

**Minutes**  
TOWN OF GENEVA  
REGULAR MONTHLY BOARD MEETING  
**May 10, 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: Charlie Bracko, Water & Sewer Superintendent; Bill McAdoo, Code Enforcement Officer; eight residents and Mike Hibbard reporter from the Finger Lakes Times.

1. Informal Discussion- 6:30 pm. Informal discussion of Town Board, department heads and public.
2. Call to order the Regular Meeting of the Town Board. 7:00 p.m.
3. Privilege of the floor: Josephine Perry and Santa Abraham; reminded residents about the Library Vote on May 17, 2016. Karen English; W. Washington St. is concerned about the traffic on her street. Sophia Elkin; West Lake Rd. asked about assessments and hopes the new senior living will be a green development. Mike Bogin; Slosson Lane, would like the Snell Road property to remain R1 as it is and not put 144 condos there.
4. Approval of the minutes of the Regular Meeting of the Town Board of April 12, 2016. Motion to approve made by Councilmember Dunham, second by Councilmember McCarthy. Unanimously approved.
5. Approval of the minutes of the Public Hearing on the application and preliminary plan for the establishment of a Plan Unit Development district at 463 Snell Road for a Senior citizen housing project. Motion to approve made by Councilmember Nault, second by Councilmember Palmieri. Unanimously approved.
6. Town Clerk's report.  
Questions, comments.  
The Board acknowledges receipt.
7. Code Enforcement Officer's report.  
Questions, comments Short Term Rental Permit, 34 applications sent out, 19 in process and 5 approved.  
The Board acknowledges receipt.
8. Supervisor's report of finances for the previous month, and budget comparisons.  
Questions, comments.  
The Board acknowledges receipt.
9. RESOLUTION NO. 53-2016 - Approving Bills.

**TOWN OF GENEVA, NEW YORK**  
**RESOLUTION OF THE TOWN BOARD**  
**RESOLUTION NO. 53-2016**

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.

RESOLVED that the supervisor is authorized to pay these bills.

Abstract 5-2016 May, all voucher # 399 to 491

FUND		VOUCHER #	TOTALS
DA	Highway	(415-433)	\$ 5,097.33
SWD	Water Storage & District	(434-447)	\$ 47,808.44
SS	Sewer District	(448-456)	\$ 15,230.42
A	General Funds	(457-491)	\$ 42,465.12
<b>Total</b>			<b>\$ 110,638.01</b>
ABSTRACT: 5- 2016; May Voucher 415 to 491			\$ 110,638.01
PRE-PAID –paid during April, voucher 399 to 414			\$ 7,773.70
<b>May– TOTAL</b>			<b>\$ 118,411.71</b>

Motion to approve bills made by Councilmember McCarthy 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 May 10, 2016 unanimously approved.

\_\_\_\_\_  
Lorrie S. Naegele, Town Clerk

10. RESOLUTION NO. 54- 2016 – Approving a Power Purchase Agreement with Qwik Solar. Motion to approve made by Councilmember Nault, second by Councilmember Palmieri.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 54-2016**

Whereas Qwik Solar, a solar panel installation company located in the Town of Geneva, has proposed a 20-year Power Purchase Agreement whereby it will install solar panels on its solar farm off Carter Road in the town, for the benefit of the town and at no cost to the town, and the electricity generated will be sold to the town at 10% below the price credit allowed by NYSE&G; and

Whereas the agreement allows the town to terminate it if the town enters into an agreement to purchase energy at a discount greater than 10% or installs solar panels on town property or otherwise owns an energy source and does not need the energy from the Power Purchase Agreement; now therefore, it is

RESOLVED the supervisor is authorized on behalf of the town to enter into the Power Purchase Agreement with Qwik Solar.

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 10, 2016 unanimously approved.

\_\_\_\_\_  
Lorrie S. Naegele, Town Clerk

11. RESOLUTION NO. 55-2016 – Adding Town Hall to the Community Centers/Recreation Complex Sewer Rate. Motion to approve made by Councilmember McCarthy, second by Councilmember Dunham.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 55-2016**

Whereas the Town pays over \$10,000.00 per year in sewer charges because its properties are all billed at the commercial rate of \$130 per unit; and

Whereas the Town Hall is more akin in function to a community center, for which the Town has established a lower rate of \$20 per unit; now therefore, it is

RESOLVED Town Hall will be added to the Community Centers/Recreation Complex sewer rate so the Town Hall will be charged at \$20 per unit, but other Town properties will remain at the commercial rate, and this will take effect at the next quarterly billing.

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 10, 2016 unanimously approved.

\_\_\_\_\_  
Lorrie S. Naegele, Town Clerk

12. RESOLUTION NO. 56-2016 – Approving Letter to the Ontario County Board of Supervisors Urging Moving to a Zero Waste Model. Motion to approve made by Councilmember Nault, second by Councilmember Palmieri.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 56-2016**

Whereas the Town's Sustainability Committee recently visited the Tompkins County Recycling and Solid Waste Center, through which that county is diverting 60% of its waste from landfills, while Ontario County's diversion is below 20%; and

Whereas the Town is working on a Solid Waste Management Plan to assist Town residents and businesses in reducing landfilled waste, which is necessary and prudent to prepare for the time when the Ontario County Landfill closes and for a sustainable future; and

Whereas Ontario County receives over \$2 million per year from landfill operations and will be receiving an additional \$18 million over the next 12 years in payments due to the expansion of the landfill, and this money, or part of it, can and should be used to support county towns and cities in reducing waste that must be landfilled; now therefore, it is

RESOLVED the letter to the Ontario County Supervisors attached to this agenda shall be sent urging Ontario County to take a leadership role in assisting the County's towns and cities to a "zero waste" model that is a more consumer friendly and environmentally responsible approach to waste management.

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 10, 2016 unanimously approved.

\_\_\_\_\_  
Lorrie S. Naegele, Town Clerk

13. Application for the Planned Unit Development District: On the application for a Planned Unit Development district for the Missick property on Snell Road for senior citizen condo-type housing, the next steps are: Town Board review of the environmental significance of the project; scheduling and holding a public hearing on Local Law 3 to amend the zoning map to create the PUD district; adopting the local law; approval of the final plan for the development by the Town Planning Board; and approval of the final plan for the development by the Town Board.

The Town Board will review Part 2 of the Environmental Assessment Form and make a determination, which, if it is non-significance, it will then take up the following resolution.

RESOLUTION NO. 57-2016 –Determination of Significance-Missick PUD Application and Local Law No. 3 of 2016. Motion to approve made by Councilmember Palmieri, second by Councilmember Nault.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 57-2016**

**WHEREAS**, the Town of Geneva Town Board, hereinafter referred to as Town Board, has determined the Missick application to rezone 463 Snell Road, Tax Map Number 119.00-1-30.210, a Planned Unit Development, and Local Law No.3 of 2016, 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:

1. 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,
2. 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,
3. 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
4. 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 May 10, 2016 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>
Melissa Nault	<u>  X  </u>	<u>      </u>
Mark Palmieri	<u>  X  </u>	<u>      </u>

Dated: \_\_\_\_\_, 2016

\_\_\_\_\_  
Lorrie S. Naegele, Town Clerk

14. RESOLUTION NO. 58-2016 – Approving the PUD Application of Gregory Missick for 463 Snell Road. Motion to approve made by Councilmember Palmieri, second by Councilmember McCarthy.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 58-2016**

Whereas Gregory Missick submitted an application to the Town to have 463 Snell Road, tax account number 119.00-1-30.210, currently zoned R-1, rezoned as a Planned Unit Development (PUD) district for the purpose of constructing a senior citizen housing complex consisting of 76 condo style 2-bedroom homes in 4 and 5 unit single story buildings, with such amenities as a community center, walking trails and a dog park, which development would use approximately 16 of the 51-acre parcel; and

Whereas the proposed project satisfies the basic requirements of the Town's PUD law, Chapter 116 of the Town Code; and

Whereas the Town Planning Board reviewed the application and concept plan and had no objections other than one member being concerned about the loss of farm land; and

Whereas the Ontario County Planning Board reviewed the application and concept plan and recommended approval with the modification a full parcel build-out should be developed and reviewed by the Town Board before approving the application; and

Whereas a public hearing on the application was held on April 12, 2016, attended by many town residents and the parcel owner and his engineer, and at the hearing 14 spoke in favor of the project and 3 against; and

Whereas on May 4, 2016, the owner submitted a revised application with a full parcel build-out drawing as recommended by the Ontario County Planning Board; and

Whereas the Town Board completed the State Environmental Quality Review of the project and determined it to not have a significant negative environmental impact; and

Whereas the Town needs housing for senior citizens in order to retain Town residents who want to down-size and remain in the Town, and to attract people from outside the Town who would like to retire in the Finger Lakes and desire housing like that proposed by the applicant, which is not currently available in the Town, and which is consistent with the Town's Comprehensive Plan; now therefore, it is

RESOLVED the application of Gregory Missick to have 463 Snell Road, tax account number 119-1-21, rezoned as a Planned Unit Development district is approved.

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 May 10, 2016 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	X	_____
Jeffrey Dunham	_____	X
Robert McCarthy	X	_____
Melissa Nault	X	_____
Mark Palmieri	X	_____

Dated: \_\_\_\_\_, 2016

\_\_\_\_\_  
Lorrie S. Naegele, Town Clerk

15. RESOLUTION NO. 59-2016 – AUTHORIZING SCHEDULING OF A PUBLIC HEARING FOR A PROPOSED LOCAL LAW. Motion to approve made by Councilmember Dunham, second by Councilmember McCarthy.

**TOWN OF GENEVA, NEW YORK  
RESOLUTION OF THE TOWN BOARD  
RESOLUTION NO. 59-2016**

**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 June 14, 2016, at 7:00 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 May 10, 2016 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Mark Venuti	X	_____
Melissa Nault	X	_____
Mark Palmieri	X	_____
Jeffrey Dunham	X	_____
Robert McCarthy	X	_____

Dated: \_\_\_\_\_, 2016

\_\_\_\_\_  
Lorrie S. Naegele, Town Clerk

**SEAL**

**EXHIBIT-1**

**LOCAL LAW FILING**

New York State Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Ave  
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 Ontario  
**Town of Geneva**

Local Law No. 3 of the year **2016**.

**"A Local Law to Change the Zoning District Classification of a Parcel and to Amend a Portion of the Town of Geneva Zoning Map"**

(Insert Title)

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

County

City

**Town of Geneva**

as follows:

Village

The intent of this local law is to change the zoning district classification of a parcel in the Town of Geneva, which parcel is situated on the south side of Snell Road, has an address of 463 Snell Road and is identified as Tax Map No. 119.00-1-30.210, and to amend a portion of the Town of Geneva Zoning Map to show the change in zoning classification of this parcel.

Section 1. In accordance with Section 116-10 of the Code of the Town of Geneva, and subject to the conditions in Section 3 of this Local Law, the zoning district classification of the parcel of land in the Town of Geneva identified as Tax Map No. 119.00-1-30.210 with an address of 463 Snell Road is hereby changed from R-1 (Residence District) to PUD (Planned Unit Development District).

Section 2. The Zoning Map of the Town of Geneva is hereby ordered amended to change the zoning district classification of Tax Map No. 119.00-1-30.210, which is situated along the south side of Snell Road and has an address of 463 Snell Road, from Residence District (R-1) to Planned Unit Development District (PUD).

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 14th day of June, 2016, at 7:00 p.m., at the Geneva Town Hall, 3750 County Road 6, Geneva, New York, regarding the adoption of a Local Law

which would change the zoning district classification of a parcel of land in the Town of Geneva identified as Tax Map No. 119.00-1-30.210 with an address of 463 Snell Road from R-1 (Residence District) to PUD (Planned Unit Development District) and order the amendment of the Official Town Zoning Map to show such change.

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

16. Discussion of request by Cornell graduate student in Entomology to place four commercial bumble bee colonies at the Kashong Conservation Area for 6-8 weeks starting in mid to late June for a pollination study on the effects of landscapes and farm practices on the performance of this common eastern bumble bee. No decision was made, the Supervisor is researching it further and will report back to the Board for guidance before making a decision.

17. Reports of Standing Committees

Kashong Conservation Area – Mark Palmieri is going to ask the committee for their input about the bumble bee study.

Comprehensive Plan – Met May 2 and discussed the consultant’s zoning code analysis. Next meeting June 6, at 7:00 p.m..

Economic Development – Met April 27 and discussed pending development and other issues; the next meeting is June 22 at 7:00 p.m. at the town hall.

Sustainability – Visited the Tompkins County Recycling and Solid Waste Center in April.

A public forum on the Hobart & William Smith sustainability class’s recommendations for a Solid Waste Management Plan for the Town was held on May 3 at the town hall and was well attended. A final report will be given to the Town in July.

Communication – The committee sent out a survey to obtain preferences for communication between residents and Town government.

Town Hall Park – Met April 28; exploring options for a bike park and other amenities on town hall property; Jim Hogan, town resident and owner of the Geneva Bicycle Center, is going to visit the town hall property with others who have experience building bike parks very inexpensively, to work on ideas to present to the committee. Other ideas include an athletic field, exercise stations for adults, and a pavilion.

18. Supervisor’s Report: The supervisor met with the town’s Verizon representative and changed the billing program to save the town \$52.69 per month. This representative also provided information on a Verizon program called Fleet Management Solutions which would allow town vehicles to be tracked for maintenance issues and location.

The supervisor responded to a letter from NYC’s Solid Waste Management director defending the pending contract to bring NYC garbage to the Seneca Meadows Landfill by rail, which the town opposed by Resolution No. 121-2015, and reiterated, as a matter of economic justice and for a sustainable future, this area does not want NYC trash and each area should be taking care of its own.

The Town appropriated \$1000 in the 2016 budget for a trial to assist Town senior citizens in using certain programs of the Geneva Family YMCA. The YMCA proposes to use that money to cover 20 seniors (65 and older) for 12 visits to the YMCA (that’s 240 total visits or \$4.16 per visit). The YMCA will advertise the program (along with the Town), administer it, and report the results to the Town. If it is popular and the appropriation exhausted, the Town Board can evaluate whether to add money to it this year or for next year.

The Town is purchasing and will plant a White Oak to replace the “Lafayette tree” that was removed from the northeast corner of Routes 5 & 20 and County Road 6 commemorating the place General Lafayette rested and was greeted by Geneva citizens in 1825. A large stone with a plaque on it referring to the visit and tree is there.

Selected Meetings and Activities of the Supervisor- See agenda.

19. Old Business: Councilmember Nault has concerns about the web page backup and the Board agreed to pay Paul Albee \$50 per month to do this while a more permanent solution is explored.

20. New Business: Councilmember Dunham asked if there was any code for signs being placed by the roads. There are on town roads we do not have jurisdiction on State or County Roads. CEO Bill McAdoo, is working on the ghost bike and memorial that is placed on private property. The Board discussed the protocol for Board members commenting at public hearings and agreed it is up to each member’s discretion.

21. Privilege of the floor: None

22. Adjourn: Motion to adjourn made by Councilmember Nault, second by Councilmember Palmieri. Unanimously approved. 9:12 p.m.

---

Respectfully Submitted