

MINUTES
TOWN OF GENEVA
PUBLIC HEARING LOCAL LAW 5-2020
REGULAR TOWN BOARD MEETING
NOVEMBER 10, 2020

PRESENT: Supervisor Mark Venuti Councilmember Kimberly Aliperti
Councilmember Robert McCarthy Councilmember Mark Palmieri
ABSENT: Councilmember Jeffery Dunham

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

Others Present: Bernie Peck, Highway Superintendent; three residents.

1. Informal Discussion – 5:30 p.m. Informal discussion with Town Board, department heads and public.
2. Call to order: 6:00 pm. Public Hearing for Local Law No. 5 of the year **2020**. A proposed local law "Amending Chapter 165 (Zoning) of the Code of the Town of Geneva and Penalty Provisions Applicable Thereto"

Public Comments- Peter D'Silva, 644 Snell Road; was glad the town is taking the Short Term Rental problem seriously. Also brought up other ideas for stricter rules. Rocky LaRocca, 4617 Whites Point; asked if there are violations who do the residents contact. The Supervisor explained they need to contact Floyd the Code Enforcement Officer.

Written Comments- None

Close Public Hearing- Time 6:15 pm

3. Call to Order: 6:15 pm. the Regular Meeting of the Town Board. Flag salute/opening
4. Privilege of the floor. None
5. Gratitudes. The Supervisor thanked all the town workers and all the volunteers for a great job on the bike park.
6. Approval of the minutes: Approval of minutes of the Public Hearing on 2021 Budget, held on October 13, 2020. Motion made by Councilmember McCarthy, second by Councilmember Aliperti. Unanimously approved
7. Approval of the minutes: Approval of the minutes of the Regular Meeting of the Town Board of October 13, 2020. Motion made by Councilmember Palmieri, second by Councilmember Aliperti. Unanimously approved
8. Town Clerk's report: Questions, comments.
The Board acknowledges receipt.
9. Code Enforcement Officer's report: Questions, comments.
The Board acknowledges receipt.
10. Highway Superintendent's Report: Questions, comments.
The Board acknowledges receipt.
11. Water & Sewer Superintendent's Report: Questions, comments.
The Board acknowledges receipt.
12. Supervisor's report of finances for the previous month: Questions, comments.
The Board acknowledges receipt.
13. **2020 RESOLUTION NO. 83-2020** – Approving Abstracts, Bills for Payment and Prepaid Bills. Motion made by Councilmember McCarthy, second by Councilmember Palmieri. Unanimously approved

TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 83 -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 Abstract # 11 total \$367,885.17; vouchers 1210-1309, 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.

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

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 November 10, 2020. Unanimously approved.

Lorrie S. Naegele, Town Clerk

14. **2020 RESOLUTION NO. 80- 2020**- Authorizing Contract with Ontario County to Provide Snow Removal from County Roads Motion made by Councilmember Palmieri, second by Councilmember Aliperti. Unanimously approved

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 80-2020**

Whereas the Town has provided snow and ice control services during the winter on certain portions of Ontario County roads in the town and is compensated by the county for those services; and

Whereas the county has submitted a new contract for those services to the town for October 1, 2020 through September 30, 2021, at \$5,800.00 per mile (same as last year), and the contract calls for the town to service 10.87 miles of road (the same as last year); and

Whereas the town superintendent of highways is capable and willing to perform those services at the proposed rate; now therefore, it is

RESOLVED, county's proposed contract for snow and ice control services on parts of county roads in the town for the period October 1, 2020 through September 30, 2021 is accepted and may be signed by the supervisor.

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 November 10, 2020. Unanimously approved.

Lorrie S. Naegele, Town Clerk

15. **2020 RESOLUTION NO. 84-2020**: – Determination of Significance for Local Law 5-2020. Review Parts 1 and 2 of the Full Environmental Assessment Form and make Determination of Significance. Motion made by Councilmember Palmieri, second by Councilmember Aliperti. Unanimously approved

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF GENEVA,
ONTARIO COUNTY, NEW YORK,
DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. 5 OF 2020
RESOLUTION NO. 84-2020**

WHEREAS, the Town of Geneva Town Board, hereinafter referred to as Town Board, has determined Local Law No. 5 of 2020 to be a Type I action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the Long Form Environmental Assessment Form, Parts 1 and 2, prepared for this action, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and, The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and, The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

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 November 10, 2020 by the following vote:

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

Dated: _____, 2020

Lorrie S. Naegele, Town Clerk

16. 2020 RESOLUTION NO. 85 -2020 – Approving Payment to James Martinez for Town Bike Park Services. Motion made by Councilmember McCarthy, second by Councilmember Palmieri. Unanimously approved

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 85-2020**

Whereas by Resolution No. 67-2020 the town board approved a contract with James Martinez for design and supervision of construction of the town bike park based on a proposal of \$6,340.00, plus food and lodging; and

Whereas James Martinez performed the services stated in the proposal plus spent three days working on the bike park beyond what was in the proposal, which was needed and gave the town a park far beyond what was originally contemplated; and

Whereas James Martinez has submitted an invoice totaling \$8020.00, which covers the additional three days plus food (there was no lodging charge because he stayed at the supervisor's house), resulting in the need to approve an additional payment to him of \$1,680.00; now therefore, it is

RESOLVED, the invoice is approved and James Martinez may be paid the additional \$1,680.00.

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 November 10, 2020. Unanimously approved.

Lorrie S. Naegele, Town Clerk

17. 2020 RESOLUTION NO. 86-2020 – Authorizing Renewal of Bond Anticipation Note for Water Districts 1, 2, 3, 10, 11 and Sub-Districts. Motion made by Councilmember Aliperti, second by Councilmember Palmieri. Unanimously approved

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 86-2020**

Whereas a bond resolution of the Town of Geneva for improvements to the storage tank for Water Districts 1, 2, 3, 10, 11 and their sub-districts was adopted by the Town Board on January 9, 2001, which resulted in a Bond Anticipation Note last renewed December 2, 2019 with the Bank of the Finger Lakes in the amount of \$36,002.00, coming due on or about December 2, 2020, together with interest at the rate of 2.39%; 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 December 2, 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 \$33,002.00, plus interest.

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 November 10, 2020. Unanimously approved.

Lorrie S. Naegele, Town Clerk

18. 2020 RESOLUTION NO. 87-2020: – Authorizing Renewal of Bond Anticipation Note for Water District 2. Motion made by Councilmember Palmieri, second by Councilmember McCarthy. Unanimously approved

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 87-2020**

Whereas a bond resolution of the Town of Geneva for improvements to Water District 2 was adopted by the Town Board on March 9, 1999, which resulted in a Bond Anticipation Note last renewed with the Bank of the Finger Lakes on or about December 2, 2019 in the amount of \$39,231.00, coming due December 2, 2020, together with interest at the rate of 2.39%; 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 December 2, 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 \$36,231.00, plus interest.

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 November 10, 2020. Unanimously approved.

Lorrie S. Naegele, Town Clerk

19. **2020 RESOLUTION NO. 88-2020** – Authorizing Renewal of Bond Anticipation Note for Water District 12. Motion made by Councilmember Aliperti, second by Councilmember Palmieri. Unanimously approved

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 88-2020**

Whereas a bond resolution of the Town of Geneva for improvements to Water District 12 was adopted by the Town Board on November 9, 2004, which resulted in a Bond Anticipation Note last renewed with the Bank of the Finger Lakes December 2, 2019 in the amount of \$64,000.00, coming due on or about December 2, 2020, together with interest at the rate of 2.39%; 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 \$3,500.00 toward principal, and the interest due, on or about December 2, 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 \$60,500.00, plus interest.

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 November 10, 2020. Unanimously approved.

Lorrie S. Naegele, Town Clerk

20. **2020 RESOLUTION NO. 89- 2020** – Authorizing Renewal of Bond Anticipation Note for Water District 3, Extension 8. Motion made by Councilmember McCarthy, second by Councilmember Aliperti. Unanimously approved

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 89-2020**

Whereas a bond resolution of the Town of Geneva for improvements to Water District 3, Extension 8 was adopted by the Town Board on December 11, 2007, which resulted in a Bond Anticipation Note with Lyons National Bank, last renewed December 16, 2019 in the amount of \$80,188.59 with the Bank of the Finger Lakes, coming due on or about December 16, 2020, together with interest at the rate of 2.39%; 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 \$3,500.00 toward principal, and the interest due, on or about December 16, 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 \$76,688.59, plus interest.

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 November 10, 2020. Unanimously approved.

Lorrie S. Naegele, Town Clerk

21. **2020 RESOLUTION NO. 90- 2020** – Authorizing Renewal of Bond Anticipation Note for Water District 6. Motion made by Councilmember Palmieri, second by Councilmember Aliperti. Unanimously approved

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 90-2020**

Whereas a bond resolution of the Town of Geneva for improvements to Water District 6 was adopted by the Town Board on December 13, 2016, which resulted in a Bond Anticipation Note with the Bank of the Finger Lakes last dated December 16, 2019 in the amount of \$138,750.00, coming due on or about December 16, 2020, together with interest at the rate of 2.39%; 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 \$3,750.00 toward principal, and the interest due, on or before December 16, 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 \$135,000.00, plus interest.

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 November 10, 2020. Unanimously approved.

Lorrie S. Naegele, Town Clerk

22. 2020 RESOLUTION NO. 91-2020 – Approval of Agreement for Law Enforcement Services. Motion made by Councilmember McCarthy, second by Councilmember Aliperti. Unanimously approved

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 91-2020**

Whereas the Town of Geneva is in need of law enforcement services greater than the amount customarily provided by the Ontario County Sheriff, and has for many years paid for additional services for court security and road patrol, the past six years in the amount of \$20,000 per year; and

Whereas Ontario County has submitted an Intermunicipal Cooperation Agreement for Law Enforcement Services for 2021 at \$20,000, to provide approximately 11 hours per week of sheriff's deputy time in the Town Court and patrolling town roads; now therefore, it is

RESOLVED the Intermunicipal Cooperation Agreement for Law Enforcement Services for 2021 is approved and may be signed by the supervisor.

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 November 10, 2020. Unanimously approved.

Lorrie S. Naegele, Town Clerk

23. Reports of Standing Committees

Economic Development – Next meeting November 18, 2020

Sustainability – The Committee has been working on the Castle St. greenway Rail Road line and Carbon Farming.

Kashong Conservation Area – Next meeting December 3, 2020

Communication – working on website, info on Covid-19 and update welcome packets.

Parks and Recreation – Bike Park is officially open!

Agricultural Enhancement – No meeting.

24. Supervisor's Report- on the Agenda including Selected Meetings and Events

25. Old Business. None

26. New Business. None

27. Privilege of the floor. Peter D'Silva asked if Geneva Crossing will have to reapply or get an extension. He will contact the Code Enforcement Officer.

28. Adjourn: Motion to adjourn made by Councilmember McCarthy, second by Councilmember Aliperti. Unanimously approved, Time: 6:40 pm.