

**AGENDA
TOWN OF GENEVA
REGULAR TOWN BOARD MEETING
FEBRUARY 11, 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 to override the tax levy limit established in General Municipal Law §3-c.”
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 Dunham
- 3. **Privilege of the floor.**
- 4. **Gratitudes.**
- 5. **Approval of the minutes:** Approval of the minutes of the Organizational Meeting of the Town Board of January 14, 2020.
Motion _____ Second _____
- 6. **Approval of the minutes:** Approval of the minutes of the Regular Meeting of the Town Board of January 14, 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 month
Questions, comments.
The Board acknowledges receipt.
- 12. **2020 RESOLUTION NO. 24-2020** – Approving Abstracts, Bills for Payment and Prepaid Bills.

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 24-2020**

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. **2020 RESOLUTION NO. 25 -2020** – Resolution to adopt said Local Law No. 1 of 2020, entitled, “A local law to override the tax levy limit established in General Municipal Law §3-c”. Motion to approve made by Councilmember _____, second by Councilmember _____.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 25-2020**

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Geneva for a public hearing to be held by said Town Board on February 11, 2020, at 6:00 p.m. at 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 31, 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 February 11, 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, 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. 1 of 2020, entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made a part of this resolution, 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, and to give due notice of the adoption of said local law to the Secretary of State of New York.

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 February 11, 2020 by the following vote:

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

Date: _____

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. 1 of the year **2020**

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

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

County of Ontario
City
Town of Geneva
Village

as follows:

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 2021 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

1.1 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 2021 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.

14. **2020 RESOLUTION NO. 26-2020:** Approve of Tax Levy Limit Override for Special Districts and/or Fire Protection Districts. Motion to approve made by Councilmember _____, second by Councilmember _____.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 26 -2020**

WHEREAS, the Town Board of the Town of Geneva is the governing body of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof; 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 aforesaid special districts and/or fire protection districts, pursuant to General Municipal Law §3-c, and to allow the Town of Geneva, on behalf of the aforesaid special districts and/or fire protection districts, to adopt a budget for the fiscal year 2021 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 2021 on behalf of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

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 February 11, 2020 by the following vote:

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

Date: _____

Lorrie S. Naegele, Town Clerk

15. **2020 RESOLUTION NO. 27-2020** – Approving Two Rates Omitted from January 14, 2020 Organization Meeting.

Motion _____

Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 27-2020**

Highway Equipment Operator	\$ 29.13 (H) *
Water & Sewer Laborer	\$ 29.13 (H) *

- Per union contract a new employee will start at \$2.00 per hour less than the applicable starting rate.

16. **2020 RESOLUTION NO. 28-2020** – Increasing Dog License Fee.

Motion _____

Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 28-2020**

Whereas the dog license fee charged by the Town of Geneva to residents is \$15.00 per dog, but Ontario County is charging the Town \$15.50 per dog for dog control services and New York State is charging the Town from \$1.00 to \$3.00 per dog, so the Town is losing money and should not be subsidizing dog owners, and also has its own expenses of handling this function; now therefore, it is

RESOLVED the dog license fee charged residents by the Town of Geneva will be \$20.00 per dog beginning March 1, 2020.

17. 2020 RESOLUTION NO. 29-2020 – Authorizing Purchase of Pick-Up Truck for Water and Sewer Department.

Motion _____

Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 29-2020**

Whereas, under the Water and Sewer Department’s vehicle replacement and maintenance practice, the 2016 Ford Pick-Up Truck for which maintenance costs will begin rising is in need of replacement; and

Whereas, the Town Water and Sewer Department Superintendent can purchase a 2020 Ford Pick-up Truck from VanBortel Ford for \$31,500.07 on state bid contract which is below the normal market price; and

Whereas, the replacement of this truck has been provided for in the 2020 town budget; now therefore, it is

RESOLVED the Water and Sewer Superintendent is authorized to purchase the 2020 Ford-Pick-Up Truck from VanBortel Ford for \$31,500.07, and to consign to Teitsworth Action Company the 2016 Ford Pick-Up Truck for sale.

18. 2020 RESOLUTION NO. 30-2020 – Approving Renewal of a Bond Anticipation Note.

Motion _____

Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 30-2020**

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, 2020, at which time \$41,201.91, 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 \$4,545.00 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, \$36,656.91, plus interest, due in one year.

19. 2020 RESOLUTION NO. 31-2020 – Approving Fee Increases for Use of the Recycling and Disposal Station.

Motion _____

Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 31-2020**

Whereas the services provided at the Town’s Recycling and Disposal Station should primarily be paid for by the residents using the services or with grants so the Station is not being overly subsidized by general town funds; and

Whereas an analysis of income and expenses at the Station shows the rates being charged by the Town for the auto recycling sticker, trash card and for use of the construction and large item disposal container are not covering the cost of those services; now therefore, it is

RESOLVED the price of the auto recycling sticker shall be increased from \$10.00 to \$15.00; and it is further

RESOLVED the price of the trash card shall be increased from \$50.00 to \$65.00; and it is further

RESOLVED the price per pound for the construction and large item disposal container shall be increased from 10 cents to 15 cents.

20. 2020 RESOLUTION NO. 32-2020 – Resolution Authorizing scheduling of a Public Hearing for a Proposed Local Law.

Motion _____ Second _____

**TOWN OF GENEVA
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 32-2020**

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 the Official Zoning Map 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 (Exhibit 1) 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 March 10, 2020, 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 February 11, 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

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
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
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 by changing the zoning district classification of a parcel of land located on the south side of Routes 5 & 20 (also called Canandaigua Road) in the Town of Geneva that is identified as Tax Map No. 103.00-3-45.112, 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.

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 10th day of March, 2020, 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 rezoning a parcel of land located on the south side of Routes 5 & 20 (also known as the Canandaigua Road) in the Town of Geneva that is identified as Tax Map No. 103.00-3-45.112 from AG – Agriculture to TC-2 – Town Center Arterial 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

21. Reports of Standing Committees

- Comprehensive Plan –
- Economic Development –
- Sustainability –
- Kashong Conservation Area -
- Communication –
- Town Hall Park and Playground –
- Agricultural Enhancement –

22. Supervisor's Report:

Selected Meetings and Activities

January 15 – Ontario County Public Safety Committee meeting

Town Recycling & Disposal Station review by county contractor for Solid Waste Management Plan

Ontario County Soil & Water Conservation District Board meeting

January 16 – Geneva 2030 Executive Board meeting

January 23 – Ontario County Board of Supervisors meeting

January 30 – Water Quality Pollution Prevention Training

Seneca Watershed Intermunicipal Organization meeting

February 3 – Ontario County Planning & Environmental Quality Committee meeting

February 5 – Ontario County Public Safety Committee meeting

23. Old Business.

24. New Business.

25. Privilege of the floor.

26. Adjourn: Time _____

Motion _____ Second _____