

AGENDA
TOWN OF GENEVA
REGULAR TOWN BOARD MEETING
August 11, 2020

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

1. **Call to Order**: the Regular Meeting of the Town Board. Flag salute/opening led by Councilperson McCarthy

2. **Privilege of the floor.**

3. **Gratitudes.**

4. **Approval of the minutes**: Approval of the minutes of the Public Hearing for Local Law 3-2020 on July 14, 2020.

Motion _____ Second _____

5. **Approval of the minutes**: Approval of the minutes of the Regular Meeting of the Town Board of July 14, 2020.

Motion _____ Second _____

6. **Town Clerk's report.**

Questions, comments.

The Board acknowledges receipt.

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

Questions, comments.

The Board acknowledges receipt.

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

Questions, comments.

The Board acknowledges receipt.

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

Questions, comments.

The Board acknowledges receipt.

10. **Supervisor's report of finances for the previous month,**

Questions, comments.

The Board acknowledges receipt.

11. **2020 RESOLUTION NO. 62-2020** – Approving Abstracts, Bills for Payment and Prepaid Bills.

Motion _____ Second _____

TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 62-2020

Whereas certain abstracts and bills for services and goods received or to be received by the town have been presented for payment or necessarily paid, and

Whereas those abstracts and bills have been reviewed by the supervisor's bookkeeper, the supervisor and other members of the town board, and are in proper order for payment or approval, now therefore, it is

RESOLVED the pre-paid bills that are presented are approved and the supervisor is authorized to pay the unpaid bills.

12. **2020 RESOLUTION NO. 63 -2020** – Approving Renewal of the Town's Insurance Coverage through C.S. Burrall & Son, Inc.

Motion _____ Second _____

TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 63-2020

Whereas C.S. Burrall & Son, Inc. has been the Town's insurance agent for about sixty years, and for the past several years has provided coverage through Trident Insurance Company; and

Whereas the coverage was shopped in 2018 with another company but the price and coverage offered by Trident through Burrall in 2019 was superior, and

Whereas because the Town has had a significant claim from litigation against the Town that is covered by the policy, obtaining a lower rate for the coming year is not feasible and will be more fruitful if done in the policy period after the coming one; and

Whereas coverage for the next policy year, August 17, 2020 to August 17, 2021, with Trident has been proposed by Burrall, at a cost of \$54,233.19, which is a 6.4% increase (the prior year being \$50,976.00), which is consistent with the industry for this coming year (and below the previous increase of 16%) and reflects a loss ratio increase and an increase in coverage; now therefore, it is

RESOLVED, the policy by Trident presented by Burrall may be accepted and paid when due.

13. 2020 RESOLUTION NO. 64-2020- Authorizing Renewal of Bond Anticipation Note.

Motion _____ Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 64-2020**

Whereas a bond resolution of the Town of Geneva for improvements to Water District 12 was adopted by the Town Board on June 29, 2010, and amended August 10, 2010, which has resulted in a series of annual Bond Anticipation Notes, now with the Bank of the Finger Lakes, last renewed September 6, 2019 in the amount of \$44,657.59, coming due September 6, 2020, together with interest at the rate of 2.15%; 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 is authorized to pay \$3,000.00 toward principal, and the interest due, on or about September 6, 2020, and to sign a new Bond Anticipation Note for a year with the Bank of the Finger Lakes binding the Town of Geneva for the balance due of \$41,657.59, plus interest.

14. 2020 RESOLUTION NO. 65-2020- Approving Agreement with Ontario County Soil and Water Conservation District

Motion _____ Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 65-2020**

Whereas the Town of Geneva is the recipient of a grant from the New York State Department of State in support of the preparation of the Seneca-Keuka Watershed Nine Element Plan (9E plan), which includes the requirement of a local match of 25% of the cost of the plan, which local share has been raised; and

Whereas to assist with the 9E plan, the Ontario County Soil and Water Conservation District (the District) has offered to assist with the preparation of eight quarterly newsletters and other public information services which are essential to the success of the 9E plan and its implementation, and the executive board of the 9E plan wishes to have the District perform those services, at the rate of \$50.00 per hour, not to exceed \$9,000.00, for which the funding is in place from 9E plan funds (and not from funds of the Town); now therefore, it is

RESOLVED the Agreement for Services between the Town of Geneva and the Ontario County Soil and Water Conservation District for services for the Seneca-Keuka Watershed Nine Element Plan at the rate of \$50.00 per hour, not to exceed \$9,000.00, may be executed by the Supervisor.

15. 2020 RESOLUTION NO. 66-2020- Approving Paving Slosson Lane and Work on Turk Road.

Motion _____ Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 66-2020**

Whereas, due to the anticipated loss of sales tax revenue caused by businesses closing to minimize the spread of the coronavirus, the Town Board on May 12, 2020 passed Resolution 49-2020, which revised the Agreement for Expenditure of Highway Monies to exclude the paving of three Town roads, including Slosson Lane, to save \$194,306.00 that has been budgeted; and

Whereas the second quarter sales tax revenue for the Town was down by 18.66%, approximately \$70,000.00, which was less than the 25-50% forecast; and

Whereas the cost of paving materials is significantly down this year, and the Town Highway Superintendent would like to take advantage of the price savings and at least pave Slosson Lane and do some needed repair work to Turk Road, at a cost not to exceed \$90,000.00; and

Whereas the Town's fund balance is significant and will be available to cover a 2020 budget shortfall in sales tax revenue even if the next two quarters have losses similar to the second quarter loss; now therefore, it is

RESOLVED the Highway Superintendent may pave Slosson Lane and do needed repairs to Turk Road at a cost not to exceed \$90,000.00, and Resolution 49-2020 is so amended.

16. 2020 RESOLUTION NO. 67-2020- Approving Contract for Completing the Town Bike Park.

Motion _____ Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 67-2020**

Whereas the Town Board approved the creation of a bike park on land behind the Town Hall more than two years ago, but work by volunteers and Town staff has been sporadic, and the park remains uncompleted; and

Whereas James Martinez of Hicksville, NY is an expert on the design and construction of bike parks, having done the park in the Town of Victor, and most recently leading volunteers and town forces to complete a park in the Town of Naples; and

Whereas James Martinez he has submitted a proposal to lead the completion of the Town's bike park at a cost of \$6,340.00, plus food and lodging, and, with materials, the cost of completing the park is estimated to not exceed \$10,000.00; and

Whereas the Geneva Bicycle Center, owned by Town resident James Hogan, who has been involved in the effort to create the Town's bike park, has pledged to donate \$2,000.00 toward the cost of the park; and

Whereas the 2020 Town Budget contains \$10,000.00 for the bike park; now therefore, it is

RESOLVED the Town may contract with James Martinez to lead the construction of the Town bike park as stated in his July 23, 2020 proposal.

17. Discuss closing Slate Rock Road bridge from November 15 to April 15; notify the two homeowners on the road that it will be on the agenda of the September 8 Town Board meeting so they may comment.

18. Discuss the need for further amendments to the Town's short-term rental regulations. The code officer can invoke the \$250 penalty of Town Code 1-16, but we could add specific monetary penalties to the short-term rental regulations, 165-39, like \$250 for a first violation, \$500 for a second violation, and \$750 for a third and subsequent violations within 60 days, and perhaps after three within 30 days the permit must be suspended for a period or revoked, to take effect at a date certain, at the discretion of the code enforcement officer. We could also add a provision that if permit is revoked, the owner must comply with current regulations at any reapplication for a short-term rental permit. Also, email about people coming to the town from quarantine states.

19. People vs. Pitifer, dog at large case, has been transferred to the Town of Victor Justice Court and we have to hire an attorney to represent the Town.

20. Reports of Standing Committees

Comprehensive Plan –

Economic Development –

Sustainability – minutes of the August 5 meeting were sent to the board; the committee supports moving forward with James Martinez to complete the bike park.

Kashong Conservation Area -

Communication –

Town Hall Park and Playground – supports moving forward with James Martinez to complete the bike park.

Agricultural Enhancement –

21. Supervisor's Report.

Work begins on the Town's 2021 budget. Department heads have been asked to submit proposed budgets and requests by August 21, so I can prepare the tentative budget for the September 8 Town Board meeting.

I spoke with the Ontario County Sheriff about enforcing the Town's noise ordinance and sent him the ordinance and was told they will enforce; I also communicated with the commander of the NYS Troopers for our area and sent him the ordinance – he told me they don't normally respond to that kind of complaint but understood our need.

I spoke with the principals of Rochester's Cornerstone Group, which developed Townside at PreEmption. They are concerned about the level of trouble at the property and are meeting with the Ontario County Sheriff to discuss it. They acknowledged there are some tenants who need to be evicted, but they cannot be at this time because of the statewide prohibition on evictions during the pandemic. They have put on staff from noon to 7:00 p.m. which they believe will help, and they are looking for more staff to have more coverage. We discussed putting cameras up and fencing, and they are looking into those and other solutions, and they promised to keep me advised, as did the Sheriff, who I also spoke with.

The Town, Town Assessor, and Board of Assessment Review have been named in an action challenging assessments by Michael Roulan (5249 North Kashong Point), George Michaels and Lana Connors (5045 Reeds Bay), and the Foley Family LLC (3615 Berry Fields Road). The Town has been represented in similar challenges by attorney James Wolford, now of Gallo & Iacovangelo, so we are continuing with his representation, at \$200.00 per hour, reduced from his normal rate of \$300.00 per hour.

Work on the Seneca-Keuka Watershed Nine Element Plan continues, and I am also working with a group from the Seneca Watershed Intermunicipal Organization (SWIO) and the Seneca Lake Pure Waters Association to fund the Watershed Steward in 2021 and beyond. Following the Canandaigua Watershed Council's method, we have created a "fair share" formula for sharing the expense among the municipalities in the watershed based on five factors: shoreline, area, population density, public water withdraw and property assessment. The Town of Geneva has the highest property assessment in the watershed at about \$417,000,000, and the Town's share of the budget based on the five factors is about 6%, or about \$3,300.00.

Selected Meetings and Activities:

July 15 – Castle Rail Trail meeting

July 20 – County Planning and Environmental Quality Committee meeting

July 22 – County Public Safety Committee meeting

Meeting with Tom Burrall re Town insurance coverage

July 23 – Early childhood readiness meeting – Geneva 2030

July 29 – Seneca Watershed Intermunicipal Organization work group on future funding meeting

July 30 – Seneca-Keuka Watershed Nine Element Plan executive board meeting

Ontario County Board of Supervisors meeting

August 4 – Ontario County Soil and Water Conservation Board finance committee meeting

Early childhood readiness meeting – Geneva 2030

August 5 – Town Sustainability Committee meeting

August 6 - Seneca-Keuka Watershed Nine Element Plan executive board meeting

August 10 – Meeting with Tom Burrall re Town insurance coverage

County Planning and Environmental Quality Committee meeting

22. Old Business.

23. New Business.

24. Privilege of the floor.

25. Adjourn: Time _____

Motion _____

Second _____