

Geneva Town Board
3750 County Road #6
Geneva, NY 14456

Regular Town Board Meeting, January 12, 2016

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

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

Others Present: David Achilles, Highway Superintendent; Bill McAdoo, CEO; nine residents and Jim Miller, reporter from the Finger Lakes Times.

1. **Call to Order:** Call to order of the Regular Meeting of the Town Board immediately following the Organizational Meeting 7:08 pm.
2. **Privilege of the floor:** none
3. **Approval of the minutes** of the Public Hearing for Short Term Rentals and Special Meeting of the Town Board of December 29, 2015. Motion to approve made by Councilmember Nault, second by Councilmember McCarthy. Unanimously approved.
4. Town Clerk's report.
Questions, comments.
The Board acknowledges receipt.
5. Code Enforcement Officer's report.
Questions, comments.
The Board acknowledges receipt.
6. Supervisor's report of finances for the previous month, and budget comparisons.
Questions, comments.
The Board acknowledges receipt.
7. **RESOLUTION NO. 19-2016** - Approving Bills.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 19-2016**

Whereas certain bills for services and goods received or to be received by the town have been presented for payment, and

Whereas those 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, now, therefore, it is

RESOLVED that the supervisor is authorized to pay these bills.
Abstract 1-2016 from voucher # 001 to 066

FUND	VOUCHER #	TOTALS
DA Highway	(008- 020)	\$ 1,516.20
SWD Water Storage & District	(021-035)	\$ 3,527.55
SS Sewer District	(036-040)	\$ 10,011.91
A General Funds	(041-066)	\$ 21,010.22
	Total	\$ 36,065.88
ABSTRACT: 1- 2016; January Voucher 008 to 066		\$ 36,065.88
PRE-PAID –paid during January, voucher 001 to 007		\$ 5,931.54
January– TOTAL		\$ 41,997.42

Motion to approve bills made by Councilmember Nault, second by Councilmember Dunham.

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 January 12, 2016 unanimously approved.

Lorrie S. Naegele, Town Clerk

8. **RESOLUTION NO. 20-2016** – Creating Special Communications Committee. Motion to approve made by Councilmember Nault, second by Councilmember Dunham.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 20-2016**

Whereas the Town Board wishes to enhance communication with town residents, business owners and others interested in the town; now therefore, it is

RESOLVED a special Communications Committee is created to develop a plan and make recommendations to the town board for enhancing and improving communications and information sharing with town residents, business owners and others interested in the town, to be led by town board members Melissa Nault and Jeff Dunham, and composed of town residents and others interested in serving on the committee Steve High and appointed to it 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 January 12, 2016 unanimously approved.

Lorrie S. Naegele, Town Clerk

9. **RESOLUTION NO. 21-2016** – Approving Paul Wagner for Auditing Town Records in 2016. Motion to approve made by Councilmember Nault, second by Councilmember McCarthy.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 21-2016**

Whereas Paul G. Wagner has been reviewing the records of the Town Clerk, Town Justice and Supervisor for several years and providing a report to the Town Board; and

Whereas Paul G. Wagner has submitted a proposal to perform those services again at the same rate as last year, and this expense is included in the 2016 town budget; now therefore, it is

RESOLVED the supervisor is authorized to accept the proposals of Paul G. Wagner to review and audit the records of the Town Clerk, Town Justices and 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 January 12, 2016 unanimously approved.

Lorrie S. Naegele, Town Clerk

10. **RESOLUTION NO. 22-2016** – Approving Tax Assessment Settlement with Walgreens. Motion to approve made by Councilmember Palmieri, second by Councilmember McCarthy.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 22-2016**

Whereas the owner of the Walgreens store as challenged the tax assessment for the years 2009 through 2015, and the town has been represented in these cases by attorney James Wolford; and

Whereas the assessment for 2009-11 was \$4,406,300, and the owner sought an assessment of \$1,960,000, and the assessment for 2012-15 was \$4,950,000 and the owner sought an assessment of \$2,000,000; and

Whereas Walgreens has agreed to settle these challenges for an assessment of \$4,406,300 for the years 2009-11, which is what the town assessor had assessed the property for, and \$4,500,000 for the years 2012-15, with no refunds, and the town's attorney and assessor believe such a settlement would be in the best interests of the town; now therefore, it is

RESOLVED the proposed settlement is approved, the tax assessment for the Walgreens property to be set at \$4,406,300 for 2009-11 and \$4,500,000 for 2012-15, with no refunds, and the town's attorney and assessor may take the actions necessary to so settle the outstanding cases on this basis.

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 January 12, 2016 unanimously approved.

Lorrie S. Naegele, Town Clerk

11. RESOLUTION NO. 23-2016 – Revising Sewer Tap-In Fees. Motion to approve made by Councilmember Palmieri, second by Councilmember Dunham.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 23-2016**

Whereas due to rising costs the town Water and Sewer Superintendent advises the sewer tap-in fees should be increased from \$750 to \$850 for a 4-inch tap and from \$900 to \$1000 for a 6-inch tap; now therefore, it is

RESOLVED Chapter A170, Fees, of the Town Code is amended at section 110-11 by setting the fee for a 4-inch tap at \$850 and the fee for a 6-inch tap at \$1000

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 January 12, 2016 unanimously approved.

Lorrie S. Naegele, Town Clerk

12. RESOLUTION NO. 24-2016 –Approving MRB Group Hydraulic Study Proposal for WD 13. Motion to approve made by Councilmember Nault, second by Councilmember Dunham.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 24-2016**

Whereas the town has approved Water District 13, which will bring public water to properties on Route 14 from Gambee Road to the town line; and

Whereas a hydraulic study is required for the project by the NYS Department of Health; and

Whereas MRB Group is the town’s engineering firm on this project and has proposed doing the study for \$1,750.00 which is a reasonable amount and within the budget for the project; now therefore, it is

RESOLVED the January 8, 2016 proposal of MRG Group to do the hydraulic study for Water District 13 at a cost of \$1,750.00 is approved, and the supervisor may accept the proposal.

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 January 12, 2016 unanimously approved.

Lorrie S. Naegele, Town Clerk

13. RESOLUTION NO. 25-2016 – Appointing Fair Housing Officer, Section 3 Coordinator, and Labor Standards Compliance Officer. Motion to approve made by Councilmember Nault, second by Councilmember McCarthy.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD
RESOLUTION NO. 25-2016**

Whereas for the town’s Water District 6 Watermain Replacement Project the town is receiving funding for part of the cost through a NYS Community Development Block Grant of \$279,590.00, administered by the NYS Office of Community Renewal (OCR); and

Whereas OCR requires the town to periodically report on the progress of the project, and as part of the Annual Performance Report for 2015 the town was required to name a Fair Housing Officer, a Section 3 Coordinator, and a Labor Standards Compliance Officer; now therefore it is

RESOLVED Code Enforcement Officer William McAdoo is appointed Fair Housing Officer and Section 3 Coordinator, and Supervisor Mark Venuti is appointed Labor Standards Compliance Officer.

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 January 12, 2016 unanimously approved.

Lorrie S. Naegele, Town Clerk

14. Reports of Special Committees.

Kashong Conservation Area

Comprehensive Plan –

Economic Development

Sustainability

15. Supervisor's Report. The town supervisor has been reappointed to these 3 county committees: Environmental Quality, Government Operations and Improved Methods, and Insurance, and to the Board of Directors of the Ontario County Soil and Water Conservation District.

The Department of Health inspected the town wells in October and issued a report dated December 30, 2015, concluding "the water is of good quality and meets all state and federal standards for all parameters tested." The report did find 1 violation in that the observation wells near well 2 and well 3 did not have a proper cap and seal and this must be corrected by March 4, 2016. The report also requires annual sodium samples due to high levels in past sampling, and the moving of a heater. It concluded by commending Charles Bracko, the town's superintendent, and finding the system appears to be in very good operating condition.

The supervisor has signed an agreement with the county to pay for dog control services, which the county provides through the Ontario County Humane Society, with the town to pay \$6,521.00, which is provided for in the town's 2016 budget.

16. Old Business. Discussion of proposed local law Amending Chapter 165 (Zoning) of the Code of the Town of Geneva to Add Regulations Pertaining to Short-Term Rentals. No vote will be taken. The law is under review by the county planning department and board and further action must await those reports. Any substantive modifications to the proposed law will require another public hearing.

17. New Business: none

18. Privilege of the floor: Kristy Garretson asked about time line for the Short Term Rental Law. Supervisor Venuti explained municipalities have to follow State Local Law procedures. If there are any changes there has to be another public hearing.

19. Adjourn. Motion to adjourn made by Councilmember Nault, second by Councilmember McCarthy. Unanimously approved. 8:10 p.m.

Respectfully Submitted