

**AGENDA**  
TOWN OF GENEVA  
REGULAR TOWN BOARD MEETING  
April 14, 2020

Due to the coronavirus pandemic, the Governor has issued orders to forgo non-essential group meetings, and to authorize open meetings using technology that allows board members to participate from different locations, and the public to observe either by computer or phone. To follow applicable orders and enhance public safety, this meeting is being held using the Zoom program with a computer link and phone number that members of the public can use to observe and or listen to the meeting over the internet or regular telephone.

The Zoom link is <https://hws.zoom.us/j/574184828?pwd=SWI0eCs0QjJ5ZjMvNGx1T3Rma1lBQT09>

Meeting ID: 574 184 828

Password: 615965

One tap mobile +16465588656,,574184828#

Dial by standard telephone: 1 646 558 8656

This information has been publicized on the town's Facebook page, web site, notice board, email list, and in the Finger Lakes Times.

1. 6:00 p.m. **Call to Order** the Regular Meeting of the Town Board. Flag salute/opening led by Councilperson Palmieri

2. Privilege of the Floor.

3. **Gratitudes.**

4. **Approval of the minutes:** Approval of the minutes of the Public Hearing for Local Law 2-2020 "A local law Amending the Official Zoning Map of the Town of Geneva" of the Town Board of March 10, 2020.

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

5. **Approval of the minutes:** Approval of the minutes of the Regular Meeting of the Town Board of March 10, 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. 43-2020** – Approving Abstracts, Bills for Payment and Prepaid Bills.

**TOWN OF GENEVA**  
**RESOLUTION OF THE TOWN BOARD**  
**RESOLUTION NO. 43-2020**

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 \_\_\_\_\_

12. **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 proposals have to account for paying prevailing state wage rates, and they came in as follows: Proctor Enterprises totals \$59,650.00; the proposal of Kanga Roof totals \$65,750; and the proposal of Marshall Exteriors totals \$63,252.00; and

Whereas Proctor Enterprises is the low bid and has also done satisfactory roof work for the Town in the past; now therefore, it is

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

**13. 2020 RESOLUTION NO. 44-2020 – Amending the Town’s Site Design and Development Criteria.**

Motion \_\_\_\_\_

Second \_\_\_\_\_

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 44-2020**

Whereas the Town of Geneva adopted Site Design and Development Criteria on July 9, 2019 by Resolution No. 55-2019; and

Whereas it has come to the attention of the Code Enforcement Department that clarification of Design Criterion 2.10, describing concrete gutters along roads, is needed to show there is an alternative to concrete gutters, as shown in Appendix H-1.1 of the Site Design and Development Criteria; now therefore, it is

RESOLVED, Design criterion 2.10 is amended by adding, after the existing language, the following:

A grass swale is a green infrastructure option subject to approval by the Town Planning Board as part of site plan approval. See section 2.02 and Appendix H-1.1. Consult the Highway Superintendent and Town Engineer to review the proposed design to assure suitable drainage is addressed to avoid ponding in the swale. Suitable drainage may include underdrain, storm piping and inlet structures.

**14. 2020 RESOLUTION NO. 45-2020 – Approving Paychex Insurance Agency, Inc. as the Town’s Health Insurance Representative.**

Motion \_\_\_\_\_

Second \_\_\_\_\_

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 45-2020**

Whereas on October 9, 2019, by Resolution 79-2019, the Town of Geneva approved Bond Benefits Consulting as the Town’s health insurance representative under the understanding the Town did not then have a representative, which services are provided at no cost to the Town; and

Whereas the Town has since learned the Town did have a representative, Paychex Insurance Agency, Inc., which is affiliated with Paychex, Inc., which provides payroll services to the Town; and

Whereas since the appointment of Bond Benefits Consulting it has not provided noticeable services to the Town, while Paychex has, the appointment can be changed at any time, and the Supervisor’s Assistant and Bookkeeper is comfortable working with Paychex and recommends the Town return to Paychex; now therefore, it is

RESOLVED Paychex Insurance Agency, Inc. may be designated the Town of Geneva’s sole insurance representative with Excellus BlueCross BlueShield.

**15. 2020 RESOLUTION NO. 46-2020** – Approving Amendments to the Town’s Fee Schedule.

Motion \_\_\_\_\_

Second \_\_\_\_\_

**TOWN OF GENEVA  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 46-2020**

Whereas the Town Board raised the dog license fee to \$20.00 on February 11, 2020 by Resolution 28-2020; and

Whereas the Building Construction Permit Fee for Commercial or Industrial, new or alterations, is lower than most municipalities at \$0.15 per square foot and should be raised to \$0.20 per square foot to cover the time and expense of dealing with those applications and construction; and

Whereas the Park & Recreation Fee of \$500.00 per residential dwelling unit is below what other municipalities charge and is insufficient to provide the money needed for park and recreation improvements needed in the town and called for in the Town’s Comprehensive Plan, and should be raised to \$1,000.00; and

Whereas the Town Board raised the trash disposal card fee to \$65.00, and the Recycling & Disposal Station vehicle sticker fee to \$15.00, on February 11, 2020 by Resolution 31-2020; and

Whereas the fee for shutting off a water service is stated in the Town’s fee schedule as \$24.00 when it should be \$25.00; and

Whereas the fee for a short-term rental permit is only \$100 for three years, when other municipalities both charge more and impose the fee yearly to compensate for the time and expense of administering the short-term rental regulations, and a fee of \$250.00 due yearly would better support the work of the code enforcement department; and

Whereas the Town Board has authority to establish fees and amend the fee schedule under Chapters 55 (Animals), 63 (Building Construction and Fire Prevention), 132 (Solid Waste), 161 (Water), 165 (Zoning) and A170 (Fees), by resolution of the Town Board; now therefore, it is

RESOLVED the Fee schedule of the Town of Geneva is amended as follows and as shown on the schedule attached and incorporated into this resolution (the attached schedule includes the previously approved changes set forth above but not repeated below):

- Chapter 63, Commercial/Industrial, new or alterations, shall be \$0.20/sq.ft.;
- Chapter 63, Park & Recreation per residential dwelling unit, shall be \$1,000.00;
- Chapter 161, section 161-24, Shutting off service, shall be \$25/40; and
- Chapter 165, section 165-39, Short-term rental permit, shall be \$250.00 per year.

**16.** Discussion of the town’s short-term rental law and whether it should be restricted to owner-occupied dwellings.

17. Fox v. Town of Geneva continues with his claims the town has violated his constitutional rights. Also, Naegele v. Fox is a pending action by Bernard and Lorrie Naegele against Stephen Fox, claiming damages to their property and rights, and Fox has made counterclaims in that action against Lorrie Naegele similar to his claims against the town, that his constitutional rights have been violated, and the Naegele attorney has requested the town defend against those counterclaims under the town’s liability coverage.

**18. Reports of Standing Committees**

Comprehensive Plan –

Economic Development –

Sustainability –

Kashong Conservation Area -

Communication – The Second Issue of Town Times is out

Town Hall Park and Playground –

Agricultural Enhancement –

**19. Supervisor’s Report.**

Due to the anticipated loss in sales tax revenue to the town, department heads have been advised to not commit to any large purchases or projects, even if funds were set aside for them in the 2020 town budget, without clearing the expenditure with the town supervisor first.

Selected Meetings and Activities:

March 11 – Meeting with director of Ontario County Four Seasons

March 16 – County Planning and Environmental Quality Committee meeting

March 18 – County Public Safety Committee meeting

County Soil and Water Conservation District Board meeting

March 19 – Geneva 2030 executive board meeting

March 20 – Ted Baker radio show on town topics

March 24 – Seneca Watershed Intermunicipal Organization funding committee meeting

March 26 – Ontario County Board of Supervisors meeting

March 27 – Covid-19 Task Force meeting

March 30 – Town Agricultural Enhancement Committee meeting

March 31 – Meeting with Soil & Water Conservation District reps, Town engineer and Watershed Steward re Town stormwater projects

April 2 – Seneca-Keuka Nine-Element Watershed Plan executive committee meeting

April 7 – Field survey of Stream 119 with Watershed Steward, Soil & Water rep and town engineer

April 8 – County Public Safety Committee meeting

April 9 – Geneva 2030 Action Team Summit

April 10 – Covid-19 Task Force meeting

**20. Old Business.**

**21. New Business.**

**22. Privilege of the floor.**

**23. Adjourn:** Time \_\_\_\_\_

Motion \_\_\_\_\_

Second \_\_\_\_\_

## Chapter A170

### FEES

**Ss A170-1. Fees established.** **Ss A170-2. Amendment.**

[History: Adopted by the Town Board of the Town of Geneva 12-23-1997 by L.L. No. 5-1997; amended in its entirety 1-8-2002. Subsequent amendments noted below.]

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#### **SS A170-1. Fees established. [Amended 1-9-2007; 12-31-2010; 8-13-2019; 2-11-20; 4-14-20]**

The following fees and charges, set by resolution of the Town Board, are hereby established for the Town of Geneva. The Chapters and sections cited correspond to the sections of the Code of the Town of Geneva.

#### **Chapter/Subject**

#### **55, Animals**

	<b>Fee</b>
ss 55-1, dog license fee	
Spayed or neutered dog	\$19
Unspayed or unneutered dog	\$22
Surcharge if dog is altered	\$ 1
Surcharge if dog is not altered	\$ 3
Surcharge for every late dog license renewal	\$ 5

#### **63, Building Construction**

##### Permit Fees

Minimum residential/commercial	\$75/\$150
Residential new/alterations	\$0.15/sq.ft.
Commercial/industrial/new/alterations	\$0.20/sq.ft.
Agricultural (barns, silos)	\$10
Demolition	\$75
Solid fuel inspections	\$50
New septic systems	\$175
Existing septic systems	\$175
Signs/fences	\$75
Storage buildings/decks	\$75
Over 12 feet by 12 feet	\$0.15/sq.ft.
Truss construction permit (per ss382-A of Executive Law)	\$50
Operating permits	\$100
Park & Recreation per residential dwelling unit	\$1,000
Drainage & Storm-water Management per 100 Square Feet of Impervious Surface Constructed	\$10/100 sq. ft.

#### **80, Flood Damage Prevention**

ss 80-11B, floodplain development permit	\$100
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#### **102, Manufactured Home**

ss 102-8C(2), manufactured home court licensed application	
First 5 units	\$35
Each additional unit	\$5
ss 103-13C, permit for visiting manufactured home	\$10

**110, Peddling and Soliciting**

ss 110-11, license fee	
License for 6 months or fewer	\$50
License for more than 6 months, but less than one year	\$100
Each person licensed to assist for 6 months or fewer	\$25
Each person licensed to assist for more than 6 months, but less than 1 year	\$50

**118, Sewers**

ss 118-11, tap-in and inspection fee for multiple dwellings and commercial, industrial and nonresidential buildings <b>[Amended 12-30-2014]</b>	
4-inch tap	\$850
6-inch tap	\$1,000
ss 118-46, additional inspections after disapproval of an inspection	\$25

**123, Site Plan Review**

ss 123-6C, site plan review application	
New construction	\$250
Alterations/additions	\$125
Site Plan permit	\$100

**129, Soil Erosion**

ss 129-13, permit application	\$50
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**132, Solid Waste**

ss 132-5D, resident user card for trash disposal	\$65
Recycling & Disposal Station permit/vehicle sticker per year	\$15

**136 Subdivision of Land**

ss 136-13, subdivision application	
Minor subdivisions	\$150
Major subdivisions	
Step 1	\$150
Step 2	\$250
Step 3	\$250

**141, Swimming Pools [Amended 1-9-2007]**

ss 141-4C, pool building permit	\$100
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**161, Water**

ss 161-17, testing of water meter for accuracy	\$40
ss 161-24, shutting off service	\$25/40

**165, Zoning**

ss 165-25H, excavation permit	\$250
ss 165-39, short-term-rental permit, per year	\$250
ss 165-70B, appeal to Board of Appeals	\$100
ss 165-71B, variance application	\$125
ss 165-72B, special use permit application	\$125
ss 165-74, amendment on petition	\$100

**ss A-170-2 Amendment.**

The Town Board may, by resolution, amend any of the fees in this chapter from time to time.