**MINUTES**

TOWN OF GENEVA

TOWN BOARD MEETING

May 8, 2018

PRESENT: Supervisor Mark Venuti Councilmember Jeffery Dunham

Councilmember Robert McCarthy Councilmember Kimberly Aliperti

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: Bernie Peck, Highway Superintendent; Floyd Kofahl, Code Enforcement Officer; Charlie Bracko, Water and Sewer Superintendent; five resident and no reporter from the Finger Lakes Times.

1. Informal Discussion-5:30 pm. Informal discussion of Town Board, department heads and public
2. 6:00 pm. Call to order the second Public Hearing for the proposed local law entitled, A proposed Local Law 4-2018, "A Local Law to Repeal and Replace Chapter 165 (Zoning) Of the Code of the Town of Geneva

Public Comments- None

Written Comments- None

Close Public Hearing- 6:02 p.m.

1. 6:02 p.m. - Call to order the Regular Meeting of the Town Board.

4. Privilege of the floor. None

5. Approval of the minutes of the Public Hearing April 10, 2018 for the proposed local law entitled, A Proposed Local Law 3-2018, “To Further Amend Chapter 132 (Solid Waste) of the Code of the Town of Geneva” Motion to approve made by Councilmember Aliperti, second by Councilmember McCarthy. Unanimously approved

6. Approval of the minutes of the Regular Town Board Meeting of April 10, 2018. Motion to approve made by Councilmember Dunham, second by Councilmember Aliperti. Unanimously approved

7. Town Clerk’s report.

Questions, comments.

The Board acknowledges receipt.

8. Code Enforcement Officer’s report.

Questions, comments: .Short Term Rental renewal start this year.

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 March, and April, and budget comparisons. (January and February reports, distributed at the April 10 meeting, also open for discussion).

Questions, comments.

The Board acknowledges receipt.

12. **2018 RESOLUTION NO. 43-2018** - Approving Abstracts and Bills. Motion to approve made by Councilmember McCarthy, second by Councilmember Dunham. Unanimously approved

**TOWN OF GENEVA, NEW YORK**

**RESOLUTION OF THE TOWN BOARD**

**RESOLUTION NO. 43-2018**

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.

RESOLVED that the supervisor is authorized to pay these bills.

Abstract 5-2018 April, all voucher # 0462 to 0548

FUND VOUCHER # TOTALS

DA Highway (0482-0495) $ 2,063.66

SWD Water Storage & District (0496-0511) $ 1,503.38

SS Sewer District (0512-0513) $ 187.73

A General Funds (0514-0545) $ 28,332.88

SWMP Fund (0456-0457) $ 695.04

Kashong Street Lighting (0548) $ 176.45

Total $ 47,622.29

ABSTRACT: 5- 2018; May Voucher 0482 to 0548 $ 32,959.14

PRE-PAID – voucher 0462 to 0481 $ 695,570.34

April– TOTAL $ 728,529.48

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 May 8, 2018.

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_, 2018 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lorrie S. Naegele, Town Clerk

13. **2018 RESOLUTION NO. 44-2018** – Requesting Speed Limit Reduction on State Route 14 from Turk Road north to the Town of Geneva line or the existing 45 MPH zone. Motion to approve made by Councilmember Aliperti, second by Councilmember Dunham. Unanimously approved

**TOWN OF GENEVA, NEW YORK**

**RESOLUTION OF THE TOWN BOARD**

**RESOLUTION NO. 44-2018**

Whereas a winery has been established on Turk Road close to the intersection with State Route 14 in the Town of Geneva that brings a constant flow of visitors by automobile and deliveries by truck coming in and out of the intersection with Turk Road and State Route 14; and

Whereas in the stretch of State Route 14 from Turk Road north to the reduced speed zone near the town line there are a number of relatively new developments, residential and commercial, resulting in increased traffic entering and exiting State Route 14; and

Whereas State Route 14 is a truck route and many heavy trucks travel at speeds of at least the posted limit of 55 MPH and often exceeding the limit, making this stretch of road dangerous and resulting in traffic accidents; and

Whereas most drivers in this area feel the posted speed is too high and should be reduced to 45 MPH; now therefore, be it

RESOLVED the Town Board of the Town of Geneva requests the NYS Department of Transportation evaluate this stretch of State Route 14 and reduce the speed limit on it to 45 MPH, that the Ontario County Superintendent of Highways join in this request, and the Town further resolves, if this request is granted, to install and maintain signs in accordance with the Vehicle & Traffic Law and conforming to the Manual of Uniform Traffic Control Devices of the NYS Department of Transportation.

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 May 8, 2018 unanimously approved.

Dated: May 8, 2018 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lorrie S. Naegele, Town Clerk

14. **2018 RESOLUTION NO. 45-2018** – Accepting Review of Town Justices Records for 2017. Motion to approve made by Councilmember McCarthy, second by Councilmember Aliperti. Unanimously approved

**TOWN OF GENEVA, NEW YORK**

**RESOLUTION OF THE TOWN BOARD**

**RESOLUTION NO. 45-2018**

Whereas auditor Paul Wagner has reviewed the financial data and records of the Town Justices for the period January 1 through December 31, 2017, and found the transactions tested were in substantial compliance, and there were no material findings that would require written disclosure; now therefore it is

RESOLVED the April 30, 2018 report of auditor Paul Wagner on the 2017 financial data and records of the Town Justices is accepted, and no further action by the town board is required.

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 May 8, 2018 unanimously approved.

Dated: May 8, 2018 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lorrie S. Naegele, Town Clerk

15. **2018 RESOLUTION NO. 46-2018** – ***TOWN OF GENEVA WATER SYSTEMS CAPACITY IMPROVEMENT PROJECT* SEQR RESOLUTION DECLARING THE INTENT TO BE LEAD AGENCY.** Motion to approve made by Councilmember Dunham, second by Councilmember Palmieri. Unanimously approved

**TOWN OF GENEVA, NEW YORK**

**RESOLUTION OF THE TOWN BOARD**

**RESOLUTION NO. 46-2018**

**WHEREAS**, the Town of Geneva Town Board (hereinafter referred to as Town Board) has reviewed the SEQR Full Environmental Assessment Form (EAF) Part 1, prepared by the MRB Group (hereinafter referred to as Town Engineer) on the above referenced Town of Geneva Water Systems Capacity Improvement Project (hereinafter referred to as Action); and

**WHEREAS**, the Town Board determines that said Action is classified as an Type I Action under the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Town Board determines that said Action is also subject to review and approval by other involved agencies under SEQR Regulations; and

**WHEREAS**, the Town Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations; now therefore, it is

**RESOLVED** the Town Board declares its intent to be designated as the lead agency for the Action; and it is further

.

**RESOLVED** the Town Engineer is directed to provide notice to the involved and interested agencies, seeking their agreement (or objection) in writing on or before noon on **Friday, June 8, 2018**.

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 May 8, 2018 unanimously approved.

Dated: May 8, 2018 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lorrie S. Naegele, Town Clerk

16. **RESOLUTION NO. 47-2018** – Joint Water Project, Water District 13, Bid Award for Pump Station. Motion to approve made by Councilmember Palmieri, second by Councilmember McCarthy. Unanimously approved

**TOWN OF GENEVA, NEW YORK**

**RESOLUTION OF THE TOWN BOARD**

**RESOLUTION NO. 47-2018**

**WHEREAS**, the Town of Geneva (hereinafter referred to as Town Board) is intending to install water main within the Town on Geneva on NYS Route 14 from the municipal line of the Town of Geneva and the Town of Phelps continuing southerly approximately 4,000 feet; and

**WHEREAS**, a pump station will be required for the system; the Pump Station will be constructed on Sessler Drive near the intersection of Border City Road in the Town of Waterloo; all four Towns will utilize the station to maintain flow and required pressure in the system; and the four Towns involved include the Towns of Geneva, Phelps, Waterloo and Junius; and

**WHEREAS**, the pump Station is in production; this portion of the project includes the building along with electrical equipment and components; the project was bid on April 13, 2018 and only one bid was received; the Contractor that submitted a bid was LG Evans Construction, Inc.in the amount of $422,000.00, which includes a $145,000.00 allowance for the pump station equipment which will be assigned to the contractor, meaning the contractor pays the remaining balance on the EFI contract after town payments; the town’s engineer, MRB Group, has spoken with the contractor and confirmed the contractor is confident with its bid; and MRB Group has worked with this contractor previously and found the work satisfactory; and

**WHEREAS,** MRB Group met with representatives from all four Towns and it was decided to retain the contractor for the full bid; no deduction or reduced scope of work is proposed; the bids were prepared in accordance with NYS State bidding requirements; and In accordance with the agreement all four Towns have agreed that administrative items are to be handled by the Town of Geneva on behalf of all the participating Towns; now therefore, it is

**RESOLVED** the Town Board accepts the bid of LG Evans Construction Inc. in the amount of $422,000 and awards the project to it; and the Town Board further resolves that the Supervisor is authorized to sign the Notice of Award and execute all contract documents associated with this contract.

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 May 8, 2018 unanimously approved.

Dated: May 8, 2018 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lorrie S. Naegele, Town Clerk

17. **2018 RESOLUTION NO. 48-2018** – **RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF GENEVA OF LOCAL LAW NO. 4 OF 2018.**  Motion to approve made by Councilmember McCarthy, second by Councilmember Palmieri. Unanimously approved

**TOWN OF GENEVA, NEW YORK**

**RESOLUTION OF THE TOWN BOARD**

**RESOLUTION NO. 48-2018**

**WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Geneva for a second public hearing to be held by said Town Board on May 8, 2018, 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 Adopting a New Zoning Law for the Town of Geneva; and

**WHEREAS**, notice of said public hearing was duly advertised in the official newspaper of the Town of Geneva, on April 22, 2018, 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 May 8, 2018, 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. 4 of 2018, entitled, “A local law adopting a New Zoning Law of the Town of Geneva”, 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 aforementioned resolution was adopted by the Town Board of the Town of Geneva on May 8, 2018 by the following vote:

**Aye Nay**

Mark Venuti X

Mark Palmieri X

Robert McCarthy X

Jeffrey Dunham X

Kimberly Aliperti X

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2018 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lorrie S. Naegele, Town Clerk

***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

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**(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 **2018**

A local law **"Adopting a New Zoning Law of the Town of Geneva"**

(Insert Title)

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

County

City

**Town** of **Geneva** as follows:

Village

Section 1: Chapter 77 (Fences and Hedges), Chapter 116 (Planned Unit Development District), Chapter 123 (Site Plan Review) and Chapter 165 (Zoning) of the Code of the Town of Geneva are hereby repealed in their entirety and a new Chapter 165 (Zoning) is hereby adopted in their place in the form contained in Schedule A, attached hereto and made a part hereof.

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.

18. **2018 RESOLUTION NO. 49-2018** –Resolution Supporting the preservation of Parrott Hall and requesting New York State Office of Parks, Recreation and Historic Preservation to allow the Friends of Parrott Hall access to Parrott Hall for an independent structural assessment. Motion to approve made by Councilmember McCarthy, second by Councilmember Dunham. Unanimously approved.

**TOWN OF GENEVA, NEW YORK**

**RESOLUTION OF THE TOWN BOARD**

**RESOLUTION NO. 49-2018**

**WHEREAS**, the Denton House was built in the 1850’s as an architectural jewel of Victorian Italianate design and is a treasured historic structure in the City of Geneva; and

**WHEREAS**, the Denton House and 125 acre farm was sold to the State of New York to establish the New York State Agricultural Experiment Station in 1880, which became part of Cornell University in the State University of New York system in 1923; and

**WHEREAS**, for 90 years the Denton House served the Station during a period of outstanding scientific advances in agriculture and was renamed Parrott Hall in honor of former Director and renowned entomologist, Percival John Parrott; and

**WHEREAS**, with the opening of Barton Labs in 1968, Parrott Hall was vacated by the New York State Agricultural Experiment Station and acquired in 1975 by the State Office of Parks and Recreation, now known as the New York State Office of Parks, Recreation and Historic Preservation, for the express purpose of creating a State Historic Site; and

**WHEREAS**, except for roofing and exterior painting in the mid-1980s, the building has received minimal maintenance and is now in poor condition; and

**WHEREAS**, New York State Office of Parks, Recreation and Historic Preservation completed a structural assessment in 2017 and is preparing for an emergency demolition of the structure this summer due to safety issues; and

**WHEREAS**, the Friends of Parrott Hall have requested access to Parrott Hall for a second assessment of the structure and have been denied access; and

**WHEREAS**, giving the Friends of Parrott Hall access to obtain a second opinion on the state of the structure would be prudent and reasonable before taking the irreversible act of demolishing the historic structure; now therefore, it is

**RESOLVED** by the Town Board of the Town of Geneva, New York that demolition by neglect is not acceptable and the Town Board supports the preservation of Parrott Hall and requests that the New York State Office of Parks, Recreation and Historic Preservation allow the Friends of Parrott Hall access to Parrott Hall for an independent structural assessment.

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 May 8, 2018 unanimously approved.

Dated: May 8, 2018 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lorrie S. Naegele, Town Clerk

19**.** Report of Town Assessor Lorie Peck and discussion of doing a town-wide property revaluation in 2019, which the Board agreed had to be done.

20. Discussion of community garden being planned for behind the town hall; 7 of 10 plots already taken. Bookkeeper Eric Reuscher is leading this project.

21. Discussion of hiring Sarah Kofahl for 5 hours per week for 2 months at $13.50 per hour to assist Code Enforcement Officer and father Floyd Kofahl with organizing code office files in the archive room. Town Board agreed.

22. Reports of Standing Committees

Kashong Conservation Area – Meeting May 24, 2018 at 7pm. Planted 250 pine saplings

Comprehensive Plan – zoning code revision is complete; now working on design standards.

Economic Development – Meeting May 23, 2018 at 7pm.

Sustainability – We held a successful Fix-it Clinic in the highway garage on April 14.

Communication – new Town of Geneva logo has been approved and designed by a former Town resident Pam (Sayers) Rogers.

Town Hall Park and Playground – bike park work is beginning again; community garden is underway

Agricultural Enhancement – The Commissioner of the NYS Dept. of Agriculture and Markets has approved the town’s Agricultural and Farmland Protection Plan that was adopted by the Town Board on March 13, 2018, and approved by the Ontario County Agricultural and Farmland Protection Board on March 21, 2018.

23. Supervisor’s Report and see agenda for Selected Meetings and Activities of the Supervisor:

2018 state grant applications under consideration: water plant upgrade project (with Town of Seneca); engineering study for sewer for Route 14 on the north side of town (with Town of Phelps); Nine-Element Plan for Seneca Lake (with Seneca Lake Pure Waters Association).

Spring Clean-up for town and city residents is Saturday, May 12, 9-3. Town and city residents can go to the town’s station or the city’s to dispose of electronic waste, yard waste, recycling, and bulky items like furniture, mattresses and carpet. Decent items will go to Good Will, those that can will be recycled, and items that can’t be reused or recycled will be taken by Casella to the Ontario County Landfill.

Local opposition to the proposed trash incinerator in the Town of Romulus continues to grow although the proponent, Circular EnerG, LLC, continues to move forward with its application to the State.

The Seneca Watershed Intermunicipal Organization has received a NYS grant through the efforts of NYS Senator Pamela Helming for $200,000.00 to support the hiring of a watershed steward.

We’ve met with the Town of Seneca supervisor and water superintendent about working together and sharing costs on the water plant upgrades but Seneca is still evaluating the plan and its position.

Ontario County is considering becoming a “Blue Zone,” which means encouraging changes to communities that lead to healthier options that contribute to lowered health care costs, improved productivity and a higher quality of life. Learn more at bluezonesproject.com.

I’m on the county’s Senior Citizen Nutrition Task Force reviewing the “Meals on Wheels” program for enhancements.

24. Old Business: None

25. New Business. None

26. Privilege of the floor: Jim Smith, Turk Road; filed a petition to the Board from the town residents of Turk and Snell Roads to change the speed limit from 45 mph to 35 mph because of poor visibility on Turk Road due to changing elevation also because of the Seneca Turk project and increasing traffic. The Board agreed to consider a resolution at the June meeting. Hugh Price, White Springs Lane; asked the Board for a Resolution for the preservation of Parrott Hall, which the Board passed Resolution No. 49-2018.

27. Adjourn: Motion to adjourn made by Councilmember Aliperti, second by Councilmember Palmieri. Unanimously approved

Time: 7:17 pm.

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Respectfully Submitted