

**AGENDA**  
TOWN OF GENEVA  
REGULAR TOWN BOARD MEETING  
March 10, 2020

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

1. **Call to order:** - 6:00 p.m. Public Hearing for a proposed local law entitled, "A local law Amending the Official Zoning Map of the Town of Geneva"  
Public Comments-  
Written Comments-  
Close Public Hearing- Time \_\_\_\_\_

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

3. **Privilege of the floor.**

4. **Gratitudes.**

5. **Approval of the minutes:** Approval of the minutes of the Public Hearing for Local Law 1-2020 "A local law to override the tax levy limit established in General Municipal Law §3-c." of the Town Board of February 11, 2020.

Motion \_\_\_\_\_ Second \_\_\_\_\_

6. **Approval of the minutes:** Approval of the minutes of the Regular Meeting of the Town Board of February 11, 2020.

Motion \_\_\_\_\_ Second \_\_\_\_\_

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.  
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 two months,** January and February

Questions, comments.  
The Board acknowledges receipt.

12. **2020 RESOLUTION NO. 33-2020** – Approving Abstracts, Bills for Payment and Prepaid Bills.

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 33-2020**

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.

Motion \_\_\_\_\_ Second \_\_\_\_\_

13. Review of Environmental Assessment Form and Environmental Record on the proposed zoning change.

14. **2020 RESOLUTION NO. 34 -2020** – Town Code Update, Official Zoning Map Amendments. SEQR/INTERESTED AGENCY RESOLUTION.

Motion to approve made by Councilmember \_\_\_\_\_, second by Councilmember \_\_\_\_\_.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 34 -2020**

**WHEREAS**, the Town of Geneva Town Board (hereinafter referred to as Town Board) on Tuesday, March 10, 2020 has reviewed the State Environmental Quality Review (SEQR) Full Environmental Assessment Form (EAF) Parts 1, 2, and 3, prepared by the MRB Group (hereinafter referred to as Town Engineer) regarding Official Zoning Map Amendments (hereinafter referred to as Action); and

**WHEREAS**, the Town Board determines that said Action is classified as a Type 1 Action under the SEQR regulations; and

**WHEREAS**, the Town Board determines that said Action is not subject to review and approval by other involved agencies, as the Town Board has the only discretionally power to approve the said Action under SEQR Regulations, but, nevertheless, the Town Engineer provided notice to Interested Agencies; and

**WHEREAS**, the Town Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notification to interested agencies, for the purpose of making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board makes a Determination of Non-Significance based upon: the Full Environmental Assessment Form, Parts 1, 2 and 3; the Town Board Public Hearing Record on the Action; and any other parts of the Environmental Record prepared or obtained in the Action; and

**BE IT FINALLY RESOLVED** that the Supervisor is directed to issue the Negative Declaration as evidence of the Town Board's determination of environmental non-significance.

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 10<sup>th</sup>, 2020 by the following vote:

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

Dated: \_\_\_\_\_ 2020 \_\_\_\_\_  
Lorrie S. Naegele, Town Clerk

**15. 2020 RESOLUTION NO. 35-2020**- Adoption of Local Law 2-2020“A local law Amending the Official Zoning Map of the Town of Geneva.”

Motion to approve made by Councilmember \_\_\_\_\_, second by Councilmember \_\_\_\_\_.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 35-2020**

**RESOLUTION AUTHORIZING ADOPTION OF A LOCAL LAW  
AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF GENEVA**

**WHEREAS**, a resolution was duly adopted on February 11, 2020 by the Town Board of the Town of Geneva for a public hearing to be held by said Town Board on March 10, 2020, 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 Amending the Official Zoning Map of the Town of Geneva; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of Geneva, on February 28, 2020 and all other notices required by law to be given were properly served, posted or given; and

**WHEREAS**, said public hearing was duly held on March 10<sup>h</sup>, 2020 at 6:00 p.m. at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

**WHEREAS**, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR; and

**WHEREAS**, the Town Board of the Town of Geneva, after due deliberation, finds it in the best interest of the Town of Geneva to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Geneva hereby adopts said Local Law No. 2 of 2020, entitled, "A Local Law Amending the Official Zoning Map of the Town of Geneva", a copy of which is attached hereto and made a part hereof, and be it further

**RESOLVED**, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Geneva, to give due notice of the adoption of said local law to the Secretary of State of New York, to publish an abstract of this local law in the Town's official newspaper and to post a copy of this local law on the Town of Geneva sign board.

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 10, 2020 by the following vote:

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

Dated: \_\_\_\_\_, 2020

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

**LOCAL LAW FILING**

New York State Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY 12231-0001

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County of Ontario  
City  
Town of Geneva  
Village

**Local Law No. 2 of the year 2020**

A Local Law Amending the Official Zoning Map 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 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 by changing the zoning district classification of a parcel of land located on the south side of Routes 5 & 20 (known as 957 Routes 5 & 20, also called Canandaigua Road), that is identified as Tax Map No. 103.00-3-45.112, and a parcel of land known as 3655 Berry Fields Road, that is identified as Tax Map No. 103.00-3-49.100, from AG - Agriculture District to TC-2 – Town Center Arterial District.

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.

**16. 2020 RESOLUTION NO. 36-2020** – Approving a Roofing Contractor for the Town Hall Roof Replacement.

Motion \_\_\_\_\_

Second \_\_\_\_\_

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 36-2020**

Whereas the roof of the town hall is in need of replacement and \$60,000.00 was budgeted for it in the 2020 town budget; and

Whereas proposals were sought from three qualified roofing contractors who met with the Water and Sewer Superintendent to discuss the work in preparation of providing estimates; and

Whereas the proposal of Proctor Enterprises totals \$54,670; the proposal of Kanga Roof totals \$65,750; and the proposal of Marshall Exteriors totals \$55,252, and the Marshall Exteriors proposal includes 461 feet of rubber roofing on the flat portion of the roof, which is not included in the other proposals; and

Whereas although the Marshall Exteriors proposal is \$582.00 more than the Proctor Enterprises proposal, the difference is small and compensated for by the addition of a new rubber roof where the original is, and the Water and Sewer Superintendent based on meeting with representatives of the three companies and discussing their products and process, believes the products used by and expertise of Marshall Exteriors makes it the best value for the town; now therefore, it is

RESOLVED the proposal of Marshall Exteriors for replacement of the town hall roof may be accepted by the Supervisor on behalf of the town.

Motion \_\_\_\_\_

Second \_\_\_\_\_

**17. 2020 RESOLUTION NO. 37-2020** – Authorizing a Box Sports Facility behind the Town Hall.

Motion \_\_\_\_\_

Second \_\_\_\_\_

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 37-2020**

Whereas Geneva Youth Lacrosse has proposed working with the Town of Geneva to fund and assist with managing a box field behind the town hall that can be used for lacrosse, soccer and other sports, at a cost of approximately \$100,000.00; and

Whereas there is land behind the town hall suitable for such a field, and the community is in need of one; and

Whereas the Geneva Youth Lacrosse group is willing to raise 60% of the funds needed for the field, and the Town is willing to house the field and contribute 40% of the funds, with the hope of installing the field in 2021; now therefore, it is

RESOLVED the Town Board supports the installation of a box field on town property behind the town hall, which will be property of the town, and will contribute 40% of the cost of the field and necessary amenities if the Geneva Youth Lacrosse group raises the other 60% needed and commits to assist with volunteer management of the field.

**18. 2020 RESOLUTION NO. 38-2020** – Opposing a Proposed Sewage Sludge Processing Facility in the Town of Butler, Wayne County.

Motion \_\_\_\_\_

Second \_\_\_\_\_

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 38-2020**

WHEREAS the Town of Geneva recognizes the importance of the Lake Ontario watershed to the State, region and local communities; and

WHEREAS the Town is aware of a proposal in the Town of Butler to host a facility that will treat large amounts of sewage sludge from New York City, which is likely to create issues of truck and other heavy transportation traffic, odor, and contamination of soil and water, which is inconsistent with the character of the area and its future prospects; and

WHEREAS shipping waste long distances for treatment is inconsistent with Smart Growth and Climate Smart principles, and is contrary to the sound principle that waste should be treated and managed by those who create it, close to where it is created; now therefore, it is

RESOLVED that the Town of Geneva joins many other regional municipalities in respectfully requesting that the New York State Department of Environmental Conservation deny approval of the permit for the municipal sewage-sludge processing facility in Butler, New York, and exercise its power in assisting in the determination of a more appropriate location for a facility close to where the waste is generated; and it is further

RESOLVED that a copy of this resolution be forwarded to the United States Environmental Protection Agency, Governor Andrew Cuomo, Senator Pamela Helming, Assemblyperson Brian Kolb, Assemblyperson Robert Oaks, and other appropriate legislators and officials.

**19. 2020 RESOLUTION NO. 39-2020** – Authorizing the Grant Agreement between the Town of Geneva and the NYS Environmental Facilities Corporation.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 39-2020**

Whereas the Town of Geneva was awarded a NYS Water Infrastructure Improvement Act grant of \$2,968,200.00 toward the cost of the water system improvement project the Town is undertaking with the Town of Seneca, the total cost of which is estimated to be \$4,947,000.00, with the local share paid 34% by the Town of Geneva and 66% by the Town of Seneca; and

Whereas the grant is administered by the NYS Environmental Facilities Corporation (EFC), WIIA Project No. 18619, and EFC has submitted a Grant Agreement to the Town that must be approved by the Town Board and signed by the Supervisor so it can be finally approved and signed by EFC; now therefore, it is

RESOLVED the Grant Agreement submitted to the Town of Geneva by EFC for WIIA Project No. 18619 is approved and may be signed by the Supervisor.

**20. 2020 RESOLUTION NO. 40-2020:** - Accepting Review of Town Justices' Records for 2019.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 40-2020**

Whereas the Town's independent accountants, Atette & Ingersoll, CPAs, PC, have reviewed the financial data and records of the Town Justices for the period January 1 through December 31, 2019, and have submitted a report to the Town dated January 14, 2020; now therefore it is

RESOLVED the January 14, 2020 report of Atette & Ingersoll, CPAs, PC, of the financial data and records of the Town Justices for the period January 1 through December 31, 2019 is accepted, and the Justices are advised to address the items noted in the report as exceptions to the agreed-upon procedures.

**21. 2020 RESOLUTION NO. 41-2020:** - Accepting Review of Town Clerk's Records for 2019.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 41-2020**

Whereas the Town's independent accountants, Atette & Ingersoll, CPAs, PC, have reviewed the financial data and records of the Town Clerk for the period January 1 through December 31, 2019, and have submitted a report to the Town dated January 15, 2020; now therefore it is

RESOLVED the January 15, 2020 report of Atette & Ingersoll, CPAs, PC, of the financial data and records of the Town Clerk for the period January 1 through December 31, 2019 is accepted.

**22. 2020 RESOLUTION NO. 42-2020** – Authorizing Purchase of Bobcat for Water, Sewer and Highway Departments.

Motion \_\_\_\_\_

Second \_\_\_\_\_

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 42-2020**

Whereas, under the Town's equipment replacement and maintenance practice, the 2014 E42 Bobcat mini-excavator for which maintenance costs will begin rising is in need of replacement; and

Whereas, the Town Water and Sewer Department Superintendent can purchase a new Bobcat with needed accessories from Bobcat of the Finger Lakes for \$55,040.38 on a NYS bid contract which is below the normal market price; and

Whereas, this purchase has been provided for in the 2020 town budget, with the 2014 Bobcat the town owns being consigned to sell at Auction International; now therefore, it is

RESOLVED the Water and Sewer Superintendent is authorized to purchase a Bobcat and accessories from Bobcat of the Finger Lakes for \$55,040.38, and to consign to Auction International the 2014 Bobcat for sale.

**23. Reports of Standing Committees**

Comprehensive Plan –

Economic Development –

Sustainability – The next Fix-It Clinic has been set for Saturday, April 25, 9 to noon at the highway garage

Kashong Conservation Area -

Communication – Second addition of Town Times will be out at the end of March

Town Hall Park and Playground –

Agricultural Enhancement – lots of meetings and discussion around soil health initiatives

**24. Supervisor's Report.**

The Annual Financial Report of the Town's 2019 financial records has been submitted to the NYS Comptroller, and one highlight is the town ended 2019 with almost \$200,000 more than it started.

The HWS Day of Service is Saturday, April 18, and the town plans to have two crews of students pitching in, one at the Kashong Conservation Area, and one doing clean-up of a gully or other area in need. If you'd like to join in, let Mark know.

Contracts were signed and the budgeted contributions were made to the outside agencies that perform services for the town.

Selected Meetings and Activities:

February 13 – Geneva 2030 Executive Board meeting

County Planning and Environmental Quality Committee meeting

County Board of Supervisors meeting

February 19 – Ontario County Soil and Water Conservation District Board meeting

February 24 – County Planning and Environmental Quality Committee meeting

February 25 – Meeting with representatives of Seneca Lake Pure Waters Association and Seneca Watershed Steward

February 26 – County Public Safety Committee meeting

Joint meeting of town Sustainability Committee and city Green Committee

Town Economic Development Committee meeting

March 5 – Nine Element Watershed Plan executive board meeting

Ontario County Board of Supervisors meeting

**25. Old Business.**

**26. New Business.**

**27. Privilege of the floor.**

**28. Adjourn:** Time \_\_\_\_\_

Motion \_\_\_\_\_ Second \_\_\_\_\_