

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

REGULAR COUNCIL MEETING

October 1, 2025 – 7:00 PM
City Hall – 2nd Floor Council Chambers
47 Castle Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Whitfield (arrived at 7:00), Clr. Petropoulos, Clr. Gillotte, Clr. Grimaldi, Clr. Lavin, Clr. Brennan,
Clr. Pealer (arrived at 6:07, departed at 6:55)

Absent: Clr. Moracco

2. EXECUTIVE SESSION

ACTION TAKEN by Clr. Petropoulos; seconded by Clr. Brennan

MOVED THAT council move to executive session at 6:00 to discuss the proposed sale of real property and the employment history of a particular person

MOTION CARRIED UNANIMOUSLY (6-3 absent)

ACTION TAKEN by Clr. Petropoulos; seconded by Clr. Pealer

MOVED THAT council exit executive session at 6:57pm

MOTION CARRIED UNANIMOUSLY (7-2 absent)

3. PUBLIC HEARING - Property Tax Cap Override

Mayor Valentino opened the public hearing at 7:02pm. With no comment offered at this time, he closed the public hearing at 7:02pm.

4. PUBLIC HEARING - Amending the City Charter – City Manger Residency Requirement

Mayor Valentino opened the public hearing at 7:02pm. With no comment offered at this time, he closed the public hearing at 7:03pm.

5. AMENDMENTS TO THE AGENDA

ACTION TAKEN by Mayor Valentino; seconded by Clr. Petropoulos

MOVED THAT the agenda be amended to add a resolution to establish a public hearing for the sale of 595 S. Exchange Street to the preferred developer

MOTION CARRIED UNANIMOUSLY (7-2 absent)

6. PROCLAMATIONS

A. Fire Prevention Month 2025

7. PRESENTATION - Geneva BID Update

Geneva BID Executive Director Sydney Schumacher shared that she comes to the Geneva Business Improvement District with over a decade of teaching experience, in higher education. Her vision for the bid includes refocusing on core responsibilities, scaling those responsibilities, creating a greater understanding in the community of what the BID is, can do, and how it can work together with partners. Ms. Schumacker shared that she is looking forward to scaling BID activities and greater transparency. She will also work on the BID's online presence. Ms. Schumacker shared that primary functions of the BID include beautification and maintenance, support of existing businesses, and economic development. The BID team includes four full time employees, two in the office, and two in the field tackling beautification and maintenance. The BID also occasionally utilizes some part time employees. The BID operates downtown; Ms. Schumacker illustrated the District on maps, and explained that within the District seasonal work includes decorations, plantings, and maintaining landscaping beds. The BID's work includes communication and publication, small event hosting, facilitating conversations, fostering connections, and managing grants. Grant work was reviewed to include revitalizing bird habitat at the Lakefront, and a Keep America Beautiful Grant for recycling cigarette butts. Ms. Schumacher then reviewed goals for 2026 including increased business involvement, continued grant applications, and new and improved Lakefront landscaping. Some successes over the summer were shared including Paddlefest, Music Mondays, Drumstock, and the addition of Earthplanters.

8. DISCUSSION - Sidewalk Moratorium

Assistant City Manager Youngs opened the discussion reviewing the September 3 moratorium Council placed on sidewalk repair. She explained that staff is looking to get some clarity on the moratorium and what Council wants to focus on.

Councilor Petropoulos explained that he would like snow removal to continue by property owners. He mentioned that Castle Street residents will get free sidewalks with reconstruction, and he would like to continue to look at that. Councilor Petropoulos clarified that snow removal stays the way it is. Councilor Grimaldi said the moratorium simply means that code can cite people for sidewalk code violations, but repairs don't need to be made until spring. Councilor Brennan raised concerns about deicing and snow removal should be looked at, in fact he would like the entire ordinance to be looked at. Assistant City Manager Youngs shared that the city will continue to issue violation notices with clear language of the moratorium timeline, including proper legal language, and soften the tone of violation letters. She shared that residents who have received violations have also received information about the moratorium, and that staff has begun initial phases of options to update the ordinance. The Assistant City Manager went on to explain that the first option would be to maintain the current policy, leaving residents responsible for sidewalk repair, while improving communications, and possibly extending timelines for residents to repair sidewalks. She explained that the current policy does allow administrative flexibility not forcing sidewalk repair in the middle of winter. Option Two would maintain the current policy, and offer some form of financial assistance, noting that staff have reviewed grant and 50/50 programs. Assistant City Manager Youngs recalled that there was once a 50/50 program to split costs of repairs of sidewalks for groups of four or more contiguous properties, and wondered if Council would like eligibility requirements for income, or to prioritize and cycle through neighborhoods. She explained that City funds would be needed to match if Option Two is implemented. Assistant City Manager Youngs shared that Option Three would be moving sidewalks to the capital projects program, repairing sidewalks at City expense as milling and paving repairs occur. Some of these costs may be eligible for CHIPS funding, but not all. Funding could be built up gradually, perhaps starting off with \$50,000 allocated to the budget line annually. Assistant City Manager Youngs recommends looking into this shift in liability. If the City takes responsibility for maintaining sidewalks, the City becomes liable for any claims related to the sidewalks. She explained that most municipalities utilize the same policy the city currently uses. Assistant City Manager Youngs looked to Council for direction on which options staff should pursue. Mayor Valentino thanked Assistant City Manager Youngs for the information. He recalled a flood of complaints recently, leading to public outcry, agreeing with Councilor Brennan, that it is wise to give this ordinance a thorough look over. Mayor Valentino advised Council not to give direction to staff yet, with the

potential of major financial impact, recommending saving this for the next council to review. Councilor Petropoulos agreed with Mayor Valentino. Councilor Lavin wondered why the City would leave sidewalk repair to fraternities and colleges while it maintains roads, calling it a taxpayer responsibility to make the city walkable. Councilor Brennan noted that the complaint-based system led to a flood of complaints, leading to upset residents, leading to the moratorium. He recommended looking at ordinance itself, to find the pitfalls in it, suggesting that the sole problem may be the complaint-based system. He suggested perhaps keeping it to repair requirements at time of home sale. City Manager Hendrix summarized that in the absence of direction to staff, the City will pause work on this ordinance until bringing back the discussion in December. She clarified that the resolution was a moratorium of full ordinance, and now she is hearing Council's intent was meant to be for the repair of sidewalks only.

9. SUPERVISOR UPDATE

Supervisor Kennedy shared that the County budget workshop was held on September 26. He explained that a significant impact on the County's budget, Court ordered forensic mental health hospitalizations are now county costs, at the rate of \$1,400 a day. To date the County has spent \$716,000 in billing for these hospitalizations. Other budget impacts included the inheritance of SNAP administrative costs. The County will be responsible for managing Medicaid work requirements beginning next year as well. On the revenue side, cannabis sales tax numbers are starting to come in, \$75,000 was brought in last quarter, and the County is working on distributing those funds. Supervisor Kennedy shared that 50 or more backyard composters were delivered to Geneva residents, explaining that the Local Solid Waste Management Plan is before County Supervisors, and will be presented at the October 23 Board of Supervisors meeting, noting that this plan is particularly important with the 2028 slated closure of the landfill. He also shared that healthcare cost increase ripple effects are driving increased healthcare premium costs, reflecting national trends of hospital and drug cost increases. He explained that an aging customer base adds to these costs. Supervisor Kennedy also shared that the Housing Task Force is looking at the transition of Garden Apartments, and other local events that represent the housing crisis that Geneva is dealing with. He provided an update on the Ontario County Humane Society, who investigated 24 complaints in the City last month. The Genesee Transportation Council wants to hear from riders of RTS who are using services for school, work, and healthcare. Supervisor Kennedy is planning to attend the active shooter civilian response training the County will be offering in December. He also shared that the NYSAC Executive Director reached out regarding funding for recovery costs related to PFOS detected in drinking or waste water after June 2023. Supervisor Kennedy also welcomed Assistant City Manager Youngs, and offered a meet and greet with the new Youth Bureau director before the end of the year.

10. CONSIDERATION OF MEETING MINUTES

ACTION TAKEN by Clr. Petropoulos; seconded by Councilor Grimaldi

MOVED THAT the minutes of the September 3, 2025 and September 9, 2025 be approved

MOTION CARRIED UNANIMOUSLY (7-2 absent)

11. PUBLIC COMMENT

Anthony Noone, Chair of the Police Budget Advisory Board offered the following comments to Council:

Good evening Councilors,

I am here tonight along with other PBAB members to speak to you about the proposed GPD portion of the city's budget. As you may recall, the PBAB passed a resolution in January 2025 to recommend that the city restore two police officer positions in alignment with NYS Division of Criminal Justice Services study for a total of 34 staff and add a mental health professional to the Geneva Police Department. As you all begin dissecting the newly proposed 2026 budget, the police department's \$4.36 million funding request does not add any of these recommended positions. However, let's be clear: this is not a bloated budget. There is a cost of continuing to run essential services at the bare minimum. Pushing departments to do more with less may appear fiscally responsible in the short term, but it ultimately risks compromising public safety and the quality of service our community expects and deserves.

The proposed 2026 Police Department budget reflects a 5% decrease as directed. All department heads, under orders from our City Manager, were told to find reductions not because they were spending irresponsibly, but because of broader budget tightening across the city. As a result, the Police Department's already strained resources are being stretched even thinner. They are being asked to maintain essential services with no real resources to grow, improve, or adapt.

The 2026 budget already shows significant reductions in several crucial areas:

- **Overtime:** Slashed again, dropping from \$236,990 in 2024 to \$175,000 in 2026 due to change to 12-hour shifts
- **Equipment:** Reduced from \$146,611 in 2024 to just \$4,500 in 2026 which is an almost **97% cut**.
- **General maintenance:** Which supports the upkeep of essential equipment and facilities, has dropped from \$24,844 to \$3,000.
- **Training:** Critical for officer readiness and public safety and the best techniques of policing like crisis response training and deescalation, has gone from \$40,441 to \$27,500 and that number is far from sufficient.
- **Uniform costs, firearms, and physical exams:** All seeing cuts, despite being basic necessities for a functioning, professional department.

These reductions are not luxuries being trimmed; they are the backbone of day-to-day policing. What message does it send when officers are forced to make do without updated equipment or the training, they need to handle complex situations? One of the ways to improve policing is to invest in the people who do the policing, Let's do the math. Geneva's general fund typically hovers between \$18 and \$20 million. A \$50,000 cut to the police budget represents just 0.25% of that fund. For a homeowner with a \$200,000 property assessment, it would save them maybe \$4–\$6 per year, which comes out to about 30 to 50 cents a month. Even if you doubled or halved these numbers, it would still amount to pennies. For what amounts to less than the cost of a cup of coffee per year, the city would risk losing investigative capacity, weakening public safety, and further demoralizing an already strained police department. Budget decisions matter and even small cuts can carry significant consequences for the services we rely on every day.

We're asking officers to do more with less year after year and then we're surprised when morale drops, turnover rises, and community trust erodes. This is not sustainable. Officers are not robots. They are public servants and they need the tools, training, and staffing to serve effectively.

Speaking of effective public safety we need to talk about something else this council has acknowledged the need for as well the council before but failed to fund and that's the importance of responding better to mental health crises. Everyone agrees that officers shouldn't be the only ones handling people in crisis. However there's been no action. No budget allocation. No progress.

The Chief and PBAB members have explored grants. We've looked at partnerships. Nothing sustainable has materialized. While we wait, officers continue to be the front line for behavioral health emergencies they are not trained to handle on their own.

A mental health co-response model solves this problem. It's a system where a trained clinician or social worker rides with officers on mental health-related calls. They co-respond in real time, de-escalate crises, connect individuals to services, and prevent unnecessary arrests or hospitalizations.

Here's what this could look like in Geneva:

- A clinician, either hired by the city or contracted through a partner agency, would work alongside GPD during key shifts.
- On calls involving suicidal individuals, domestic disputes tied to behavioral health, or recurring welfare checks, this co-responder provides expertise that officers simply can't offer alone.
- They follow up with families, connect residents to long-term resources, and help reduce repeat 911 calls.

If this council is serious about innovation, about mental health, and about reducing unnecessary strain on police resources then this is your opportunity to act. We again urge the council to budget for a co-responder position in 2026 so that the GPD can begin building the program with the appropriate agency. If you believe in this model then fund it.

Additionally, Despite Chief Eveland's efforts to be fiscally responsible, there are critical needs not even accounted for in the 2026 budget:

- **K9 Unit:** A long-discussed addition that could provide invaluable support in searches, drug detection, and officer safety, but still remains out of reach.
- **Youth Officer Position:** Currently combined with other duties, this critical role needs full-time support to properly serve at-risk youth and build community trust.
- **Updated Forensics and Technology Supplies:** Outdated or nonexistent investigative tools hamper evidence processing and justice outcomes.
- **Firing Range Upgrades:** Training infrastructure is falling behind safety and professional standards. Essential improvements including reliable electricity, updated plumbing, and modern equipment are needed not only to ensure officer safety and effectiveness but also to make these resources available for use by other agencies. Geneva should strive to be a leader in public safety facilities, not stuck with deteriorating, inadequate spaces.
- **Additional Training Programs:** Community policing, de-escalation, and mental health preparedness require more investment, not less.
- **Staffing Shortfalls:** Six months ago, this advisory board urged you to restore two officer positions cut by the previous council. We laid out why it was necessary and yet nothing was done. The positions remain unfilled, and it's clear the issue was never seriously considered. Today, GPD is down six officers, due to training, injuries, and other constraints leaving fewer resources, longer response times, and limited capacity for proactive policing. Every community call to have police respond to noise or speeding motorists or other quality of life issues can't be met due to staffing shortages, much less letting officers do walking or biking patrols to work on community relations.

The PBAB's position is that this budget is the bare minimum. We are not here asking for excess. We are asking for a department that is functional, modern, and equipped to meet the demands of this city. To build a more efficient, responsive, and community-focused department, we must grow, not shrink. That means investing in resources like mental health personnel, updated technology, and adequate staffing. We don't just support this budget, but we believe it should go further. If the City Council continues to cut year after year, the cost won't be measured in savings, but in slower response times, higher turnover, and reduced public trust. Geneva deserves more than the minimum. It's time to invest in the future.

Thank you.

Pat Schiller Offered a follow up to comment from last month's meeting, recalling a lady who thought that with HWS, Wegmans and all the churches in Geneva, there should be more donated food available. Ms. Schiller shared that five days a week a hot meal is served in the Methodist Church, directed by Catholic Charities. She also shared that the Boys and Girls club distributes food. Ms. Schiller closed by stating, "We know that, other people in Geneva don't. It's important to spread the word."

12. CITY MANAGER REPORT

Goal 1: Ensure Fiscal and Organizational Stewardship of City Resources

Highlights: Two Police Officer transfers in process · Sergeant promotion pending Civil Service results · Community Vitality Coordinator posting expected in October · \$85K PFAS settlement received for Water Department · Castle Street reconstruction community meeting

Our hiring efforts continue with two Police Officer lateral transfers under review, both of whom have accepted contingent offers pending background checks. Civil Service approval for the Community Vitality Coordinator position is expected in early October. Results from the Police Sergeant exam are still pending, which is likely to result in an internal promotion. This promotion would create a new officer vacancy we plan to fill this winter.

The City remains part of a national PFAS class action lawsuit against chemical manufacturers. To date, Geneva has received two settlement payments totaling \$85,000, which will be directed to the Water Department to support chemical treatment initiatives.

The Castle Street Reconstruction Project received three bids ranging from \$4M to \$5.2M. Following review, Villager Construction was awarded the contract as the lowest responsible bidder. A community meeting on this project is being held on October 2, 2025 at City Hall from 5:30 – 6:30pm.

Training and professional development remain a focus. Officers and detectives attended school safety, threat prevention, and death investigation trainings. The City Manager, Assistant City Manager, and Special Events Coordinator will attend the 2025 ICMA Conference this October. Costs are reduced through ICMA student and new ACM discounts, as well as grant funding for travel.

Dock replacement and Long Pier stabilization planning continues, with state partners currently reviewing proposals. Funding is anticipated through a combination of DRI allocations and a prior City bond match.

Finally, Chief Eveland will relocate outside the City within the next 90 days. In alignment with Council policy, the City Manager has approved this request as the new residence is within a reasonable commute.

Goal 2: Promote Economic Development within the City

Highlights: Dunkin' Donuts construction is progressing with a targeted 2025 opening, DRI streetscape closeout work has started, quarterly economic development meetings among BID/LDC/IDA/City partners are launching, the OEO development team continues community engagement with meetings on October 11 and 22, and the City is monitoring electricity capacity issues in coordination with NYSEG and state officials.

Work has resumed on the Dunkin' Donuts site, and construction is moving forward. While the official opening date has not yet been announced; it is currently targeted for 2025.

Closeout work on the DRI streetscape project has begun downtown. A detailed calendar of activities, including any expected traffic interruptions, will be shared as we are able.

The BID, LDC, IDA, and City will soon begin holding quarterly economic development meetings to ensure ongoing coordination among these partners and with Ontario County. The new BID Executive Director and LDC Chair will take the lead on organizing these meetings as part of the 2024 Economic Development Strategy.

The development team for the OEO site recently met with approximately 20 individuals to discuss project plans. The next opportunity to engage with staff supporting this work will be on October 11 from 8 a.m. to 12 p.m. at the final Farmer's Market of the year. Community members are encouraged to stop by and share feedback on this downtown housing project. A formal community meeting will also be held on October 22 at 6 p.m. at Bozzuto.

Electricity capacity remains a concern for new development. At the September IDA meeting, Ryan Davis from Ontario County Economic Development provided an update on the County's work with NYSEG to address insufficient infrastructure to support growth. The City has engaged with Senators Helming and Gillibrand's staff on these concerns. While projects currently working with NYSEG have been told power will be available, previous experience in Canandaigua shows that challenges can arise as projects near completion, potentially affecting supply and costs. Council will consider a resolution at the October meeting similar to the one recently passed by Canandaigua, urging NYSEG and the NY Public Services Commission to increase electric generation capacity in the County.

Goal 3: Increase and Sustain Intergovernmental Relations with City Partners

Highlights: The City will receive 100 additional composting caddies for income-qualified seniors, the first annual Chusid Symposium on Place brought ~100 attendees to Geneva, the County approved a Priority Services Agreement for municipal offices, the Mayor and County Supervisors met to discuss budgets and shared fire services with a follow-up in November, and the Municipal Health Insurance Consortium announced an 18% rate increase for 2026.

The City will receive 100 additional composting caddies from Ontario County for distribution to income-qualified seniors. In partnership with the Town, this program provides free curbside compost pickup for seniors throughout Geneva. A mailing with program details will be sent in the coming weeks.

The City Manager welcomed approximately 100 attendees to Geneva for the first annual [Chusid Symposium](#) on Place, hosted by the Christopherson Center. The event took place at the Dove Block, one of eight Central New

York sites recognized for its work in economic development, heritage, climate resiliency, and equity, celebrating place-making and community-building efforts.

The Board of Supervisors approved a Priority Services Agreement with certain municipalities in Ontario County. This cost-sharing agreement supports municipal offices located within the County and, while not mandated, is provided annually to participating municipalities with County buildings.

City leadership, including the Mayor, County Administrator, Deputy County Administrator, Supervisors Kennedy and Pruett, Assistant City Manager, and City Manager, held a quarterly meeting to discuss budget priorities and cost reduction strategies. The meeting also covered challenges facing the County's fire districts, including the recent dissolution of the Fisher's Fire Department, and lessons for shared services. The next meeting is scheduled for November.

The Municipal Health Insurance Consortium held its annual meeting to review the future of collaborative health insurance. The 2026 rate for the City's health insurance plans will increase 18%. The City offers Platinum and Silver plans to employees, with both plan offerings and employee contributions determined as negotiated benefits.

Goal 4: Develop and Implement Strategies to Create and Continue Dynamic Communications

Highlights: The October Community Conversation will be held on October 10 at 8:30 a.m. at Monaco's with Director Venuti, providing residents an opportunity to ask questions and share feedback. The City Manager also joined Finger Lakes Morning Radio to discuss the City Budget. Videos highlighting the City of Geneva are now live. The next Community Conversation will take place on Thursday, October 10, at 8:30 a.m. at Monaco's, earlier than originally scheduled. These monthly conversations provide a dedicated forum for residents to engage directly with City leadership, ask questions about City operations, share feedback, and learn about ongoing projects and initiatives. Director Venuti will join the discussion to provide insights into current departmental priorities and upcoming initiatives. [Here is a link to share the invite.](#)

In addition, the City Manager participated in an interview with Paul on Finger Lakes Morning Radio to discuss the City Budget. The conversation covered the 2026 budget process, cost-saving measures, infrastructure projects, and key priorities for the year ahead. Residents can listen to the interview [here](#). These public-facing efforts are part of the City's ongoing commitment to transparency and community engagement.

In partnership with CGI Digital, the city is excited to share a new way to experience Geneva! Our City Video Tour highlights the people, places, and services that make our community a vibrant place to live, work, and visit.

From local businesses and recreation opportunities to public services and community life, this video series is your inside look at everything Geneva has to offer. Watch the videos here: <https://cityofgenevany.gov/>

Goal 5: Enhance the Quality of Life for City Residents

Highlights: Halloween Trick-or-Treating will be held on October 31 from 6–8 p.m., temporary political signs are regulated under the City's zoning code, staff are reviewing sidewalk repair policies and preparing long-term recommendations, property repairs and demolitions are underway at Madias and 175 Genesee Street, DPW is completing Downtown Revitalization, water/wastewater treatment plant upgrades, and miscellaneous maintenance, and Police Department statistics for August 2025 show continued public safety

The City will celebrate Halloween on Friday, October 31, from 6 to 8 p.m. with traditional Trick-or-Treating throughout Geneva.

Political signs fall under the City's temporary sign regulations. A temporary sign is defined as one not intended for use beyond 60 days and not permanently attached to a building, structure, or the ground. Temporary signs must:

- Conform to the standards of the applicable sign type.
- Not be displayed for more than 60 days in a 120-day period, with the possibility of two additional 60-day extensions upon written request to the CEO.

Code Enforcement Officials (CEOs), which include our four-member licensed team including the Building and Zoning Coordinator, oversee compliance with these regulations.

Staff continue to address both immediate concerns and process needs under the current sidewalk repair policy and moratorium. Recommended long-term policy changes are being prepared for Council consideration. A discussion on this topic is scheduled for the October Council meeting to clarify the moratorium and review different scenarios staff has begun evaluating.

Property Complaints

- Madias Property: Coordination with NYSEG for utility shut-offs is underway. Sessler Corporation has been selected as the contractor, and demolition will begin once utilities are disconnected.
- 175 Genesee Street: Contractors will begin repairs to stabilize this long-condemned property, with the goal of achieving a structurally sound and occupied building. Community members with questions or concerns are encouraged to reach out.

DPW Repairs and Improvements

- Downtown Revitalization Initiative: Work on milling and paving for 5&20 is expected to begin Monday, September 22
- Water and Wastewater Treatment Plants: Rebuilt high-lift pump #2 installed at the water treatment plant; motor replaced for high lift pump at the Wastewater Treatment Plant
- Miscellaneous Repairs/Maintenance: Staff repaired school zone warning lights at West North Street, replaced fuses at Lakefront light poles, installed loitering signs at the bus station, completed shade structure installations, and performed additional maintenance tasks.

Police Department – August 2025 Statistics

- Calls for Service: 2,981 | Year-to-Date: 24,632
- Mental Health Calls: 15 | Year-to-Date: 133
- Domestic Incidents: 52 | Year-to-Date: 348
- Overdoses: 8 | Year-to-Date: 55
- Property Checks: 1,480 | Year-to-Date: 11,861
- Parking Tickets Issued: 144 | Year-to-Date: 1,168
- Traffic Tickets Issued: 112 | Year-to-Date: 1,122
- Motor Vehicle Accidents: 32 | Year-to-Date: 226
- Overtime Hours: 301.25 | Year-to-Date: 1,811.5

Upcoming City Meetings and Events

- ✓ October 7: City Council Special Meeting on Budget – 6pm
- ✓ October 9: Memorial Dedication for Frank Quartaro – 2pm
- ✓ October 10: Community Conversation with Director Venuti – 8:30am at Monaco's
- ✓ October 14: City Council Special Meeting on Budget – 6pm
- ✓ October 21: City Council Special Meeting on Budget – 6pm

13. ORDINANCE – First Reading of an Ordinance Amending Chapter 277, Sanitary Sewers, Sump Pumps

Mayor Valentino presented the first reading of the following Ordinance:

Chapter 277. Sanitary Sewers

Article II. Use of Public Sewers Required

§ 277-4. Use of natural outlet prohibited.

It shall be unlawful to discharge to any natural outlet, either directly or through any storm sewer, within the City, or in any area under the jurisdiction of said City, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter. Use of separate storm sewers and sanitary sewers is mandatory, and no combined sewers will be allowed.

§ 277-4.

1. CONNECTION OF SUMP PUMPS OR RAINWATER DRAINAGE TO THE SANITARY SEWER SYSTEM IS PROHIBITED.

No Sump Pump or other device which discharges drainage resulting from rainwater, springs, wells, or other ground water, including but not limited to downspouts, shall be connected to the City of Geneva sanitary sewer system.

2. SUMP PUMP INSPECTIONS AND CERTIFICATES.

A. INSPECTION AND CERTIFICATE REQUIRED UPON SALE

A. Inspection and Certificate Required Upon Sale. No owner shall sell a residential or nonresidential building in the City of Geneva without first obtaining from the City of Geneva Engineering Dept. a certificate stating that no sump pump or other device which discharges drainage resulting from rainwater, springs, wells or other ground water is connected to the sanitary sewer system in violation of **Section A** of this Ordinance. No purchaser shall purchase property unless the seller has obtained the required certificate of sump pump compliance prior to closing.

(i) Application for Certificate Upon Sale Procedures: Certificates of Sump Pump Compliance shall be issued in accordance with the following procedures:

(ii) Application Fee: Applications for certificates of sump pump compliance upon Sale, Lease, Rental, or Change in Occupancy shall be filed with the City Of Geneva Engineering Dept. by the seller of the property or the landlord as the case may be.

Said Application must be filed at least ten (10) business days prior to the change in ownership and/or occupancy. Applications shall be submitted on the form supplied by the Engineering Department and shall be accompanied by a fee in the amount of \$50.

(3) Inspection: Upon receipt of a completed Application for Certificate Upon Sale, Lease, Rental, or Change in Occupancy, the City Of Geneva inspector shall, conduct an inspection of the property to determine compliance with the standards set forth in this Ordinance.

(4) Notice of Violation; time to Remediate: If a violation is discovered during the inspection, the property owner shall be mailed a Notice of Violation within five (5) business days of the inspection which shall clearly describe the violation and the remedial action needed for compliance, and which shall provide 21 calendar days for the sump pump connection to be brought into compliance.

(5) Penalties for Failure to Obtain Certificate or to Timely Remediate Violation: Any person who fails to apply for and obtain a Certificate of Sump Pump Compliance as required by this Ordinance shall be subject to the penalties set forth in this Ordinance. Any person who timely applies for a Certificate, is found to be in violation, and fails to remediate the violation within 21 calendar days, shall be subject to the penalties set forth in Section 4 of this Ordinance. If a seller of a property fails to comply with this or any section of this Ordinance, the seller and the new owner after the sale will be jointly and severally responsible for said compliance and all resulting penalties.

B. INSPECTION AND CERTIFICATE REQUIRED UPON THE ENGINEER OR DIRECTOR OF PUBLIC WORKS CERTIFYING THAT THERE IS SUBSTANTIAL EVIDENCE OF AN ILLICIT CONNECTION TO THE SANITARY SEWER.

If at any time the Engineer or Director of Public Works believes there is substantial evidence that a sump pump (or other device which discharges drainage resulting from rainwater, springs, wells, or other ground water, including but not limited to downspouts) has been connected to the sanitary sewer system, the Engineer or Director of Public Works shall direct that the property in question be subject to immediate Inspection by the Engineer, Code Enforcement Office or the Authority having jurisdiction.

(i) Notice of Inspection: Upon the filing of the Certification referenced in Section (B) above, the Engineer, Code Enforcement Officer or designee shall cause a Notice to be sent via Certified Mail to the property address in question, and to the registered owner of said property on the City Of Geneva tax records, giving Notice of Inspection to take place at any time after seven (7) business days from the mailing of said Notice of Inspection.

(ii) Inspection: At any date seven (7) business or more days after the Notice of Inspection has been Mailed, the Code Enforcement Officer or the Engineer or their designee shall, conduct an inspection of the property to determine compliance with the standards set forth in this Ordinance, and shall make an Inspection Report thereon, favorable or otherwise, within five (5) business days after completing the inspection, which will be sent via regular mail and certified mail to the property owner. If the Inspection was satisfactory, a Certificate of Sump Pump Compliance shall be issued, and shall be enclosed with the mailed Inspection Report.

(iii) Notice of Violation; time to Remediate: If a violation is discovered during the inspection, the property owner shall within five (5) business days of the inspection be sent a Notice of Violation via regular mail and certified mail or signed by the Owner, Landlord or agent of the record property identifying receipt of notice, which shall clearly describe the violation and the remedial action needed for compliance, and which shall provide fourteen (14) calendar days, for the sump pump connection to be brought into compliance, and for the Department of Engineering & Public Works to be notified of compliance, upon which a Re-Inspection of the property shall take place.

(iv) Penalties for Failure to Timely Remediate Violation and Obtain Certificate of Compliance: Any person who fails to remedy a violation and obtain a Certificate of Sump Pump Compliance within fourteen (14) calendar days as set forth in the preceding paragraph, such person shall be subject to the penalties set forth in this Ordinance. Any person who timely applies for a Certificate, is found to be in violation, and fails to remediate the violation within 14 calendar days, shall be subject to the penalties set forth in **Section 4** of this Ordinance.

3. RIGHT OF ENTRY AND RIGHT TO INSPECT

(a) The City of Geneva reserves the right to use whatever tests are available to determine the existence of illicit connections to the sanitary sewer system. The City of Geneva also reserves the right to inspect properties in order to enforce these prohibitions. If Tests or Inspections are conducted which might cause some inconvenience or discomfort if an illicit connection exists, it shall be recognized that any such inconvenience or discomfort, or other effect of the Test or Inspection, is of less value and importance than the effects of such illicit connection on the health, comfort and welfare of the residents of the City Of Geneva and, consequently, there shall be no cause for action against the City Of Geneva in law or in equity.

(b) No Person shall obstruct, hinder, delay or interfere with by force or otherwise, the Director of Public Works, the Code Enforcement Officer, or their designees in their exercise of any power or discharge of any function or duty under the provisions of this Ordinance

(c) No person shall provide any false statement, false report, false document, false plans, or false specifications to the, the Engineer, Code Enforcement Officer, or their designees to obstruct, hinder, delay or interfere with the provisions of this Ordinance.

4. PENALTIES FOR OFFENSES

(a) Any owner of a property found to have violated this Ordinance or to have caused, constructed, installed, permitted the construction or installation of an illicit connection to the sanitary sewer system of any Sump Pump or other device which discharges drainage resulting from rainwater, springs, wells, or other ground water, including but not limited to downspouts, shall be subject to the fines and penalties set forth in this section.

(b) The minimum fine shall be \$100 per day for each Violation, and an additional \$100 per day for each day that an unlawful discharge continues, beyond the time limit provided for remediation in the Notice of Violation served by the City of Geneva pursuant to Section 2(A)(4) or 2(B)(3) of this Ordinance. Each day a violation continues beyond the time limit to remediate shall be deemed a separate offense, and each day in which a Notice of Violation continues to be unabated shall constitute an additional one hundred dollar (\$100) a day penalty until the violation(s) has been abated.

(c) In addition, any person who makes or causes such discharges or constructs or permits any illicit connection shall be liable to the City of Geneva for expense, loss or damage

incurred by the City of Geneva as a result of such violation.

(d) Lien to be Placed on the Property. All charges, prices, costs, expenses, rents, interest or penalties, or any of them, as established herein, shall be and remain a Lien attaching to the property, the same as all other taxes and municipal charges upon real estate under the laws of the State of New York, for the collection of taxes and other municipal liens upon real estate.

(e) Penalties for Continuing Violations. Upon any repeated violation of any section of this Ordinance, the City of Geneva reserves the right to bring charges against the Violator in Municipal Court, asking the Court to impose any penalties authorized

(f) Requests for additional time to complete work: The reviewing body may grant an extension for any condition in Subsection D upon written request by the applicant. The applicant shall include in such request the desired time period for the extension, not to exceed 60 days, and the reasoning for requesting the extension. If an extension is granted as described above, but the work is still not complete by the end of said extension, and substantial progress toward completion of the work is made, the Code Enforcement Office shall administratively grant an additional extension of no more than 30 days, on the following conditions:

(i) "Substantial progress" shall be defined as the completion of no less than 75% of the work to be done.

(ii) The owner shall agree to an administrative penalty to be assessed by the City of Geneva Engineering Department, in the event that work is not completed within the 30 days, said penalty not to exceed \$100 for each day that the work remains incomplete.

(g) Hardship or Infeasibility Review.

(1) A property owner who asserts that remediation of a violation under this Ordinance is not feasible shall, within fifteen (15) days of service of a Notice of Violation, submit to the Code Enforcement Officer a written request for relief. The request shall include the basis for the claim of infeasibility, together with any supporting documentation.

(2) The Code Enforcement Officer, in consultation with the City Engineer as necessary, shall review the request and determine whether remediation is feasible, partially feasible, or infeasible, and may impose alternative compliance measures.

(3) If the property owner is aggrieved by the determination of the Code Enforcement Officer, the property owner may, within fifteen (15) days of the determination, petition for a hearing before the Sewer Complaint Review Board, which shall conduct proceedings consistent with § 277-69 of this Code.

(4) Nothing in this subsection shall be construed to waive liability for costs, damages, or expenses incurred by the City as a result of the violation.

ACTION TAKEN by Clr. Grimaldi; seconded by Clr. Petropoulos

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (7-2 absent)

14. LOCAL LAW – Overriding the Property Tax Cap Limit

Comptroller Blowers presented the following local law:

WHEREAS, the State of New York has enacted General Municipal Law requiring that municipalities, with certain exceptions, caps the growth of the property tax levy; and

WHEREAS, the statutory formula for calculation of permitted property tax levy growth requires the City of Geneva to roll back property tax rates to stay within statutory caps; and

WHEREAS, the City Manager's 2026 proposed budget forecasts the need to exceed the statutory property tax levy cap.

NOW, THEREFORE BE IT ENACTED:

Section 1 - Legislative Intent

It is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the City of Geneva pursuant to General Municipal Law § 3-c, and to allow the City of Geneva to adopt a budget for the fiscal

year 2026 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2 - Authority

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

Section 3 – Tax Levy Limit Override

The City Council of the City of Geneva; Ontario County is hereby authorized to adopt a budget for the fiscal year 2026 that requires a real property tax levy in excess of the amount otherwise prescribed 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

This local law shall take effect immediately upon filing with the Secretary of State.

ACTION TAKEN by Clr. Petropoulos; seconded by Clr. Grimaldi

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (7-2 absent)

15. LOCAL LAW – Amending the Charter Regarding City Manager Residency Requirements

Mayor Valentino presented the following Local Law:

BE IT ENACTED, by the City Council of the City of Geneva, Ontario County, State of New York, as follows:

Article I. General Provisions

Section 1. Authorization

The adoption of this local law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 2. Legislative Finding and Purpose

The City Charter of the City of Geneva provides that the City Manager need not be a resident of the City at the time of appointment but shall become and remain so during his or her term of office. The City Council hereby finds that it is in the best interests of the City to loosen this residency requirement by establishing a preference that the City Manager be a City resident, but allow City Council, to waive such requirement.

Section 3. Validity and Severability.

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 4. Inconsistency.

All other local laws and ordinances of the City of Geneva that are inconsistent with the provisions of this ordinance are hereby repealed provided, however, that such repeal shall only be to the extent of such inconsistency. In all other respects, this Local Law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered herein.

Section 5. Effective Date

This Local Law will take effect immediately upon filing with the New York Secretary of State.

Article II. Amendments to the City Charter of the City of Geneva

City Charter Section 4.1 shall be amended as follows: (*new language shown in italics, omitted language shown with strikethrough*).

The City Manager shall be appointed for an indefinite term by the City Council. City Manager shall be appointed solely on the basis of executive and administrative qualifications, education, training and experience in public administration. *It is the City Council's preference that the City Manager be a resident of the City, and may take residency into account in its appointment/re-appointment of the City Manager, but this preference may be waived by the City Council.* ~~The City Manager need not be a resident of the city at the time of appointment but shall become and remain so during his or her term of office.~~ No counselor or supervisor shall be appointed City Manager during the term for which elected or within two years after the expiration of his or her term.

Councilor Lavin wondered if there would be a mileage requirement. City Manager Hendrix responded that mileage is at the discretion of the City Manager, there is no distance requirement.

Councilor Petropulos shared that NYCOM said that waiving City Manager residency requirements is a trend, common practice around the state for recruitment and retention purposes.

ACTION TAKEN by Mayor Valentino; seconded by Clr. Brennan

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (7-2 absent)

16. ORDINANCE – First Reading of an Amendment to Chapter 350-7.10 Fences, Hedges, and Walls

Superintendent Braman presented the following resolution:

Chapter 350. Zoning

Part 2. District and Use Regulations

Article VII. Additional Use Regulations

§ 350-7.10. Fences, hedges and walls.

A.

Residential districts.

(1)

Fences, hedges and walls up to four feet in height shall be permitted anywhere on a lot except where corner clearances are required for traffic safety, as provided in Subsection C below.

(2)

A fence, hedge or wall up to six feet in height shall be permitted on the rear property line and on the side property line from the rear line of the principal building to the rear property line.

REVISION: remove rear and add FRONT

B.

All other districts.

(1)

There shall be no height restriction on fences, hedges or walls except as provided in Subsections B(2), B(3), and C below.

(2)

Where a property within a nonresidential district abuts a residentially zoned property, all fences, hedges or walls shall be limited to eight feet in height.

(3)

C.

D.

(1)

(2)

A.

(1)

(2)

(3)

(4)

To protect and promote the economic benefits of historic and architectural preservation to the City, its inhabitants and visitors;

(5)

To protect property values in the City;

(6)

To promote and encourage continued private ownership and stewardship of historic buildings within the City;

(7)

To identify as early as possible and resolve conflicts between the preservation of buildings and structures in the City and alternative land uses; and

(8)

To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.

B.

Applicability. The regulations of this section shall hereby apply to all buildings, structures, and lots within the HO Districts. The HO Districts established under this chapter shall consist of the following historic districts and/or properties as listed on the State and National Registers of Historic Places, as recognized by local law or declaration, and as identified on the official City of Geneva Zoning Map.

(1)

South Main Street - Pulteney Park Historic District;

(2)

Genesee Park Historic District; and

(3)

The individual properties listed below.

(a)

Thomas Folger House - 105 Jay Street;

(b)

Ashcroft House - 112 Jay Street;

(c)

Douglas-Blackwell House - William Smith College Campus;

(d)

Van Brent-Foote (DeLancey) House - 46 DeLancey Drive;

(e)

Greek Revival House - 273 Washington Street;

(f)

Greek Revival House - 226 Washington Street;

(g)

Greek Revival House - 218 Washington Street;

(h)

Victorian Eclectic House - 210 Washington Street;

(i)

Federal Three-Bay House - 508 Washington Street;

(j)

Greek Revival House - 143 William Street;

(k)

Greek Revival House - 96 Pulteney Street;

(l)

Greek Revival House - 92 Pulteney Street;

(m)

Geneva Women's Club - 336 South Main Street;

(n)

Baldrige House - 196 Genesee Street;

(o)

Simpson House - 34 Elmwood Place;

(p)

Former Smith Nursery Office - 580 Castle Street;

(q)

Parrott Hall - 643 North Street;

(r)

Gothic House - 165 Washington Street;

(s)

The Smith Observatory - 618 Castle Street;

(t)

The Smith Opera House for the Performing Arts - 82 Seneca Street.

(u)

St Stephens Roman Catholic Complex, 48 Pulteney St, 17 Elmwood Ave, 90 Pulteney St

C.

Conflict of provisions. For the purposes of this chapter, the HO District shall be considered an overlay district, or district imposing additional regulation and/or review to those of the underlying zoning district(s). Where the regulations of the HO District are in conflict with that of the underlying district, the HO District regulations shall take precedence.

D.

Use, dimensional, and bulk regulations. The use, dimensional, and bulk regulations of the underlying zoning districts shall apply to all uses, buildings, and lots of the HO District as provided thereto.

E.

Certificate of appropriateness required.

(1)

A certificate of appropriateness shall be required for the construction or exterior alteration of any building, structure, or architectural feature in the HO District that is, in any respect, visible from a public street, park, or any other public or private space that is accessible to the public.

(2)

The CEO shall not issue a building permit until a certificate of appropriateness has been issued by the Commission where required by this chapter.

Councilor Grimaldi wondered if the church wanted this designation. Superintendent Braman explained that he is unsure who initiated the process. Councilor Gillotte then wondered if this designation could be a problem if they wanted to something else with the buildings if the church isn't a church anymore. Mayor Valentino asked Superintendent Braman what would happen if Council didn't pass the ordinance. Superintendent Braman explained that they've already been designated, and is unsure what the effect would be. City Attorney Hou was also unsure. Mayor Valentino asked Council to get feedback from the church itself.

ACTION TAKEN by Clr. Gillotte; seconded by Clr. Lavin

MOVED THAT the first reading of this ordinance be approved

ACTION TAKEN by Mayor Valentino; seconded by Clr. Lavin

MOVED THAT this ordinance be tabled

MOTION CARRIED UNANIMOUSLY (7-2 absent)

18. RESOLUTION – Urging Improved Electric Infrastructure to Support Housing and Economic Development in the City of Geneva and Ontario County

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva is committed to promoting responsible housing growth and economic development to enhance the quality of life for its residents; and

WHEREAS, adequate electric infrastructure is critical to support both residential and commercial development within the City of Geneva and Ontario County; and

WHEREAS, recent development proposals on the cusp of construction have been halted due to a significant lack of adequate electric capacity; and

WHEREAS, the City of Geneva and Ontario County face increasing electric demand due to residential growth and New York State electrification mandates, while infrastructure investments have not kept pace, creating a risk to both housing and economic development; and

WHEREAS, the City recognizes the efforts of state officials, including Senator Helming and local advocates who have worked diligently to bring attention to the urgent need for improved electrical infrastructure;

NOW, THEREFORE, BE IT RESOLVED that the City of Geneva urges New York State Gas and Electric and the New York State Public Service Commission to prioritize investment in electric infrastructure in the City of Geneva and Ontario County and calls on state and regional leaders to recognize the critical connection between adequate electric infrastructure, housing growth, and economic opportunity;

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Honorable Kathy Hochul, Governor of New York, Representative Claudia Tenney, Senator Charles Schumer, Senator Kristen Gillibrand, the New York State Public Service Commission, New York State Gas & Electric, Senator Pam Helming, Assemblyman Jeff Gallahan, and Jared Simpson, Chairman, Ontario County Board of Supervisors.

ACTION TAKEN by Clr. Gillotte; seconded by Clr. Petropoulos

MOVED THAT this resolution be approved

ROLL CALL VOTE: **Aye - Clr. Whitfield, Clr. Petropoulos, Clr. Gillotte, Clr. Lavin, Clr. Brennan, Mayor Valentino**

Nay - Clr. Grimaldi

MOTION CARRIED (6-1-2 absent)

19. RESOLUTION – Accepting the Submitted Plan for the Redevelopment of 595 South Exchange Street (Former OEO Site) by the Preferred Developer and Establishing a Public Hearing for the Sale of 595 South Exchange Street to the Preferred Developer

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva owns the property located at 595 South Exchange Street, also known as the OEO Site, parcel number 104.12-2-23.11 (the “Property”); and

WHEREAS, the Property is a vacant lot that is not utilized or needed for any public purpose, and therefore constitutes surplus real property of the City; and

WHEREAS, the City of Geneva issued a Request for Qualifications (RFQ) for redevelopment of the Property and received a response from Taylor the Builders, Pivotal, Greenleaf Builders, and Hunt E/A/S (hereafter “The Team”); and

WHEREAS, following review of qualifications and a presentation to City Council on February 25, 2025, the Property Acquisition and Disposition Committee recommended, and City Council confirmed, The Team as the Preferred Developer for the property; and

WHEREAS, upon further consultation with City representatives and upon consideration of the City’s goals for the Property, the Team has prepared and submitted a final Plan to City Council for the redevelopment of the Property (the “Plan”); and

WHEREAS, City Council is considering accepting the Plan as being consistent with the City’s goals for the Property, consistent with adopted local plans, facilitates the effective use of public resources, promotes economic development, supports local businesses, and helps attract, create, and sustain employment opportunities in Geneva; and

WHEREAS, pursuant to the City Charter and applicable law, a public hearing must be held prior to authorizing the sale of City-owned real property; and

WHEREAS, upon the City Council's acceptance of the Plan the Preferred Developer would still be required to obtain all necessary approvals for the Project from the Planning Board and/or Zoning Board of Appeals, and any other governmental review or approvals as would normally otherwise be required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

That the Geneva City Council hereby sets a Public Hearing for **November 5, 2025, at 7:00 p.m. in the Geneva City Hall Council Chambers** for the purpose of receiving public comment on the Plan for the redevelopment of the Property, and for the proposed sale of the 595 South Exchange Street (OEO Site, parcel number 104.12-2-23.11) to the Preferred Developer or designated entity thereof; and

BE IT FURTHER RESOLVED, that the Geneva City Council determines that the proposed sale of the Property is classified as an Unlisted Action under the State Environmental Quality Review Act (SEQRA), and that it is the more appropriate agency to ensure a coordinated review of this action and therefore intends to act as Lead Agency in connection with the sale of the Property and instructs the City Manager to sign and date the Short EAF Part I and to provide notice hereof to any potentially interested or involved agencies and to seek comments on the potential environmental impacts of the sale; and

BE IT FURTHER RESOLVED, that the City Clerk is directed to publish notice of said Public Hearing in accordance with all applicable legal requirements.

ACTION TAKEN by Clr. Gillotte; seconded by Clr. Petropoulos

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (7-2 absent)

20. ETHICS BOARD FINDINGS

Mayor Valentino read the following two Ethics Board Letters into the record:

RESOLUTION CITIZEN VS. WHITFIELD 62625

This is the resolution of a complaint lodged with the City of Geneva Board of Ethics on 4/17/25 and is hereby resolved.

ALLEGATIONS: A citizen filed a complaint against City Council Member Ahmad Whitfield, for allegedly violating Tenets 1, 3, 4, 5, 11, and 16, of the City of Geneva Code of Ethics, when, during the 4/2/25 City Council Meeting, City Council Member Whitfield allegedly engaged in conduct which violated Tenet 1 – Act in the Public Interest, Tenet 3 – Conduct of Public Officials, Tenet 4 – Respect for Process, Tenet 5 – Conduct of Public Meetings, Tenet 11 – Use of Public Resources, and Tenet 16 – Positive Workplace Environment.

EVIDENCE: 4/2/25 City Council meeting video recording on Youtube.

TENETS ALLEGEDLY VIOLATED: Tenet 1, 3, 4, 5, 11, 16.

FINDINGS: Upon review of the 4/2/25 City Council meeting video recording, the Board of Ethics makes the following findings:

1. That Ahmad Whitfield is a member of Geneva City Council (Term Expiring 12/31/25), and is thus a Public Official for purposes of an ethical complaint.
2. In sum and substance, City Council Member Whitfield made the following comments to a constituent during the 4/2/25 City Council meeting,

"I want to address you, Mr. Gramling... Now, for me... I am the type of person that does not care what anyone feels about me. And you know me from growing up. If I did not come for you, you should not come for me.

At the end of the day, where were you? Where was your voice when you were on council the whole entire time? This energy that you have today... You should have had the whole time you were on council. And now... now no one has ever heard of you. No one has ever heard of you.

At the end of the day, you should have that same energy on council because there was a time that you and I, you and I, where I was supposed to come and speak and we never had that conversation.

I'm not going make it personal but I will give you facts. Because there's places that you haven't been.

When you say "my constituents", my constituents are the people. The minorities of Geneva. The voices that I

... speak for on a daily basis. Not just in one month, not just in one week, but on a daily basis. No one knows you in the community to speak up for them. This is the first time that anyone has heard about you, even knowing that you're a city councilor. My constituents are those people that, on a daily basis, deal with this situation... people that live on Genesee St, Courtyard Apartments, the list can go on and on. On a daily basis we deal with the people who's living and sleeping on grounds. And if you want to shake your head, your son is one of the constituents, one of my constituents, that I have to deal with where, when he was on the streets. When he was... and as I'm saying, when you say consti- (Mayor Valentino interrupts and asks Councilor Whitfield to stick to the issue). I am. I am sticking to the issue. I am sticking to the issue. One of my constituents, main constituents, was your son, who needed help. And guess who was there? Me. So when you come for me, learn. Learn the fact and point of one thing that they're... not just your street. Not just Jackson Street. But there's other people. Just like Courtyard is on the outskirts of Geneva... Just like Woodlands is on the outskirts of Geneva... Genesis Way, who's in the town of Geneva... All these people, that's modern-day gentrification. But you don't get up there and speak about that. You want to just talk about Jackson Street. Cause you didn't have this energy when you were on Cherry Street. You never had that type of energy. So never come for me.

You can shake your head all you want, but you know who I am and how I am. But remember, there's more people out there that's poverized. People that are going through daily things, just like these people who are panhandling. And then you send councilor Petropoulos to send a message for you instead of you coming to send a message yourself. We will shoot the messenger. (Mayor Valentino interjects "Can we take that offline please?")

So, at the end of the day, like I said, it's, it's basically more people that's poverized than just Jackson Street. (Mayor Valentino interjects again "It sounds like there's an opportunity to have a discussion. Ok, before I move on to round two...")

(Councilor Whitfield appears to continue speaking directly to Gramling in the audience while Mayor Valentino keeps speaking). Stay after. If that's what you do. You're running your mouth...stay after...you can shake your head all you want... keep that same energy... (Mayor Valentino keeps speaking).

3. "Tenet 5: Conduct of Public Meetings – Public Officials shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings."
4. City Council Member Whitfield, by speaking to a constituent about, amongst other things, his son, and his son's lack of housing, his time as a former city council member, the street where he used to live, were personal comments not germane to the business of the body, and did not focus on the business at hand, in violation of Tenet 5. City Council Member Whitfield, by continuing to speak directly to the constituent after the Mayor asked to move on to other business and had in fact moved on to other business, interrupted speakers and interfered with the orderly conduct of meetings, in violation of Tenet 5.

RESOLUTION: The Board of Ethics decided that Tenet 5 of the City of Geneva Code of Ethics was violated by City Council Member Whitfield, by unanimous vote.

RECOMMENDATIONS: None.

The Geneva City Charter outlines the role of the Planning Board in Article XIII Sec. 13.4 (pg 63/86).

Every resolution, ordinance or local law relating to or affecting the City Comprehensive Plan or the official map, or the establishment or change in the boundaries of or regulations governing any zoning district and such other matters as this Charter or the City Council by ordinance or local law shall require, shall be referred to the Planning Board for its recommendation.

These resolutions and changes in boundaries are often commercial in nature. At the heart of our complaint (received Friday, August 9) involves one of the nine board members, David D'Amico.

According to the minutes of a November 20, 2023 Planning Board meeting, D'Amico both seconded, discussed, and voted for approving a site plan for 399 William Street (Geneva YMCA) additions and improvements (pg 2/3). The heart

of the complaint claims D'Amico, as a board member, should have recused himself from any discussion, motion, or vote due to "commercial interest in the project."

D'Amico is a local heating and plumbing contractor operating within the City of Geneva contracted with Massa Construction on this site work, Massa confirmed, and was preselected as one subcontractor on this project. Signs advertising his contractor services have also been placed and been made visible on streets adjacent to the YMCA site. We find board member D'Amico in violation of three of the following tenants in the City of Geneva Code of Ethics: 1, 3, and 8, most glaringly a violation involving a conflict of interest between his business and public official duties.

Mayor Valentino also read the following Observance submitted to the Board of Ethics:

During a special meeting during Lakeview Health Services, it was seen a group of City Council members laughing and doing their own thing during the presentation and also City Council Ward 5 laughing, smirking, chuckling at the presenter while he was talking. Where is the professionalism, if they represent taxpayers, they need to show professionalism at all times. And during the March 5th City Council meeting, Councilmember Chris Lavin was slouching in his chair during the meeting.

21. RESOLUTION – To Accept the Submitted Plan for the Redevelopment of 595 South Exchange Street (Former OEO Site) by the Preferred Developer and Establishing Public Hearing for the Sale of 595 South Exchange Street to the Preferred Developer

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva owns the property located at 595 South Exchange Street, also known as the OEO Site, parcel number 104.12-2-23.11 (the "Property"); and

WHEREAS, the Property is a vacant lot that is not utilized or needed for any public purpose, and therefore constitutes surplus real property of the City; and

WHEREAS, the City of Geneva issued a Request for Qualifications (RFQ) for redevelopment of the Property and received a response from Taylor the Builders, Pivotal, Greenleaf Builders, and Hunt E/A/S (hereafter "The Team"); and

WHEREAS, following review of qualifications and a presentation to City Council on February 25, 2025, the Property Acquisition and Disposition Committee recommended, and City Council confirmed, The Team as the Preferred Developer for the property; and

WHEREAS, upon further consultation with City representatives and upon consideration of the City's goals for the Property, the Team has prepared and submitted a final Plan to City Council for the redevelopment of the Property (the "Plan"); and

WHEREAS, City Council is considering accepting the Plan as being consistent with the City's goals for the Property, consistent with adopted local plans, facilitates the effective use of public resources, promotes economic development, supports local businesses, and helps attract, create, and sustain employment opportunities in Geneva; and

WHEREAS, pursuant to the City Charter and applicable law, a public hearing must be held prior to authorizing the sale of City-owned real property; and

WHEREAS, upon the City Council's acceptance of the Plan the Preferred Developer would still be required to obtain all necessary approvals for the Project from the Planning Board and/or Zoning Board of Appeals, and any other governmental review or approvals as would normally otherwise be required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

That the Geneva City Council hereby sets a Public Hearing for **November 5, 2025, at 7:00 p.m. in the Geneva City Hall Council Chambers** for the purpose of receiving public comment on the Plan for the redevelopment of the

Property, and for the proposed sale of the 595 South Exchange Street (OEO Site, parcel number 104.12-2-23.11) to the Preferred Developer or designated entity thereof; and

BE IT FURTHER RESOLVED, that the Geneva City Council determines that the proposed sale of the Property is classified as an Unlisted Action under the State Environmental Quality Review Act (SEQRA), and that it is the more appropriate agency to ensure a coordinated review of this action and therefore intends to act as Lead Agency in connection with the sale of the Property and instructs the City Manager to sign and date the Short EAF Part I and to provide notice hereof to any potentially interested or involved agencies and to seek comments on the potential environmental impacts of the sale; and

BE IT FURTHER RESOLVED, that the City Clerk is directed to publish notice of said Public Hearing in accordance with all applicable legal requirements.

ACTION TAKEN by Clr. Gillotte; seconded by Clr. Petropoulos
MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY (7-2 absent)

22. MAYOR AND COUNCIL REPORTS

Councilor Whitfield had no report this month.

Councilor Petropoulos hosted a Town Hall last weekend, with the City Manager and Assistant City Manager in attendance. He shared that the Unity Center will move into the former Clark Vision Center building on North Street, functioning as a community space. He encouraged attendance at the OEO public meeting on October 22, 6pm at Bozzuto center, calling their last presentation very informative. Drumstock was a success, with attendance doubled from last year. He also invited residents to the next Community Conversations at Monaco's on October 10 at 830am, featuring DPW Director Venuti. There is a BID cleanup scheduled for October 11 at the Lakefront, and a possible Veterans Day Lakefront ceremony at Veterans Talking bench. Councilor Petropoulos also noted a lot of new businesses in Ward 5, sharing that Fully Loaded is great. CJ's Sandwich Emporium, and Woodfired Pizza will be opening soon.

Councilor Gillotte complimented the Police Budget Advisory Board for doing a great job, explaining that they're attentive, do their research, are in tune to mental health for officers and call responses. BID updates include a weeding event last Saturday at the Lakefront, with their next volunteer event on October 11. HWS is partnering with BID to offer welcome bags for family and alumni weekend. Geneva Beer week is back, featuring a Beer Week passport, beer crawl, tastings, educational events and a Fall Festival at 41 Lakefront on November 1. Hanging baskets coming down soon, and autumn plantings will be coming in.

Councilor Grimaldi couldn't attend last month's Geneva Housing Authority meeting. He has received some calls about the event site on Lochland Road, noting that the City needs to look at getting it cleaned up.

Councilor Lavin shared his ongoing Sunday morning walk picking up garbage and cans was light this week. He asked for education on exactly what the obligation of garbage trucks coming through the city are for cleanliness and odor, stating that trucks are a pain, there are too many, and they are even more dangerous with the newly resurfaced road, as they go faster. He suggested stopping trucks coming into the city to look at their maintenance logs, in hopes that if the City does that more on Route 14 word will get around, and trucks will avoid that route.

Councilor Brennan shared that Mr. Martino wrote a letter to editor about J Brakes, and would like Council to review this again, he believes there are some things council might be able to do about the situation. He also shared that he resigned as liaison for Historic Geneva, their meetings conflict with council meetings. Councilor read a letter that Tom Burrall wrote to HWS:

"I noticed the blaze of red flags in the ground on South Main St. when I returned to town Tuesday!

This is absolutely fantastic.

I have copied in John Brennan and Chris Lavin, our City Council At Large rep and 1st Ward councilor respectively, to include in their reports for Wednesday's council meeting.

It is critically important that our S Main Street gateway to Geneva be tree lined and well maintained. HWS is the City's key partner in all of this and your grounds operation continues to be top self in attending to this mission.

The trees the city is planting is funded in part through the fully volunteer efforts of the Shade Tree Committee.

Firewood sales have generated nearly \$A20,000 in funding since 2021 for trees for our City. The more firewood we sell, the more trees we purchase, grow and donate to residents for planting on their property and in the City's right of way.

We encourage you to spread the word to those who heat with wood, need more wood or have a burn pit to call us for fire wood. The fire wood phone is 315.789.2537.

We are once again grateful beyond words for the HWS partnership with our mission."

Councilor Brennan agrees that the Lakes Edge project is unsightly, and needs improvement.

Councilor Lavin issued a plea of guilty to slouching for health and back reasons, and couldn't disagree more with the Board of Ethics Report related to Councilor Whitfield, and stands by him for restraint during that meeting.

Mayor Valentino thanked the City Manager, Comptroller, Staff, and Council for their budget season work, noting that he is looking forward to finalizing the budget. He also thanked Supervisors Kennedy and Pruitt for attending the County City meeting between himself, the City Manager, Assistant City Manager, County Administrator DeBolt and Deputy County Administrator Bubba. He lamented the Office of Cannabis Management, which is a disaster, explaining that a lot of tax collections are going on, and the city gets 3% of that, but the OCM is struggling to disperse those funds. The County is looking at how to capture the loss of sales in hemp licensed businesses selling cannabis as well. Mayor Valentino reviewed the Fischer Fire District dissolution, noting that Victor had to reach out to 3 or 4 nearby fire districts for an 18 month stop gap plan for coverage. He called this is a very ineffective way of providing fire protection, and is looking forward to lessons learned. He invited residents to the Pumpkin Roll on October 18 on Brook Street. In closing he asks that everyone who can vote should on November 4.

23. ADJOURNMENT

ACTION TAKEN by Clr. Grimaldi; seconded by Clr. Petropoulos

MOVED THAT the meeting be adjourned at 9:00pm

MOTION CARRIED UNANIMOUSLY (7-2 absent)

Nicole Tillotson

City Clerk