

MINUTES
TOWN OF GENEVA
SPECIAL BOARD MEETING
August 26, 2020

PRESENT: Supervisor Mark Venuti Councilmember Jeffery Dunham
Councilmember Robert McCarthy Councilmember Mark Palmieri

ABSENT: Councilmember Kimberly Aliperti

Recording Secretary: Lorrie S. Naegele, Geneva Town Clerk. The actions described below are not necessarily listed in order of occurrence.

Others Present: Floyd Kofahl, Code Enforcement Officer, two people from Marathon Engineering and one resident.

1. **Call to Order, 5:00 p.m.**: Special Meeting of the Town Board. Flag salute/opening led by Councilperson Palmieri.

2. **Privilege of the floor.** None

3. **2020 RESOLUTION NO. 68-2020** – Introducing a Local Law and Calling for a Public Hearing -Local Law Rezoning 3635 Berry Fields Road from Town Center Arterial District to Planned Unit Development. Motion to approve made by Councilmember Dunham, second by Councilmember McCarthy.

TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 68 -2020

RESOLUTION AUTHORIZING SCHEDULING OF A PUBLIC HEARING FOR A PROPOSED LOCAL LAW

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 the proposed Local Law attached hereto as Exhibit 1; and

WHEREAS, the Town Board of the Town of Geneva has reviewed the draft of the aforementioned proposed Local Law 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 September 8, 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 August 26, 2020 by the following vote:

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

Dated: August 26, 2020

Lorrie S. Naegele, Town Clerk

SEAL
EXHIBIT 1

FILING LOCAL LAW

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. 4 of the year **2020**

A local law **"Approving with Conditions the Rezoning of a Parcel of Land to PUD Planned Unit Development and Amending the Official Zoning Map of the Town of Geneva in Accordance with Such Approval"**
(Insert Title)

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

County
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 as follows:

Tax Account No. 103.00-3-45.200, with an address of 3635 Berry Fields Road, currently zoned Town Center Arterial, is rezoned to PUD, Planned Unit Development District, subject to the following conditions:

1. Adherence to the National Association of City Transportation Officials urban street design principles that streets are public spaces for people as well as arteries for traffic and transportation, and that street design should meet the needs of people walking, driving, cycling, and taking transit.
2. Adherence to the National Association of City Transportation Officials green streets principles that street design should promote safety and mobility, sustainable stormwater management and treatment, ecosystem health and urban resilience.
3. Design of stormwater management and treatment facilities to maximize use of green infrastructure and onsite infiltration of stormwater, and where practicable incorporation of stormwater treatment facilities as amenities into any proposed open space and recreation areas.
4. Adherence to the standards for outdoor lighting set forth in Section 165-36 of the Town of Geneva Zoning Code, and wherever practicable incorporate use of LED and other low energy consumption lighting technology into the site design.
5. Integrate wherever practicable renewable energy sources and/or energy conservation facilities and equipment into the project design.
6. A two-year maintenance bond or guaranty is required for all landscaping upon completion of its installation.
7. Final Site Plan review to be completed with the Town of Geneva Planning Board for compliance with the Town's Planned Unit Development regulations and Town of Geneva Zoning Code Section 165, Article VIII, Site Plan Review.
8. All signage must comply with Town of Geneva sign regulations, Section 165, Article VII.
9. Only the uses and layout, including, but not limited to, setbacks and acreage of open space, set forth on the Re-Zoning Plans of Marathon Engineering received or dated July 31, 2020, and any later revisions accepted by the Town, that are on file with the Town, shall be part of any final site plan approval.
10. Compliance with or acceptable response to all review comments of the Town's engineers, MRB Group.
11. Prior to construction of the proposed new building, the owner will apply for Site Plan review and obtain the approval of the Town of Geneva Planning Board.

Section 2: The Town Clerk, in accordance with the provisions contained in Section 165-5 of the Zoning Law of the Town of Geneva, and upon final site plan approval by the Planning Board in accordance with Article V of the Zoning Law of the Town of Geneva, shall affix a note to the Town's Official Zoning Map that the development of the above referenced site was approved under the Town's PUD, Planned Unit Development, zoning provisions, including a reference date to the date such action was taken by the Planning Board and cause the Official Zoning Map of the Town of Geneva to be amended to show Tax Account No. 103.00-3-45.200 to now be zoned PUD, Planned Unit Development.

Section 3: 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 4: 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 8th day of September, 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, subject to conditions, change the zoning district classification of a parcel of land in the Town of Geneva identified as Tax Map No. 103.00-3-45.200 with an address of 3635 Berry Fields Road, from Town Center Arterial District to PUD Planned Unit Development District and order the amendment of the Official Town Zoning Map to show such change upon the project receiving final site plan approval.

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

4. 2020 RESOLUTION NO. 67-2020- Approving Contract for Completing the Town Bike Park. Motion to approve made by Councilmember Palmieri, second by Councilmember McCarthy. Unanimously approved.

**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 work at 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 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.

I, Lorrie S. Naegele, Town Clerk of the Town of Geneva do hereby certify that the aforementioned resolution was approved by the Town Board of the Town of Geneva on August 26, 2020. Unanimously approved.

Lorrie S. Naegele
Lorrie S. Naegele, Town Clerk

5. Other business. Looking into the Carter Road property that was donated for future plans. Councilmember McCarthy discussed drafting additional Rules of Order for the Town of Geneva to limit speaking time and personal attacks. Having the communications committee look into a Town of Geneva App for residents to go to for information.

6. Adjourn: Time 5:28 pm Motion to adjourn made by Councilmember Palmieri, second by Councilmember Dunham. Unanimously approved.

Respectfully Submitted