

PUBLIC HEARING, TOWN BOARD OF GENOA

November 5, 2020

A Public Hearing of the Town Board of Genoa, Cayuga County, State of New York was held at the Town Hall, 1000 Bartnick Road, Genoa NY on November 5, 2020.

Present:	Lorie Sellen-Gross, Supervisor	Paul Wheeler
	Cheryl Shields, Board Member	Don McEvoy
	Don Slocum, Board Member	Paul Maher
	Chris Stout, Board Member	Susanne Perkins
	Brandon White, Board Member	Bob Perkins
	Sue Moss, Clerk	

The hearing was called to order at 6:30 p.m. by Supervisor Lorie Sellen-Gross with the Pledge of Allegiance to the Flag.

The Board discussed the parking lot paving job done by Suit-Kote. Should one-half of the bill be paid before the job is redone? How will it be redone? Don McEvoy arrived from Suit-Kote and apologized for the poor workmanship done. He suggested resurfacing the whole area (micro surfacing process) at no cost. This will fill in the footprints and get rid of the seams and imperfections. The micro surfacing should last five to seven years. Don said it will be completed by June 15. He is going to talk with the Board to see if they agree with one-half payment now.

Paul Maher from Bonsbak, Inc. spoke to the Board asking to be released from his Bond with the Town for the work he did for New Visions. Paul’s company did the directional drilling for the cable laying. He has finished the job in the Town.

At this time, 7:45 pm, the Board went into Executive Session

At 8:10 pm, the Board returned to the Public Hearing

RESOLUTION 93-2020 APPROVAL OF EXCELLUS SILVER 14 INSURANCE FOR EMPLOYEES

On a motion of Board member Shields, seconded by Board member Slocum, the following resolution was

ADOPTED Ayes 5 Sellen-Gross, Shields, Slocum, Stout, White
Nays 0

Resolved to approve Excellus Silver 14 insurance

Lorie shared with the Board a printout from the County entitled "COVID-19 breakdown by municipality in Cayuga County."

RESOLUTION 94-2020 APPROVAL OF LOCAL LAW 1 OF 2020

On a motion of Board member Shields, seconded by Board member Slocum, the following resolution was

ADOPTED Ayes 5 Sellen-Gross, Shields, Slocum, Stout, White
Nays 0

Resolved to approve Local Law 1 of 2020 – Override the Tax Levy Limit Established in General Municipal Law §3-c

Roll Call

Sellen-Gross Aye
Shields Aye
Slocum Aye
Stout Aye
White Aye

With regard to the Local Law of the Town of Genoa relating to Solar Energy systems and the installation thereof.....Lorie requested that no action be taken on this local law at this point because the more pertinent information is lacking in this document. The Board needs to address land use impacts from larger-scaled commercial operations, including those that are being proposed, funded, or developed in response to the increasing pressures for renewable energy development to meet the clean energy goals set forth by New York State and Cayuga County. The Board also needs to state further endeavors in land use in our Comprehensive Plan so both documents are congruent.

With this said...a Local Law 2 of 2020 is being introduced: **Town of Genoa Moratorium on Commercial Wind and Solar Energy Facilities**

This moratorium will allow time for the Town to update its Comprehensive Plan to balance the benefit of such clean energy goals with the public interest and welfare of the Town and its residents, example: specific local impacts due to our land, soil, geology, topography, our hamlets, and agricultural values in our Town.

RESOLUTION 95-2020 **LOCAL LAW 2 of 2020, Town of Genoa Moratorium on Commercial Wind and Solar Energy Facilities**

On a motion of Board member Slocum, seconded by Board member Shields, the following resolution was

ADOPTED Ayes 5 Sellen-Gross, Shields, Slocum, Stout, White
Nays 0

Resolved to adopt Local Law 2 of 2020 after further research and to advertise for a public hearing on this on 11/11/20 at 7 p.m.

RESOLUTION 96-2020 **APPROVAL OF 2021 FINAL PRELIMINARY BUDGET**

On a motion of Board member Shields, seconded by Board member White, the following resolution was

ADOPTED Supervisor Sellen-Gross Aye
Board member Shields Aye
Board member Slocum Aye
Board member Stout Aye
Board member White Aye

Resolved to accept the 2021 Final Preliminary Budget

With no further business, on a motion of Board Member Shields, seconded by Board Member Slocum, this Public Hearing meeting was adjourned at 8:45 p.m. Carried unanimously.

Susan B. Moss, Town Clerk

LOCAL LAW NUMBER 1 of 2020

Town of Genoa, County of Cayuga, State of New York

A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Genoa, County of Cayuga, pursuant to General Municipal Law § 3-c, and to allow the Town of Genoa, County of Cayuga, to adopt a town budget for (a) town purposes (b) the Genoa King Ferry Water District (c) any other special or improvement districts governed by the town board for the fiscal year 2021 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

The Town of Genoa is dependent upon the real property tax to fund town services and we do not have the authority to raise sales taxes, occupancy taxes, gross receipts taxes, or income taxes. Non property tax revenues, sales taxes and State AIM payments are subject to market fluctuations and the ability of federal, state, and county governments to share revenue with the Town of Genoa. The cost to provide town services and to fund town operations continues to increase for 2021. Specific line items with significant increases are: Health Insurance Coverage for full-time employees Workman Compensation Insurance ERS-Pension Contribution, Utilities, Fuel Oil, Propane, Gasoline and Diesel fuel Section. **The COVID-19 Pandemic has had a negative effect on income for 2020 in different categories in the Highway Fund especially. We expect this negative effect to continue to a more drastic measure with fewer funds for CHIPS, Snow Removal, Mortgage Tax and AIM income. Most recognize shortfalls will be noticed in shared income sales received from Cayuga County.**

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

section 3. Tax Lev Limit Override

The Town Board of the Town of Genoa, County of Cayuga is hereby authorized to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

The Genoa Town Clerk shall publish in the official newspaper of the Town a notice of adoption containing a synopsis of said local law. This local law shall take effect immediately upon filing a certified copy with the Secretary of the State of NY as well as with the Office of the Cayuga County Clerk, within twenty days of acceptance on or after the Public Hearing date which is scheduled for November 5th, 2020 at 6:30 p.m. at the Genoa Town Hall.