

Regular Meeting
Geneva Town Board
3750 County Road #6
Geneva, NY 14456
August 11, 2009

PRESENT: Supervisor Mary E. Luckern
Councilman Anthony Capozzi
Councilman Richard Larsen
Councilman Edward Smaldone
Councilman Michael Vassello
ABSENT: Attorney for the Town: Jeff Graff

Recording Secretary: Lorrie S. Naegele, Geneva Town Clerk.

Others Present: David Achilles, Highway Superintendent; Charlie Bracko, Water & Sewer Superintendent; Howard Meaker, Election Custodian; Pat Mahoney, Planning Board Member; Mike Guyon, MRB Engineer; William McAdoo, Code Enforcement Officer; Helen Garlick, Tax Collector/ Deputy Town Clerk; John Russo, Zoning Board Chairman; Thirty residents and No Reporter for the Finger Lakes Times.

- 1) **CALL TO ORDER:** Supervisor Luckern called the meeting to order at 7:25 P.M. The meeting was opened with the Pledge of Allegiance. A moment of silence was given for former Assessor Bruce Gordon who passed away last week.
- 2) **PRESENTATION BY KELLY MITTIGA- Community Center:** Kelly spoke about the 2010 budget process approaching and that the Boys and Girls Club have submitted their request and another request will be submitted for the Geneva Community Center. Kelly reminded everyone how important the Towns and City's support is in bringing Geneva closer together. On September 19, 2009 there will be a tour of the building and the public is welcome.
- 3) **ACCEPTANCE OF THE MINUTES:** RESOLVED, that the Minutes of the Regular Meeting July 14, 2009 be approved and accepted. Motion made by Councilman Capozzi second by Councilman Larsen.
Discussion: None
Motion unanimously approved.
- 4) **MOTION TO RECOGNIZE:** Benen Karski- who received a scholarship for Environmental Studies from Casella Company. Motion made by Councilman Smaldone second by Councilman Capozzi.
Discussion: None
Motion unanimously approved.
- 5) **RECEPTIONIST'S JULY 2009 REPORT:** (REFER TO ADDENDUM # 1)
Motion to accept and approve made by Councilman Vassello second by Councilman Smaldone.
Discussion: None
Motion unanimously approved.
- 6) **TOWN CLERK'S JULY 2009 REPORT:** (REFER TO ADDENDUM # 2)
Motion to accept and approve made by Councilman Smaldone second by Councilman Larsen.
Discussion: None
Motion unanimously approved.
- 7) **CODE ENFORCEMENT OFFICER'S JULY 2009 REPORT :**(REFER TO ADDENDUM # 3) Motion to accept and approve made by Councilman Smaldone second by Councilman Larsen.

Discussion: CEO, Bill McAdoo, spoke about: The large amount of rain in the month of July and how all the storm water systems worked as designed.

Councilman Larsen mentioned that he had received a couple of complaints on a horse trailer that is parked on the Town road right-of-way on Billsboro Road. Bill McAdoo replied, "I had sent an Abandoned Automotive Vehicle Notice in March and I received a prompt response from the owners attorney stating that it is not a automotive vehicle, so I can not cite them for that." "It is not completely on Town right-of-way, so I think that Dave Achilles and I will have to work together to try and find a solution to get that moved."

Supervisor Luckern asked about the Puppy Mills Law and how that was proceeding. Bill explained that the Planning Board has recommended minor language change and that the Town Board should send everything to the Town Attorney for review at the next meeting.

Motion unanimously approved.

8) AUTHORIZE TO APPROVE BILLS: RESOLVED, that the bills are presented for payment on Abstract 008-2009 from voucher # 704 through # 790.

FUND		VOUCHER #	TOTALS
A	General Fund	(763-769,788)	\$ 18,043.44
DA	Highway	(728-743)	\$ 4,012.70
SS	Sewer District	(744-756)	\$ 1,614.13
SWD	Water Storage & District	(757-768,790)	\$ 9,313.49
FARM GRANT		(789)	\$ 17.91
TOTAL			\$ 33,001.67
TOTALS			
ABSTRACT: 08 –2009; August 2009 voucher # 704to 790			\$ 33,001.67
PRE-PAID –July and August voucher # 704 to 727			\$ 61,385.60
AUGUST - TOTAL			\$ 94,387.27

Motion to approve bills made by Councilman Smaldone second by Councilman Capozzi.

Discussion: None

Motion unanimously approved.

9) TOWN CLERK FINANCIAL DATA AND RECORDS AUDIT: (REFER TO ADDENDUM # 4)

Motion to accept Accountant Paul Wagner’s Report regarding Town Clerk Lorrie S. Naegele’s Financial Data Records. They were all in compliance. Motion made by Councilman Smaldone second by Councilman Capozzi.

Discussion: None

Motion unanimously approved.

10) TOWN JUSTICES FINANCIAL DATA AND RECORDS AUDIT: (REFER TO ADDENDUM # 5)

Motion to accept Accountant Paul Wagner’s Financial Data Records Report of the Town Justices. Motion made by Councilman Smaldone second by Councilman Capozzi.

Discussion: Councilman Capozzi, “Were corrections done on the Town Justices records?” No response.

Motion unanimously approved.

11) RESURFACE TOWN HALL PARKING LOT: (REFER TO ADDENDUM # 6) Motion to accept the following proposal for resurfacing the parking lot and roadways of the Geneva Town Hall. Total Sq. Feet –

46,788; depth – 1” Compacted; Total Tons – 286 Tons of Type 7 Top - \$50.35/Ton; Total Cost - \$14,4000.00. Motion made by Councilman Smaldone second by Councilman Larsen.

Discussion: David Achilles, Highway Superintendent explained that the last 5 years the town has been very fortunate to be able to use the County’s paver and by sharing the equipment it saves the town thousands of dollars.

Motion unanimously approved.

12) RESTRIPE THE TOWN HALL PARKING LOT: (REFER TO ADDENDUM # 7) Motion to accept Shuttleworth Asphalt Sealing to restripe the Town Hall parking lot for \$400.00. Motion made by Councilman Smaldone second by Councilman Capozzi.

Discussion: None

Motion unanimously approved.

13) STONE AND BRICK WORK FOR THE TOWN HALL: John M. Serrett (brick layer- stone mason) to set, point and waterproof stone work and check brick work, not to exceed \$3,300.00. Motion to TABLE until the work that needs to be done has been shown to the board. Motion made by Councilman Larsen second by Councilman Capozzi.

Discussion: Councilman Vassello asked if John Serrett is covered by insurance? Mr. Serrett said, “Yes.” Councilman Larsen asked, “What work would be done? I would like to meet with John so that he could show me what will be done.”

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 August 11, 2009, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mary Luckern	<u>X</u>	<u> </u>
Michael Vassello	<u> </u>	<u>X</u>
Richard Larsen	<u>X</u>	<u> </u>
Anthony Capozzi	<u>X</u>	<u> </u>
Edward Smaldone	<u> </u>	<u>X</u>

Lorrie S. Naegele, Town Clerk

Motion TABLED.

14) APPOINT CHAIRMAN FOR THE KASHONG CONSERVATION AREA COMMITTEE: Motion to appoint Ken Perry to chair a committee for the development of Kashong Conservation Area. Motion made by Councilman Capozzi second by Councilman Larsen.

Discussion: Supervisor Luckern said, Ken has a committee already of about 4 or 5 people to work with him. Councilman Larsen asked if Ken had a copy of the restrictions for that property? Supervisor Luckern replied, “Yes.” Councilman Larsen received a copy of the restrictions today and he noticed that there is not a restriction on hunting. People can hunt there unless the Town Board decides otherwise. Supervisor Luckern stated that they would discuss that topic at the next meeting.

Motion unanimously approved.

15) SUPERVISOR’S REPORT: Motion to approve made by Councilman Larsen second by Councilman Capozzi.

Discussion:

- The Board of Supervisors Meeting will be held at the Smith Opera House on August 27, 2009 at 6:30 pm.
- Government Ops Committee is reviewing all the exemptions that are available to the people in the county.

- Tourism Board sent out the following information: In the Geneva area there are 450 hotel rooms and 34 Bed & Breakfast's and this, data does not include the Micro Hotel on Rte 5 & 20.
 - Days of Yore (30 Years Ago, 1979): Town of Geneva officials wanted state and county authorities to take action to reduce the speed limit on Pre-Emption Road from Routes 5 & 20 to Castle Road for traffic safety reasons.
 - Town hall lobby has artwork from the senior citizens on display for everyone to look at.
- Motion unanimously approved.

ADDENDUM:

1. DONATIONS FOR THE HARVEST FESTIVAL: Motion made by Councilman Capozzi second by Councilman Larsen.

**TOWN OF GENEVA, NEW YORK
RESOLUTION OF THE TOWN BOARD**

RESOLUTION NO. 16-2009

WHERE AS the Town has received two checks totaling \$200.00 as donations for the Harvest Festival and

WHERE AS it is the Board's desire to acknowledge their receipt and appropriate them for the expenses of the Harvest Festival,

THEREFORE be it resolved that these monies received, as donations be appropriate in like manner to appropriation account A7550.4.

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 August 11, 2009, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mary Luckern	<u>X</u>	_____
Michael Vassello	<u>X</u>	_____
Richard Larsen	<u>X</u>	_____
Anthony Capozzi	<u>X</u>	_____
Edward Smaldone	<u>X</u>	_____

Lorrie S. Naegele, Town Clerk

Date: August 11, 2009

2. RESIGNATION FROM SAMUEL BRAVERMAN: Motion to accept with regret the resignation of Samuel Braverman to not be reappointed to the Board of Assessment review made by Councilman Smaldone second by Councilman Capozzi.
Motion unanimously approved.

16) CORRESPONDENCE:

- 1) Lt. Gallagher's Report (REFER TO ADDENDUM # 8)
- 2) Department of State: Local Law 2-2009 was filed on July 27, 2009 "Amend a Portion of the Town of Geneva Zoning Map to Create a Planned Unit Development District" (REFER TO ADDENDUM # 9).

17) **OLD BUSINESS:** None

18) **NEW BUSINESS:** None

19) **PRIVILEGE OF THE FLOOR:**

John Russo, Carter Road : John noticed that Conifer is digging across the road on Carter Road and asked if it was for water hook-up. Bill McAdoo, CEO, replied that it is for the gas line. Dave Achilles stated that Conifer would put everything back as it was. There is a stipulation in the permit for that.

Carole Higgins, Snell Road: Handed the Town Board & Planning Board letters and pictures of her concerns with the Hospitals High Acres project, where they cut down her fence and hedgerow. Supervisor Luckern said, "I have not talked to the Hospital yet, but I intend to and I am sending a letter to the Planning Board addressing my concern over what happened." "Let me explain to the people in the audience what happened. Carole lives next to the future High Acres location. The Hospital has said all along that they would be careful of what they were doing and not to harm her property. All of us have agreed that the hospital is going to do this. They decided to send someone out to post their property, which is fine, they have that right. But they also posted part of Carole's property. Bill McAdoo called them and they moved the signs to the correct location. However, in the process, they cut down some of the stuff on her property." Mary said, "I feel as I have egg on my face because I said the hospital would not harm other property." Mary stated, "If this is an indication of what the hospital is going to do, I really have a problem with it." Mary will write to the Planning Board asking them to consider putting some sort of restrictions on the hospital when finalizing the plans, so if it happens again it will be addressed. That is where things currently stand. (REFER TO ADDENDUM # 10 & 11).

20) **ADJOURN:** Motion to adjourn made by Councilman Smaldone second by Councilman Capozzi. Motion unanimously approved.

8:00P.M.

RESPECTFULLY SUBMITTED