February 11, 2025

Lorie Peck  
Lorie Peck, Town Clerk

**13. 2025 RESOLUTION NO. 20-2025** – Authorizing adoption of Local Law 1-2025 to override the tax levy limit. Motion made by Councilmember Aliperti, second by Councilmember Wilber. Unanimously approved.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 20-2025**

WHEREAS a resolution was duly adopted January 14, 2025 by the Town Board of the Town of Geneva for a public hearing to be held by the Town Board on February 11, 2025, 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 23, 2025, and all other notices required by law to be given were properly served, posted or given; and

WHEREAS the public hearing was duly held on February 11, 2025, 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 the 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 the Local Law; now therefore, be it

RESOLVED the Town Board of the Town of Geneva hereby adopts Local Law No. 1 of 2025 entitled, “A local law to override the tax levy limit established in General Municipal Law §3-c”, a copy of which is attached and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk is directed to enter the 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 the local law to the Secretary of State of New York.

I, Lorie Peck, Town Clerk of the Town of Geneva, do certify that the aforementioned resolution was adopted by the Town Board of the Town of Geneva on February 11, 2025 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Kimberly Aliperti	<u>  X  </u>	<u>      </u>
Gordon Baxter	<u>  X  </u>	<u>      </u>

Robert McCarthy  
Mark Venuti  
Mitchell Wilber

X	_____
X	_____
X	_____

Dated: February 11, 2025

Lorie Peck  
Lorie Peck, Town Clerk

**14. 2025 RESOLUTION NO. 21-2025.** Approving tax levy limit override for special districts and fire protection districts. Motion made by Councilmember McCarthy, second by Councilmember Baxter. Unanimously approved.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 21 -2025**

**WHEREAS** the Town Board of the Town of Geneva is the governing body of the special districts and fire protection districts of or serving all or parts of the town; 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 special districts and fire protection districts, pursuant to General Municipal Law §3-c, and to allow the Town of Geneva, on behalf of the special districts and fire protection districts, to adopt a budget for the fiscal year 2026 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 2026 on behalf of the special districts and fire protection districts of or serving all or part of the town that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

I, Lorie Peck, Town Clerk of the Town of Geneva, certify that the aforementioned resolution was adopted by the Town Board of the Town of Geneva on February 11, 2025 by the following vote:

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

Dated: February 11, 2025

Lorie Peck  
Lorie Peck, Town Clerk

**15. 2025 RESOLUTION NO. 22-2025** – Approving Renewal of a Bond Anticipation Note. Motion made by Councilmember Wilber, second by Councilmember Aliperti. Unanimously approved.

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 22-2025**

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, 2025, at which time \$22,111.91, 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 \$5,000.00 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, \$17,111.91, plus interest, due in one year.

Date: February 11, 2025

Lorie Peck  
Lorie Peck, Town Clerk

**16. 2025 RESOLUTION NO. 23-2025** – Approving Town of Geneva’s Welfare Benefit Plan for 2025. Motion made by Councilmember Aliperti, second by Councilmember Wilber. Unanimously approved.

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 23-2025**

Whereas the Town of Geneva is required to establish a Welfare Benefit Plan that sets forth, among other things, the eligibility, participation and termination rights of town employees regarding health and other benefits offered by the town or required by law; now therefore, it is

RESOLVED that the form of Welfare Benefit Plan, effective January 1, 2025, attached to this agenda, is approved and adopted, and the town supervisor is authorized and directed to execute and deliver to the administrator of the Plan a copy of the Plan; and it is further

RESOLVED that the administrator shall take such actions the administrator deems necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures for the provision of benefits under the Plan; and it is further

RESOLVED the supervisor and other proper agents of the Town of Geneva shall act as soon as possible to notify the employees of the Town of the adoption of the Plan and to deliver or make accessible to each employee a copy of the Summary Plan Description of the Plan attached and here approved.

Date: February 11, 2025

Lorie Peck  
Lorie Peck, Town Clerk

**17. 2025 RESOLUTION NO. 24-2025** – Approving Contract with MRB Group for Comprehensive Plan Update. Motion made by Councilmember Baxter, second by Councilmember McCarthy. Unanimously approved.

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 24-2025**

Whereas the Town of Geneva seeks to update its 2015 Comprehensive Plan and issued a Request for Proposals (RFP) for a consultant to assist the Comprehensive Plan Committee in developing an update for presentation to the Town Board for approval; and

Whereas three proposals were received and reviewed by the Comprehensive Plan Committee, and the Committee chose the proposal of MRB Group as being the best of those submitted on the basis of responsiveness to the RFP and price, which was significantly below the price quoted by the others, and recommends the Town Board approve the MRB Group Proposal for Professional Services, attached to this agenda, at a cost of \$25,000.00; now therefore it is

RESOLVED the Proposal for Professional Services for consulting services for the Town's Comprehensive Plan update of MRB Group dated January 28, 2025, for a lump sum payment of \$25,000.00 is approved and may be accepted by the supervisor.

Date: February 11, 2025

Lorie Peck  
Lorie Peck, Town Clerk

18. **2025 RESOLUTION NO. 25-2025** – Amending the 2025 Town Budget. Motion made by Councilmember Wilber, second by Councilmember Aliperti. Unanimously approved.

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 25-2025**

Whereas the Town of Geneva has determined its 2015 Comprehensive Plan needs to be updated, has reinstated a Comprehensive Plan Committee, and chosen a consultant to assist with the update at a cost of \$25,000.00; and

Whereas there may be additional expenses related to the update; and

Whereas the 2025 town budget does not include an expense for updating the Comprehensive Plan; and

Whereas the Town has sufficient funds in its unappropriated fund balance to pay the cost of updating the Comprehensive Plan; now therefore, it is

RESOLVED the Town's 2025 budget is amended to include in General Fund Schedule 1-A, line A8687.5, Comprehensive Plan/Zoning, the sum of \$30,000.00, which sum will come from the Town's unappropriated fund balance, increasing the appropriated fund balance from \$163,190.00 to \$193,190.00.

Date: February 11, 2025

Lorie Peck  
Lorie Peck, Town Clerk

19. **2025 RESOLUTION NO. 26-2025** – Approving Purchase of Bobcat. Motion made by Councilmember Baxter, second by Councilmember Wilber. Unanimously approved.

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 26-2025**

Whereas the 2025 Town Budget provides \$75,000.00 for the purchase of a new Bobcat Compact Excavator to be shared by the Water, Sewer and Highway Departments, and that the 2019 Bobcat be sold for approximately \$50,000.00; and

Whereas the town has received a quote for the new Bobcat from Bobcat of the Finger Lakes, under a New York State contract which provides a 30% municipal discount, resulting in a net cost to the town of \$74,200.61; now therefore, it is

RESOLVED the town may accept the quote from Bobcat of the Finger Lakes for the E48 R2-Series Bobcat Compact Excavator for \$74,200.61, and send the 2019 Bobcat to auction or sale by another method that is expected to result in payment to the town of approximately \$50,000.00.

Date: February 11, 2025

Lorie Peck  
Lorie Peck, Town Clerk

**20. Reports of Standing Committees**

Economic Development – Upcoming meeting dates – 2/26/25, 4/23/25, 6/25/25, 8/27/25, 10/22/25

Sustainability – Working on Reuse center

Kashong Conservation Area – Mitch Wilber stated Willow Running reached out to him about using the park for their event and the committee decided against it.

Communication – Mark, Kim and Amy met and went through the website to make improvements, including a fact sheet that will be added. Amy has created an Instagram page.

Parks and Recreation – Gordy reported they met on 2/6/25 and everything is moving forward for the Summer Kick Off event. The next meeting will be April 1<sup>st</sup> at 6:00PM. The event will be held on June 1<sup>st</sup>, 2025 from 11:00AM to 1:00PM.

## **21. Supervisor's Report:**

The Town has about \$12,000 left over from the \$70,000 grant we received for our Climate Smart actions, most of which was used to make the old town hall energy efficient and pay for the electric vehicle charging stations at the new town hall. The remaining balance will be used to pay for electric landscaping equipment and other tools used by the Highway and Water & Sewer Departments.

Daniel McGowan has filed a small claim in the Town of Phelps Justice Court against the Town of Geneva, alleging the method the town uses to charge for sewer service to his commercial property, which is based on the assessed value of the property, is illegal in violation of General Municipal Law section 451. The town has used this method for many years. The town's insurance carrier has denied coverage stating this type of claim is not covered under the town's policy. We have retained the law firm Adams LeClair, attorney Stacy Trien lead counsel, to represent the town in the matter, which is scheduled for a hearing in Phelps on February 12. Mark said he has raised it up from \$700.00 to \$2100.00 because he has paid for 2 more billings.

The Town's equalization rate has fallen to about 88% based on the state's latest analysis, which means we may have to do a town-wide revaluation of property in 2026.

I've given notice to investment advisor three+one of our intent to cancel the agreement on the ground I don't believe future services will justify the \$14,900 annual fee. Mark said they met with three+one advisor and got the bill reduced down to \$9,900 annually.

### Selected Meetings and Events

January 14 – Meeting with city officials, fire chief and the town's three fire chiefs to discuss needs and resources.

January 15 - County Ways & Means Committee meeting

January 17 – Meeting with city officials regarding supporting a transfer station at Doran Avenue open to town and city residents.

January 23 – Reuse Systems, Inc. board of directors meeting

Ontario County Board of Supervisors meeting

January 29 – Meeting with Assemblyperson Gallahan, town highway superintendent and Dept. of Transportation officials re corner of Gambee Road and Route 14.

Meeting of Seneca Watershed Intermunicipal Organization

January 30 – Meeting with county officials re supporting Reuse Systems, Inc.

February 3 - County Planning & Environmental Quality Committee meeting

February 5 - County Ways & Means Committee meeting

February 7 - Ontario County Soil & Water Conservation District personnel committee meeting

February 10 – Geneva 2030 executive board meeting

**22. Old Business** - Mark reported on the Slate Rock Bridge. The Engineer reported that there was ½ inch movement towards the center. They suggested a wood test but were not concerned with the report. Will need to talk with DOT.

Bob McCarthy stated that he has two fields, one located on Snell Rd. and the other off of Turk Rd. owned by Greg Missick, designated for hunting. Mark will get an Unconditional Release together for both the town and the property owner. Bob McCarthy will deliver a letter to advise the residents in that area. The program will be from March 1<sup>st</sup> to March 31<sup>st</sup>, ½ hour before sunset to 11:00PM. The Town of Avon has the same program, and they noticed a difference in their deer population in 5 years.

**23. New Business**- Gordy Baxter would like the board to consider lights on the box field for extended use. He got some estimates which the cost will be around \$26,000 with the town doing the excavation work. He will get more quotes. Mark will look at the Park and Rec budget.

**24. Privilege of the floor** – Carol Higgins questioned the hours they could hunt for the Deer Nuisance Program which will be ½ hour before sunset until 11:00PM – March 1<sup>st</sup> to March 31<sup>st</sup>.

**25. Adjourn at 7:41PM** Motion to adjourn the regular meeting made by Councilmember Aliperti, second by Councilmember Baxter. Unanimously approved.

Lorie L Peck

Respectfully Submitted by Lorie L. Peck, Town Clerk

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(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 2025

A local law to override the tax levy limit established in General Municipal Law §3-c  
(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: 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 2026 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 2026 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.



**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2025 of the **Town of Geneva** was duly passed by the Geneva Town Board on February 11, 2025, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer<sup>1</sup>.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_, 20\_\_ in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the on 20\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_, 20\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_, and was (approved)(not approved)(repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_, 20\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_, 20\_\_, in accordance with the applicable provisions of law.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 2005 of the City of \_\_\_\_\_ of having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_, 20\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_ of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_, 20\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law and was finally adopted in the manner indicated in paragraph 1, above.

Lorie Peck  
Town Clerk

(Seal)

Date: February 11, 2025

<sup>1</sup> Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county- wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.