

AGENDA  
REGULAR COUNCIL MEETING  
CITY OF GENEVA, NEW YORK

July 6, 2022

**Cornell AgriTech Campus, Jordan Hall  
630 W. North Street  
Geneva, NY 14456**

COUNCIL MEETING STARTS AT 7:00PM

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- I. CALL TO ORDER – Mayor, Steve Valentino
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC HEARING – Local Law Regarding Video Conferencing for Meetings
- V. DRI UPDATE
- VI. 29 LINDEN STREET UPDATE
- VII. FOUNDRY UPDATE
- VIII. CONSIDERATION OF MEETING MINUTES  
*This portion of the meeting is dedicated to correction of meeting minutes for the following Council session:*
  - A. June 1 (Regular Council Meeting) {Page 3}
- IX. PUBLIC COMMENT  
*This portion of the meeting is dedicated to receiving comments from residents on any topics. The standard time limit for public comment is three (3) minutes; however, should you require additional time, please make your request to the Mayor (Presiding Officer) prior to the start of the meeting. As always, your comments are important to Council, and all resident attendees are invited to provide comments during this period.*
- X. MAYOR AND COUNCIL REPORTS  
*This portion of the meeting is dedicated to presentation of reports by the Mayor and City Councilors on non-action matters that have not been addressed elsewhere on the agenda*
- XI. CITY MANAGER REPORT – *This portion of the meeting is dedicated to presentation of a report by the City Manager on non-action matters that have not been addressed elsewhere on the agenda.*

XII. UNFINISHED BUSINESS

*This portion of the meeting is dedicated to consideration of matters that have been previously considered by City Council. These include:*

- A. Local Law Authorizing the Use of Video Conferencing by Public Bodies – Presented by City Manager Hendrix #4-2022 {Page 19}
- B. Bond Resolution Authorizing the Issuance of \$2,200,000 in Bonds of the City to Finance Various Public Improvements – Presented by City Manager Hendrix #26-2022 {Page 23}
- C. Resolution Creating a Committee on Policing – Presented by Clr. Regan #27-2022 {Page 27}

XIII. NEW BUSINESS

*This portion of the meeting is dedicated to consideration of matters that have not been previously considered by City Council. These include:*

- A. Resolution Supporting LGE Grant Application for the Ontario County Electronic Contract Implementation Project – Presented by City Manager Hendrix #28-2022 {Page 34}
- B. Resolution Scheduling a Public Hearing in Connection with the Adoption of a Local Law Amending Section 2.1 of the City Charter to Eliminate Two Elected “At Large” Positions – Presented by Clr. Salamendra #29-2022 {Page 39}
- C. Resolution for a Variance on City Code, Chapter 114-1, Outdoor Burning Prohibited – Presented by Clr. Regan #30-2022 {Page 42}
- D. Board/Commission Appointments {Page 44}

XIV. PUBLIC COMMENT

*This portion of the meeting is dedicated to receiving comments from non-residents on any topics. The standard time limit for public comment is three (3) minutes; however, should you require additional time, please make your request to the Mayor (Presiding Officer) prior to the start of the meeting. As always, your comments are important to Council, and all attendees are invited to provide comments during this period.*

XV. ADJOURNMENT

THE GENEVA CITY COUNCIL  
JOURNAL OF PROCEEDINGS  
REGULAR COUNCIL MEETING

June 1, 2022 – 7:00 PM

Public Safety Building  
255 Exchange Street  
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Regan, Clr. Gaglianese, Clr. Burrall, Clr. Pealer, and Clr. Salone, Clr. Noone,  
Clr. Salamendra, and Clr. Camera

2. MOMENT OF SILENCE – In light of recent events in our country, Clr. Noone asked to have a moment of silence for those who lost their lives to senseless gun violence.

3. AMENDMENT TO THE AGENDA

Mayor Valentino asked to make an amendment to the agenda to include resolution #25-2022 directing Midey, Mirras and Ricci to respond to a motion

**ACTION TAKEN by Mayor Valentino; seconded by Clr. Gaglianese**

**MOVED THAT an amendment be made to the agenda to add this resolution**

**ROLL CALL VOTE: Aye – Mayor Valentino, Clr. Burrall, Clr. Gaglianese, Clr. Noone,**

**Clr. Pealer, Clr. Salone, and Clr. Regan**

**Nay – Clr. Camera and Clr. Salamendra**

**MOTION CARRIED**

4. COUNTY SUPERVISOR UPDATE

Supervisor Petropoulos said that Ontario County is looking to implement a paperless contract system that is web based and grant based software. He said that by the end of July, they will need at least five municipalities in the county to pass a resolution. He said that this program will allow digitized contracts and allow work flow approval. He added that the County Administrator is having a meeting with the new City Manager soon. Supervisor Petropoulos announced that on June 18<sup>th</sup> at 10:00am, at the County

Courthouse, they will be unveiling a plaque marking the 149<sup>th</sup> anniversary of the conviction of Susan B. Anthony.

## 5. UPDATE OF THE GENESEE TRANSPORTATION GRANT

Tom Harvey, Director of Ontario County Planning Department told everyone that last year, they wrote, and were awarded, a grant to expand what was started in Manchester with the studying of the rail corridor that runs to Geneva. He said that they are looking to identify rail enabled industrial development sites. He said they have a total of \$126,500 to do the job and are putting together a steering committee before hiring a consultant. He said they have members from the Town Board of Geneva, Town of Phelps, and Village of Phelps, and they are looking for someone from the City of Geneva board. He said that the State puts a budget together and money is requested through the MPO's. The Genesee Transportation Council is responsible for transportation planning of all kinds in our region. Mr. Harvey said that a lot of public involvement will be requested and they are going to try and kick off the project later this month or early July. He said they will take an unbiased look at what the options are. When asked, Mr. Harvey said that there is a certain amount of money given from the State for projects and planning, and the county does a certain amount in house while the rest of the money is for the grant project. He noted that their applications are usually among the top scorers with last years' application being number two.

## 6. DRI UPDATE

Thank you, Mayor and City Councilors and good evening. On behalf of the DPW, our consultant Barton & Loguidice (B&L) and our contractor Nardoizzi Construction, we want to please thank all residents, business owners and visitors for their continued patience while the DRI project continues to progress. We have made significant headway over the last month on this large, technical and often challenging capital improvement project.

### **WORK COMPLETED TO DATE:**

As of the last Pay Estimate # 8, dated May 9, 2022 the contractor had used approximately 68% of the contract time and had completed 35% of the proposed work. Total dollars completed was \$3.2 M out of \$10.1 M. The current contract completion date is end of October 2022.

### **UPCOMING WORK SCHEDULED:**

The current Contract 1 or 5&20 Corridor Phase is in Phase 1A. The contractor is working on the Eastbound 5&20. Work continues on milling and paving, curbing installations and guiderail work. The current Contract 2 Street Scape and 5 Points is in Phase 2 C. Work continues on brick pavers, sidewalk, exposed aggregate concrete and green infrastructure along Castle and Exchange. Variable Message Signage (VMS) Boards are both active at this time.

Two Week Look Ahead Milling and paving scheduled for Castle and Exchange Street. Notices were hand delivered to businesses on Thursday May 26th and email was sent to entire Geneva DRI email group on Saturday May 28th. Milling operation to start at Lake St and Exchange Street Tuesday May 31st. HMA placement to begin June 6th Hardscape and landscape work continues along Castle and

Exchange. Precast Concrete Seat walls have not been delivered and will be set in place once they arrive. This will open many of the areas protected by orange safety fence along the streets.

#### **UTILITY WORK:**

Colacino Electric performed utility repairs and relocation of existing city owned street light on behalf of City at South Cloverleaf Rd. Colacino to pour or replace the street light pole base and street light so contractor can finish adjacent sidewalk in area. Existing city owned street light conduit was damaged during recent excavation by Contractor. City also contracted with private underground utility locating firm On the Mark, (OTM) the week of May 16th to mark out all utilities for all of 5&20 for all phases of construction.

#### **CONCERNS:**

ELECTRICAL – Subcontractor delays continue. Contractor working on street light pole and traffic signal electrical subcontractor agreements and material supply issues.

RAIL ROAD - Norfolk Southern Rail Road (NSRR). B&L has submitted all information requested from NSRR and required for permit. The proposed design has conflict with old rail road safety gates at East Castle and Lake Street. B&L is currently setting up another meeting with the NSRR to discuss comments just recently received from NSRR. Redesigns and field changes have been proposed to contractor and NSRR for review.

## **7. FOUNDRY UPDATE**

### **Remedial Design**

- NYSDEC's engineering contractor met with St. Peter's Church (145 and 151 Genesee Street) and the City Code Officer to review remedial plans. Remediation of these parcels is anticipated during summer or fall 2022.
- Remedial designs are currently being drafted for six properties in the block located on the west side of Genesee Street opposite St. Peter's Church. These designs will be completed in June, and work is expected on these properties during summer or fall 2022. NYSDEC's engineering contractor will meet with all property owners in June to review design plans.
- Design activities continue for all other remaining properties south of Lewis Street. Remediation of these properties is expected to be completed in 2023.

### **Remedial Construction**

- Restoration is substantially complete at six properties located south of Middle Street between Exchange Street and Wadsworth Street. Remaining fencing and landscaping are anticipated to be completed this summer.
- At properties located on Exchange, Wadsworth, and Middle Streets, north of Middle Street:
  - Excavation and restoration activities continued from 113 Exchange Street south to 135 Exchange and 82 Wadsworth.
  - Trees and fences were removed from seven additional properties on this block, proceeding south to Middle Street. Excavation of this block will begin in early June.

- Remedial construction activities are expected to begin in June on seven properties in the northern part of this block, as far north as 77 Exchange Street and 54 Wadsworth Street.
- Properties remediated in 2021 that did not yet receive replacement plants and trees are expected to receive them in June.
- Work will be performed at St. Peter's Church, properties near the intersection of Genesee and Lewis streets, and Genesee Park in late summer and fall 2022.

## 8. CONSIDERATION OF MEETING MINUTES

**ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Noone**

**MOVED THAT the minutes of the May 2, 4, and 5 Council Meetings be approved**

**MOTION CARRIED UNANIMOUSLY**

## 9. PUBLIC COMMENT

Charles King said good evening, council. Happy Pride Month. I'm Charles King, I live on Washington Street in Ward 2. Welcome, Ms. Hendrix. I'm going to share a couple of anecdotes about times I've made mistakes recently. This is slightly embarrassing, but perhaps a useful exercise. I'll start by saying there were some bright spots in the first year of Covid for my family, though it was an especially tough year. My kids' piano playing got a lot better. We read books. We went on lots of walks, which was our PE time during virtual school. We came to think of Washington Street, the greenway down from the fountain at Pulteney Park, Elizabeth Blackwell Street and Long Pier as one long road connecting our neighborhood to downtown Geneva and the Lake. On one of these nice walks with one of my kids the day after a particularly hard city council meeting back in the fall of 2020. I was trying to explain to my child, fairly, what all the signs that had gone up around town meant, and as we were on our way home, 24 police cars from City and County drove down Washington Street, sirens blaring, and turned down one of the cross streets. This is where I make a mistake—I assumed that it was a show of force connected with the Council meeting. When I got home I was upset, I drafted an email to the 9 of you, though I wisely decided not to send it. I told someone, wrongly, what had just happened, and I went online to ask people what was going on, which I probably should have done first. I try not to use social media for politics, but for staying connected with cousins, high school & college friends and folks in the performing arts. I had a local musician friend who was friends with a police officer who was retiring that day and he told me it was a last ride home. I was embarrassed. I tracked down the person I had given misinformation to, and I made sure they hadn't told anyone else, I stopped the rumor. I had jumped to a wrong conclusion and gotten in a bad headspace. Seeking advice from a variety of friends helped me out, though. Second anecdote. I'm a freelance editor and graphic designer by trade. I proofread, typeset, design, and index mostly non-fiction books for a variety of small publishers. When I was appointed to the Police Review Board last year, I volunteered to handle master versions of paperwork, forms, documents. That's a skill of mine. At an early meeting, I had drafted an idea for a mission statement that used bullet points. Now, I'm used to talking about fonts and glyphs and pilcrows and em dashes, and I wasn't thinking twice when I was saying: this bullet, that bullet, bullet, bullet, bullet. Although it has a different meaning, that is not the best word to use in a conversation about community-police relations. I was kind of putting my foot in my mouth over and over. One of the other members of the Police Review Board, in her wisdom, gently let me know that maybe I shouldn't be using the word "bullet" quite so much. There wasn't any blame, and it was caught

early but I was still embarrassed at being tin-eared on a subject where I was trying very hard to be sensitive. But I benefited from the advice. I'd like to encourage you to stay open to advice and to give thoughtful advice. Even someone who doesn't agree with us most of the time can have a good idea that will help us move forward, and we all love Geneva and want it to prosper. And we are all human, I'm pretty sure. I am better off listening to a variety of perspectives, I think you are, too. Thank you.

Pat Schiller thanked council for serving as council members noting that they were elected to do their best for the citizens of Geneva even though their backgrounds, personalities, experiences and perspectives are not the same. She said this can be, and has been, a problem. She said she hopes the councilors who voted against appealing the PRB decision have ideas on how to proceed. She said she hopes the Public Safety Building is safe for all of the Geneva public. She questioned why we must either be for or against the police as we all need the police department, and we equally need to be treated equally and fairly. She said that if all is well in our city, there would be no work for the Police Review Board to do. Finally, she said we need to find a way to respect one another's views and opinions and work together. She said that our nation is divided, and asked that our city no longer be divided. She asked that Geneva be a caring city.

#### 10. MAYOR AND COUNCIL REPORTS

Clr. Salone said that the Geneva Housing Authority's waiting list is now up to 919 for affordable and senior housing. He said their audit is complete, and the PILOT payment will be forthcoming. They are continuing their search for a new executive director, and announced that there is a new program through the State for those who qualify, to receive an air conditioning unit including installation of up to \$800. He said the information is on their website. Clr. Salone thanked Jennifer Slywka for filling in as the city manager and all of her hard work, and he welcomed the new city manager. Clr. Salone told council that they were invited to the Red Wings home game Friday night with fireworks.

Clr. Salamendra said that the Open Space and Connectivity Planning Meeting will be next Thursday, June 9<sup>th</sup> at Courtyard Apartments to discuss design proposals and safe routes to 5 & 20. She said the Geneva Human Rights Commission will meet June 14<sup>th</sup>. Lastly, she announced for people concerned about her residency, they can stop questioning that she lives at 51 John Street.

Clr. Camera thanked Clr. Noone for the opening remarks and moment of silence. He said he has been struggling to write a column but just doesn't know what to say. He said he does not understand why a 19-year-old can purchase an assault weapon noting that red flag laws are struggling to address threatening statements. Clr. Camera referred to a speech on YouTube made by Senator Mallory McMorrow about trolling comments made by one of her colleagues, and he encouraged everyone to watch it. He said the video can be found at <https://www.youtube.com/watch?v=iLWo8B1R0MY>. He also suggested typing in: Mallory McMorrow senate speech in your browser. Next Clr. Camera asked about seeing an assessment on the fire at the former Madia's grocery store noting that our goal should be to not let that building sit there for the next year or two. He would like to see code enforcement stay on top of this to get the building taken down. Clr. Camera said that the Shadetree Committee gave away 90-100 trees at the recent Arbor Day celebration, and the remaining trees went to the tree farm at the Wastewater Treatment Plant. He noted that there are all types of trees to be planted in appropriate locations. He said that the committee

feels that the 25 trees to be planted in the Lafayette Avenue construction zone should be planted in late October to give them the best chance at survival. Clr. Camera gave a brief update on his travels to Bitcoin rallies related to opposition of the Greenidge plant saying that he was very impressed with a speech given by Lt. Governor Candidate Ana Maria Archila about addressing housing and poverty issues, and he encouraged everyone to look at her website. He said the next Bitcoin rally will be June 27<sup>th</sup> at 11:30 at the Welcome Center to try and pressure Governor Hochul to vote down the Title V air permit. He said they are concerned with the governor's stance on bitcoin because she has started accepting money from different organizations.

Clr. Regan said she held another town hall meeting a couple weeks ago on Lafayette Circle. She said they had a fantastic discussion about the marina, the DRI project, green spaces and how to care for them, the hauler agreements including environmental issues, and the sidewalk ordinance, which has affected more residents than she thought. She said that the Green Committee talked about their Mission Zero event last month and challenges faced by the department of public works because of the resolution passed last year banning synthetic pesticides. They realize this is not easy to address, but they discussed ways to help. She said they also discussed the challenges of the steam weeder and are looking to other municipalities to see how they handle this equipment. She said that the Director of Public Works Joe Venuti has been good at looking to the Green Committee for assistance with issues. Clr. Regan said that the Nardoizzi Company is now operating the Resource Recovery Park, and Jim Nardoizzi will be meeting with the Green Committee next month. She said that there is some legislation from the Governor's Office coming about raising the age of those allowed to purchase assault rifles along with other items. She encouraged everyone to get in touch with their state representatives. Clr. Regan finished by announcing that this is National Gun Violence Awareness Month with the highlighted day being June 3<sup>rd</sup>. She encouraged everyone to wear orange and said she is looking to get city hall lit up with orange lights. The next Green Committee meeting will be June 28<sup>th</sup> at 5:30pm at the Visitor's Center.

Clr. Pealer said the Recreation Advisory Board will be meeting the end of June when a chair and vice chair will be appointed. He said the summer programming begins June 6<sup>th</sup> with youth soccer noting that all information is on the city website: [www.cityofgenevany.com](http://www.cityofgenevany.com) or residents can call the recreation department at 315-789-5005. He announced the Frisbee Baseball free clinic will be June 5<sup>th</sup> and 12<sup>th</sup> at Jefferson Street Park. Clr. Pealer thanked the Montarano Family for their donation of the infield clay at Jefferson Street Park. He also thanked Pete Gillotte, Bill Sweeney, Jim Petropoulos, John Salone, the Jefferson Avenue families, and Dave Sharman for their help with cleaning up the Jefferson Street Park. He announced the DEC - Go Fish with Me event will be June 18<sup>th</sup> and the Bike Rodeo will be a partnership with some residents, the Recreation Department and Police Department from 10 to 12 on June 25<sup>th</sup>. Clr. Pealer said that the public needs to get involved in the marina project, and he has an issue with the current location having no parking or a boat launch. He said that parking, a boat launch, and marina store were not included in the matrix, and his solution is to move the marina to where the existing boat launch is because there is plenty of parking. He said he learned that past city management told the planners where to build the marina, noting this spot is adjacent to a 500 ft radius around the Marsh Creek runoff. Clr. Pealer said that he believes we could move the outlet further out into the lake, and we could open up that area for public space including a public beach. He suggested using ARPA funds to move the culvert. He feels having the marina next to the Welcome Center would be ideal and he hopes council would consider.



Clr. Burrall thanked tonight's public comment speakers and also Clr. Noone for the moment of silence, noting that we are all looking for answers on current events. He told everyone that they can donate financially to the families and they could donate blood. He said that the next blood drives will be June 20<sup>th</sup> at the Hall Fire Department from 2-6:30pm, June 22 at the Seneca Castle Fire Department from 2-6pm, June 23<sup>rd</sup> at the Waterloo VFW from 2-7pm and the Phelps American Legion from 2-6:30pm, June 28<sup>th</sup> at the Belhurst Castle from 1-7pm, and July 2 at the Hydrant Hose Fire Department from 9-noon. He noted that 29,000 units are needed every day, and he read a thank you letter to the editor from the Finger Lakes Times from a woman whose husband required 5 units of blood from April 26-29 after surgical complications. Clr. Burrall said that the BID is looking for a new Executive Director as Michael Mills is leaving, and they just hired an Events Coordinator, Catherine Price two weeks ago. He announced that Crusin' Night will take place this year on July 15<sup>th</sup>, and anyone wishing to volunteer can contact the BID. He referred to the tree farm next to the Wastewater Treatment Plant saying that it would be more appropriate to be referred to as the tree nursery off Doran Ave, and it is an amazing organization. As part of the Shadetree Committee tasks, Jim Norwalk's father-in-law created a program with a directory of every tree in the city right of way including condition of the tree, species and schedule for trimming and removal. Clr. Burrall said there has been a lot of tree removal in Glenwood Cemetery recently, and he would like his firewood donation this month of \$425 to go toward replacing two trees for every one cut down in Glenwood. Going back to his BID report, he announced a not-for-profit set up by Jim Cecere, owner of Vinifera, called Linden Street Charities, Inc, where 100% of their proceeds go to organizations for sustainability of the Seneca Lake Watershed. He said they are planning six Saturdays; July 2<sup>nd</sup>-Oct 15<sup>th</sup> to coincide with Live on Linden. He said there will be local wineries setting up on the street along with microbreweries possibly from 4-8pm. He said that tickets can be purchased online at: [lindenwineseries.com](http://lindenwineseries.com). Lastly, he welcomed new city manager, Amie Hendrix.

Clr. Noone thanked Acting City Manager, Jennifer Slywka, for her efforts during this transition along with staff who have worked harder as well. Clr. Noone referred to a newspaper article on May 12<sup>th</sup> where Neal Braman said he would be working with the fire department to get the former Madias building taken care of. Lastly, Clr. Noone said he is looking at various ways to collaboratively address policing issues that people continue to bring us on this council as well as the community, and will be reaching out to various individuals to problem solve for those issues. He said he looks forward to sharing his findings in the near future.

Mayor Valentino said that the Industrial Development Agency met saying that Finger Lakes Hospitality has a new space in the GEDC building and the Trinity project will likely not close until the Fall when the financing is ready. He said the American Tower paperwork is still outstanding and they are working on the gateway parcel on the corner of North and Exchange Streets. He said that the Zotos/Henkle PILOT will be expiring in 2022. He said that the Local Development Corporation had a discussion about providing 20% funding for the "Geneva Made" Brand implementation which markets the City of Geneva. He said they approved to move ahead with the NY Main Street Grant. Lastly Mayor Valentino thanked our IT Department for getting the issues worked out for the council meeting.

## 11. CITY MANAGER REPORT

Acting City Manager Slywka thanked council, staff, and residents for their patience during the transition noting that staff really stepped up and it is great to be a part of this team. She said she will continue the journey with the new city manager. She announced that the city is losing one of its key members on June 24<sup>th</sup> when Fire Chief, Mike Combs retires. She thanked him for all he has done and wished him well. Lastly, she welcomed the new city manager, Amie Hendrix.

Mayor Valentino asked council to think about two dates for a discussion on the solid waste ordinance; June 27<sup>th</sup> or July 11<sup>th</sup>. He said he would like input from councilors and haulers to discuss at the meeting.

## 12. SECOND READING OF AN ORDINANCE ADDING PRIVATE LANDLORD REGISTRATION

Clr. Salone presented the following ordinance for second reading:

**WHEREAS** it is the policy of the City of Geneva to promote the availability and accessibility of safe housing for all persons in the City, and

**WHEREAS**, identification of private residential rental properties in the City and the ownership of said properties is incomplete, and

**WHEREAS**, creation of a registry of private rental properties in the City will facilitate contact by the City with the owners of such properties to resolve code issues, to identify and prosecute nuisances, and resolve other matters in a timely and expeditious manner, and

**WHEREAS**, creation of a registry of private residential rental properties in the City will enable the City to provide information to landlords, renters, and State and Federal agencies to enable access to financial assistance, including funds available regarding COVID-19 impacts,

**THEREFORE, BE IT ORDAINED BY THE GENEVA CITY COUNCIL THAT A NEW CHAPTER SHALL BE ADDED TO THE GENEVA CITY MUNICIPAL CODE IDENTIFIED AS CHAPTER 111-A,**

**ENTITLED "PRIVATE LANDLORD REGISTRY"**

### **111-A-1      PURPOSE**

The purpose of this chapter is to establish a procedure for the identification and registration of private residential rental properties as defined herein, and to ensure that the City of Geneva, hereinafter "City", has a meaningful, efficient, and effective means of communicating with private landlords. This chapter is adopted to promote the health and safety of tenants and residents of the City, and to alleviate conditions of substandard housing.

## **111-A-2 ENFORCEMENT**

This registry shall be enforced by the City Office of Code Enforcement. See § 230-12. Code Enforcement Officers and Inspectors.

## **111-A-3 DEFINITIONS**

- A) **REGISTRY AUTHORITY** shall mean the City Office of Code Enforcement.
- B) **PRIVATE LANDLORD** shall mean any private person or persons, Corporation, LLC, or other entity who owns, leases, or has any interest in and leases Private Residential Rental Property or properties in the City.
- C) **PRIVATE RESIDENTIAL RENTAL PROPERTY** shall mean any Dwelling, as defined now in the City Code under §350-2(A) thereof, or as hereinafter amended, which is, or any part of which, is leased by a private landlord for residential purposes.
- D) **DWELLING UNIT** shall have the same meaning as defined in the City Code, under §350-2(A) thereof, or as hereinafter amended, under the term "Dwelling".

## **111-A 4 REGISTRATION OF PRIVATE LANDLORDS**

- A) All Private Landlords shall be required to provide information as stipulated in subdivision B below within ninety days of the effective date of this ordinance or within 10 days of acquiring an interest in private residential rental property by deed, lease, or other transaction. Failure to register or maintain accurate information, may result in the suspension of the Certificate of Occupancy for the property in question and a penalty of Two Hundred and Fifty dollars. Penalty must be paid in full and re-inspection of affected property or properties must be completed before suspension will be lifted.
- B) Private Landlord Information: name of the person or persons, the Corporation, the LLC, or other entity; a physical address; a mailing address; primary and secondary telephone numbers; a fax number; and an email address.

**ACTION TAKEN by Clr. Salone; seconded by Clr. Camera**

**MOVED THAT this ordinance be approved for second reading**

Clr. Regan said that it is important to have a local representative listed and she would like to add an amendment to the ordinance.

**ACTION TAKEN by Clr. Regan; seconded by Clr. Salamendra**

**MOVED THAT the ordinance be amended to add wording that a local representative must be listed who lives within 20 miles of the residence**

**ROLL CALL VOTE: Aye – Clr. Regan, Clr. Salone and Clr. Salamendra**

**Nay – Mayor Valentino, Clr. Burrall, Clr. Gaglianese, Clr. Noone,  
Clr. Pealer, and Clr. Camera**

**MOTION DEFEATED**

**[Roll Call on the original motion]**

**ROLL CALL VOTE: Aye – Mayor Valentino, Clr. Salone, Clr. Burrall, Clr. Gaglianese,**

**Clr. Noone, Clr. Camera, Clr. Salamendra Clr. Pealer, and Clr. Regan**

**MOTION CARRIED**

**13. RESOLUTION AUTHORIZING AGREEMENT FOR MARSH CREEK UPGRADES, ELECTRICAL CONSTRUCTION**

Mayor Valentino presented the following resolution:

**WHEREAS**, the City of Geneva owns a sanitary sewer pumping station facility on 45 Doran Ave.; and

**WHEREAS**, City staff received bids on May 18, 2022 and determined that they met the needs of the city for the necessary upgrades; and

**NOW, THEREFORE BE IT RESOLVED** that the Geneva City Council, hereby and in due form, does authorize the City Manager to execute an agreement with Colacino Industries Incorporated from Newark, N.Y. to perform upgrades to the Marsh Creek Pump Station.

**ACTION TAKEN by Clr. Camera; seconded by Clr. Salone**

**MOVED THAT this resolution be approved**

**MOTION CARRIED UNANIMOUSLY**

**14. RESOLUTION AUTHORIZING AN AGREEMENT FOR MARSH CREEK UPGRADES, GENERAL CONSTRUCTION**

Mayor Valentino presented the following resolution:

**WHEREAS**, the City of Geneva owns a sanitary sewer pumping station facility on 45 Doran Ave.; and

**WHEREAS**, City staff received bids on May 18, 2022 and determined that they met the needs of the city for the necessary upgrades; and

**NOW, THEREFORE BE IT RESOLVED** that the Geneva City Council, hereby and in due form, does authorize the City Manager to execute an agreement with C. O. Falter Construction Corporation, from Syracuse N.Y. to perform upgrades to the Marsh Creek Pump Station.

Clr. Regan urged staff to consider partnerships in the future as other towns are using our facilities. She added that she knows the Town of Geneva is contributing in this instance.

**ACTION TAKEN by Clr. Pealer; seconded by Clr. Gaglianese**

**MOVED THAT this resolution be approved**

**MOTION CARRIED UNANIMOUSLY**

15. RESOLUTION ESTABLISHING A PUBLIC HEARING FOR A LOCAL LAW REGARDING VIDEO  
CONFERENCING FOR COUNCIL MEETINGS

Mayor Valentino presented the following resolution:

**WHEREAS**, allowing alternate methods of participation by members of the City Council, the City Planning Board, the City Zoning Board of Appeals, and other City Public Bodies, furthers meaningful participation in the conduct of city business, and

**WHEREAS**, the Geneva City Council supports professionalism and accountability of the members of City Public Bodies by allowing them to participate in meetings by Video Conferencing, and,

**WHEREAS**, it is in the public interest of the citizens of the Geneva to allow members of City Public Bodies to participate in meetings by Video Conferencing, and

**WHEREAS**, in furtherance of said goals, Geneva City Council intends to adopt local law #4 - 2022 governing the use of Video Conferencing for all Public Bodies of the City of Geneva, and

**WHEREAS**, the Municipal Home Rule Law requires a Public Hearing be held before a local law can be adopted,

**NOW, THEREFORE BE IT RESOLVED** that a public hearing be held on July 6, 2022 at 7:00p.m. pursuant to the Municipal Home Rule Law concerning proposed local law # 4 - 2022 submitted herewith.

Clr. Camera said that he would like to see council work with the city manager on ways to get things done depending on the circumstances as he feels this is a little bit of an overreach and constraining on council procedures. He noted that the mayor is the officer and council members do not always agree on the processes as they are nine people with different circumstances. He said that they should not make things too concrete. Clr. Salamendra said she feels there are more important things for council to discuss, and

the mayor is trying to control councilors with this policy. Mayor Valentino said there are several other communities bringing this local law forward, and Geneva is following them.

**ACTION TAKEN by Clr. Noone; seconded by Clr. Gaglianese**

**MOVED THAT this resolution be approved**

**ROLL CALL VOTE: Aye – Mayor Valentino, Clr. Burrall, Clr. Gaglianese, Clr. Noone,  
Clr. Pealer, and Clr. Salone**

**Nay – Clr. Camera, Clr. Regan and Clr. Salamendra**

**MOTION CARRIED**

16. RESOLUTION APPROVING CONTRACT AND APPOINTMENT OF CITY MANAGER

Mayor Valentino presented the following resolution:

**WHEREAS**, the Geneva City Council has previously advertised for applicants to serve as Geneva City Manager; and

**WHEREAS**, Geneva City Council was committed to selecting the best candidate, with the most relevant experience, the greatest potential for positive impact in the community, a demonstrated understanding of the City's comprehensive plan and what it takes to manage a total community - one that is as focused on people as it is on projects, and a leader of the utmost integrity and professionalism to lead us to our vision of a Beautiful, Prosperous, Equitable, Connected and Sustainable Geneva; and

**WHEREAS**, Geneva City Council thanks community members, including the City Search Committee, for feedback regarding the City Manager search; and

**WHEREAS**, Geneva City Council has determined that Amie Hendrix is best qualified to serve as Geneva City Manager; and

**WHEREAS**, the Geneva City Council and Amie Hendrix have negotiated an Employment Agreement which is attached hereto and made a part hereof which provides for annual compensation in the amount of One Hundred-Thirty Thousand Dollars (\$130,000.00) with additional benefits as set forth in the City's Management Benefits Agreement; and

**WHEREAS**, it is believed that the attached Employment Agreement is fair and reasonable.

**NOW, THEREFORE BE IT RESOLVED**, be that Amie Hendrix is hereby appointed Geneva City Manager pursuant to section 4.1 of the Geneva City Charter, effective June 21, 2022; and further

**RESOLVED** that the Employment Agreement between the City of Geneva and Amie Hendrix which is attached hereto and made a part hereof is hereby approved and the Mayor is hereby authorized to execute said agreement on behalf of the Geneva City Council.

Mayor Valentino gave a huge thank you to all of the applicants who applied for the city manager position saying we were very fortunate for the number of good candidates. He said he can't thank staff enough for their input and everything they have done to bridge the gap. He added that the city manager search committee did a great job, and council did their best to listen to everything they said. Lastly, he thanked council for their time and effort put in to get to this decision.

**ACTION TAKEN by Mayor Valentino; seconded by Clr. Salone**  
**MOVED THAT this resolution be approved**  
**MOTION CARRIED UNANIMOUSLY**

17. RESOLUTION DECLARING SURPLUS EQUIPMENT

Mayor Valentino presented the following resolution:

**WHEREAS**, the City of Geneva no longer has use for the following items:

1. **2000 Pierce Dash 2000 Series Skyarm 100' Ladder Truck**
2. **MSA SCBA Air Packs & Bottles Including:**
  - (5) Backpacks and (4) masks
  - (43) MSA Fiber wrapped 30- & 60-minute types, mostly 30-minute bottles

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Geneva, New York, that the above equipment be declared surplus property, and

**FURTHER BE IT RESOLVED** the proceeds from the sale of the surplus equipment will be applied to the Equipment Amortization Fund and used as trade for upgraded equipment.

**ACTION TAKEN by Clr. Salone; seconded by Clr. Noone**  
**MOVED THAT this resolution be approved**  
**MOTION CARRIED UNANIMOUSLY**

18. RESOLUTION DIRECTING MIDEY, MIRRAS AND RICCI TO RESPOND TO MOTION

Mayor Valentino presented the following resolution:

The Geneva City Council directs Midey, Mirras & Ricci, LLP to appear on behalf of the City of Geneva in response to the Motion filed by former members of the Police Review Board seeking Leave to Intervene in the Action brought by Council 82, Ontario County Supreme Court Index Number 129650-2021.

Midey, Mirras & Ricci, LLP is directed to take all necessary steps to oppose the Motion for Leave to Intervene.

Mayor Valentino said that several members of the former Police Review Board filed a motion to intervene, and this resolution is to separate council, the mayor, city manager, and police chief from the Police Review Board in the original action.

Clr. Regan said she understands this is legal, but would like to just see this follow the legal steps and let the judgment come.

Clr. Noone said that the lawsuit has been dismissed, and there is no need to waste city resources. He said we need to move on from this issue and address it in a way that will not continue to put us in the situations of the past. He would like to see a new local law pursued that is not about power, but about solving the problem.

Clr. Salamendra said she cannot wait for Clr. Noone to start solving the problem. She said she does not think the resolution is necessary as the people who are affected by police violence are in favor of the appeal. Clr. Camera said he is also not in favor of this resolution. He said he feels the police union is antagonistic against the people of Geneva and don't recognize that there is a problem with their membership that has to be supervised in an appropriate and responsible way. He said that 10-20% of the people in our community worry if they are stopped by a police officer.

Clr. Gaglianese said that everyone on council has taken notice of the hard work that the members of the board put in, but it was found unlawful. He said he does not support what these former members are doing.

Clr. Noone said that if someone is victimized by the police, everyone on this board knows that the police must address the complaint. Anyone could send in an anonymous complaint by mail if they wanted. He said that if someone is sitting on a complaint and not reporting it, then they are letting people continue to be victimized.

When Clr. Burrall asked for clarification on the resolution, Mayor Valentino said the council would be opposing and separating themselves from the previous PRB members' motions.

**ACTION TAKEN by Mayor Valentino; seconded by Clr. Noone  
MOVED THAT this resolution be approved**



**ACTION TAKEN by Clr. Camera; seconded by Clr. Regan**

**MOVED THAT this resolution be amended to say that council is being separated rather than opposing**

**ROLL CALL VOTE: Aye – Clr. Burrall, Clr. Camera, Clr. Regan and Clr. Salamendra**

**Nay – Mayor Valentino, Clr. Gaglianese, Clr. Noone, Clr. Pealer, and  
Clr. Salone**

**MOTION DEFEATED**

**[Roll Call on the original motion]**

**ROLL CALL VOTE: Aye – Mayor Valentino, Clr. Gaglianese, Clr. Noone, Clr. Pealer, and  
Clr. Salone**

**Nay – Clr. Burrall, Clr. Camera, Clr. Regan and Clr. Salamendra**

**MOTION CARRIED**

#### **19. BOARD/COMMISSION APPOINTMENTS**

**ACTION TAKEN by Clr. Pealer; seconded by Clr. Salone**

**MOVED THAT John Brennan and Tony Cupelli be appointed to the Zoning Board of Appeals  
and Andrew Williams be reappointed to the Zoning Board of Appeals**

**MOTION CARRIED UNANIMOUSLY**

**ACTION TAKEN by Clr. Noone; seconded by Clr. Gaglianese**

**MOVED THAT Andrew Williams be appointed Chair of the Zoning Board of Appeals**

**MOTION CARRIED UNANIMOUSLY**

**ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Salone**

**MOVED THAT Craig Talmadge be appointed to the Local Development Corporation**

**MOTION CARRIED UNANIMOUSLY**

**ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Camera**

**MOVED THAT Jay Freer and James Engel be reappointed to the Shadetree Committee**

**MOTION CARRIED UNANIMOUSLY**

**ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Camera**

**MOVED THAT Mary Bakogiannis and George Fairfax be reappointed to the Recreation Advisory  
Board**

**MOTION CARRIED UNANIMOUSLY**

Mayor Valentino said he would like to make a motion to remove James McCorkle and Robert Maclean from the Police Budget Advisory Board as he did not vote for them originally, and he does not feel they can provide an unbiased opinion to the board.

Clr. Regan said she feels varying opinions on these boards is good. She said they are respectable, critically-minded people who have opinions she thinks should be heard. She said you don't have to have a room full of people who agree with each other in order to come to a conclusion. She said she is opposed to this and does not want to see it happen.

Clr. Noone said he is strongly in favor of this motion due to the two gentlemen's strong anti-police sentiments on social media, print and our meeting, and it is a clear conflict. Clr. Noone read a section from the Finger Lakes Times article Mr. McCorkle wrote, noting that the boards were meant to produce non-biased viewpoints to move the city forward in a positive direction.

Clr. Salamendra said she would like the record to reflect that if you are critical of the police in Geneva that you become a target of this council and the police department, because they are violent and racist and this mayor will allow it, and you will be kicked off a board because you have an opinion that he finds illegal, but it is not illegal, so we will see you in the streets. She also asked that the record show that if you do not boot lick like Bill Pealer and Steve Valentino that your say doesn't matter here.

**ACTION TAKEN by Mayor Valentino; seconded by Clr. Pealer**

**MOVED THAT James McCorkle and Robert Maclean be removed from the Police Budget Advisory Board**

**ROLL CALL VOTE: Aye – Mayor Valentino, Clr. Gaglianese, Clr. Noone, Clr. Pealer, and Clr. Salone**

**Nay – Clr. Burrall, Clr. Camera, Clr. Regan and Clr. Salamendra**

**MOTION CARRIED**

20. PUBLIC COMMENT

No Public Comment was offered at this time

21. ADJOURNMENT

**ACTION TAKEN by Clr. Noone; seconded by Clr. Gaglianese**

**MOVED THAT the meeting be adjourned at 9:13pm**

**MOTION CARRIED UNANIMOUSLY**

*Lori Guinan*

City Clerk



## Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Steve Valentino, Mayor

Meeting Date: July 6, 2022

Item Title: Local Law Authorizing the Use of Video Conferencing by Public Bodies of the City of Geneva

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### **Action Required:**

Public hearing earlier in the meeting and a majority vote of council to adopt the local law.

### **Background:**

Public Officer's Law Section 103(c) was recently repealed and replaced with POL Section 103(a) allowing for videoconferencing by public bodies. The local law includes written procedures as required by POL 103(a).

This local law will amend council rules of procedures governing use of video conferencing by city council and all city committees and subcommittees.

### **Financial Impact:**

N/A

**Geneva City Council**

CITY HALL - 47 CASTLE STREET - GENEVA, NEW YORK 14456  
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## **LOCAL LAW 4-2022**

### **LOCAL LAW 4-2022 AUTHORIZING THE USE OF VIDEO-CONFERENCING BY PUBLIC BODIES OF THE CITY OF GENEVA PURSUANT TO NEW YORK STATE PUBLIC OFFICERS LAW SECTION 103-A**

**BE IT ENACTED**, by the City Council of the City of Geneva as follows:

**SECTION ONE.** Purpose. The purpose of this Local Law is to authorize the use of Video Conferencing by members of public bodies of the City of Geneva, in accordance with a, Video Conferencing by Public Bodies and the videoconferencing policies adopted by the Geneva City Council set forth below.

**SECTION TWO.** Authorization for the Use of Video Conferencing. The City Council hereby authorizes the use of Video Conferencing for all public bodies in the City of Geneva, including itself and its committees and subcommittees, and all boards of the City of Geneva, subject to the written procedures set forth below which may be amended by resolution.

**SECTION THREE.** Upon the effective date of this local law, the City Council and all City Public Bodies shall follow the written procedures governing the use of video conferencing for the City of Geneva set forth below.

**SECTION FOUR.** These written procedures shall govern the use of Video Conferencing for all public bodies of the City of Geneva including, but not limited to, the City Council of the City of Geneva, the Planning Board of the City of Geneva, the Zoning Board of Appeals of the City of Geneva, and all City committees and subcommittees, (each being hereafter referred to as a "Public Body"):

- A. A quorum of the members of the Public Body must be physically present in the same physical location or locations, where members of the public may attend, to fulfill any quorum requirements to which said Public Body is subject.
- B. These procedures shall be conspicuously posted on the City's website.
- C. Members of a Public Body must be physically present at the meeting, unless such member is unable to be physically present at such meeting location due to extraordinary circumstances, including disability, illness, caregiving responsibilities or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.

- D. Extraordinary circumstances must be certified by email or other written means to the City Clerk by the member of the City Council in accordance with the City's videoconferencing policies and procedures and not less than 72 hours prior to any meeting.
- E. The City Clerk will notify the presider of the request. The request must be approved by the presider based on the requirements stated in subsection C above. Emergency requests within the 72 hour requirement may be considered depending on the circumstances.
- F. Except in the case of executive sessions conducted pursuant to Public Officers Law Section 105, members of the Public Body must be able to be heard, seen and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. Members will be required to be physically present for Executive Sessions.
- G. The minutes of any meetings involving Video Conferencing shall include which, if any, member participated using videoconferencing technologies.
  - 1. Such minutes must be made available to the public pursuant to Public Officers Law § 106.
  - 2. Any meeting that uses videoconferencing must be recorded and such recordings must be posted to or linked on the City website within five business days after the meeting. The recordings must remain available for a minimum of five years thereafter and recordings must be transcribed upon request.
  - 3. A transcript of recordings will be provided upon request, subject to availability.
- H. If Video Conferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that Video Conferencing will be used, where the required documents and records will be posted or available, where members of the public can view and/or participate in such meeting via videoconference and identify the physical location(s) where members of the City Council will be physically present at the meeting and where members of the public can attend the meeting in person.
- I. If Video Conferencing is used to conduct a meeting, members of the public shall be allowed to view the video broadcast of any meeting using videoconferencing simultaneously when the meeting is conducted. Additionally, at meetings where public comment or participation is authorized by the City Council, members of the public shall be allowed to participate in the proceedings using videoconference technologies in real time and with the same opportunities for public participation or testimony as in-person participation or testimony.

J. The City Council/Board of Trustees body may conduct meetings entirely by videoconference, with no in-person requirement, provided that:

1. A state of emergency is declared by the Governor of the State of New York pursuant to Executive Law § 28, or
2. A local state of emergency is declared by the City Manager pursuant to Executive Law § 24, and the City Council determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting.
3. Whenever the City Council invokes the emergency exception as defined in this section and takes action at such meeting without allowing members of the public to be physically present, the City Council must acknowledge the previous meeting(s) and summarize any action(s) taken thereat at the next immediate meeting where the public is allowed to attend. The City Council must produce minutes of such emergency meetings pursuant to the requirements of Public Officers Law § 106.

K. Open meetings of any Public Body that are broadcast or that use Video Conferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines.

**SECTION FIVE.** Severability. If any portion of this Local Law shall be deemed by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the remainder of this Local Law shall remain in full force and effect to the extent practicable.

**SECTION SIX.** This Local Law shall be effective immediately upon its filing with the New York State Secretary of State.

## Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: June 29, 2022

Item Title: Resolution Authorizing the Issuance of Bonds for Public Improvements

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### **Background:**

This bond resolution is being brought forward to authorize the issuance of \$7,600,000 in Bond Anticipation Notes (BAN) based on the approval of the December 2021 capital plan in the annual budget. The list of the projects being funded was presented and approved at that same time.

### **Financial Impact:**

This resolution will correct the description of the Castle Street Reconstruction project and the split between general, water and sewer funds; consistent with budget document. No other changes to the project. This will ensure that our bond information is accurate with the City budget approval.

## RESOLUTION NO. 26 – 2022

### **BOND RESOLUTION, DATED JULY 6, 2022, OF THE CITY COUNCIL OF THE CITY OF GENEVA, ONTARIO COUNTY, NEW YORK (THE "CITY"), AUTHORIZING THE ISSUANCE OF \$2,200,000 IN BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS**

WHEREAS, the City Council of the City of Geneva (the "**City Council**") proposes to authorize the issuance of \$2,200,000 in bonds of the City to finance various public improvements and purposes, as described herein, appropriate funds for such purposes and to make certain determinations in connection with such purposes; and

WHEREAS, the City Council now wishes to appropriate funds for the various public improvements and purposes and to authorize the issuance of the City's bonds and bond anticipation notes to be issued to finance said appropriation.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GENEVA, ONTARIO COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The City is hereby authorized to issue \$1,300,000 principal amount of bonds pursuant to the provisions of the Local Finance Law constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "**Law**") to finance the estimated cost of the acquisition, construction, or reconstruction of, or addition to, water supply or distribution systems in the City, including buildings, land or rights in land, original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery, or apparatus, including a water system mains, connections, laterals, and other equipment, furnishings, machinery and apparatus located on and around Castle Street. It is hereby determined that the maximum estimated cost of the aforementioned class of objects or purposes is \$1,300,000, said amount, to the extent not previously appropriated, is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$1,300,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned class of objects or purposes is forty (40) years, pursuant to subdivision 1. of paragraph a. of Section 11.00 of the Law.

SECTION 2. The City is hereby authorized to issue \$900,000 principal amount of bonds pursuant to the provisions of the Law to finance the estimated cost of the acquisition, construction or reconstruction of, or addition to, sewer systems in the City (either sanitary or surface drainage or both), and related furnishings, equipment and apparatus, including a sewer system mains, connections, laterals, and other equipment, furnishings, and apparatus located on and around Castle Street. It is hereby determined that the maximum estimated cost of the aforementioned class of objects or purposes is \$900,000, said amount, to the extent not previously appropriated, is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$900,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) the levy and collection of taxes on all real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned class



of objects or purposes is forty (40) years, pursuant to subdivision 4. of paragraph a. of Section 11.00 of the Law.

SECTION 3. It is hereby determined that the projects described in Sections 1 and 2 hereof constitute Type II Actions, as defined in the State Environmental Quality Review Act and the regulations promulgated thereunder (collectively, "**SEQRA**"), and as such, will not have a significant impact upon the environment.

SECTION 4. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures as part of the projects described herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 5. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal and interest on said bonds and bond anticipation notes and provisions shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 6. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00, Section 62.10 and Section 63.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the city comptroller, city manager, or other duly appointed chief fiscal officer, as chief fiscal officer (the "**Chief Fiscal Officer**"). Such notes shall be of such terms, form and contents as may be prescribed by said Chief Fiscal Officer consistent with the provisions of the Law. Further, in connection with bonds and bond anticipation notes issued under the authority hereof, the power to issue and sell bonds or bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law is hereby delegated to the Chief Fiscal Officer. Such bonds or notes shall be of such terms, form and contents as may be prescribed by said Chief Fiscal Officer consistent with the provisions of the Law. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with or without bonds to be issued for one or more objects or purposes authorized other resolutions of the City Council, then the power of the City Council to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Chief Fiscal Officer.

SECTION 7. The Chief Fiscal Officer is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described herein, or a portion thereof, by a serial bond, a statutory installment bond and/or a bond anticipation note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.

SECTION 8. The Chief Fiscal Officer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 9. The intent of this resolution is to give the Chief Fiscal Officer sufficient authority to execute those applications, agreements, instruments, or to do any similar acts necessary to affect the issuance of the aforesaid bonds or bond anticipation notes without resorting to further action of this City Council.

SECTION 10. This resolution shall take effect immediately and the City Clerk is hereby authorized and directed to publish the foregoing resolution, or a summary thereof, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the City (a) for such publication, and (b) for the publication of the notice of sale in connection with any bonds issued pursuant to this resolution.



Geneva City Council  
Agenda Item Briefing

To: Geneva City Council

From: Clr. Regan

Meeting Date: July 6, 2022

Item Title: Resolution Creating a Committee on Policing

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**Action Required:** Discussion and consideration by Council and a majority vote

**Background:** A continuing desire for police accountability has been expressed by Geneva citizens and Council following City Council's vote not to appeal Judge Craig Doran's decision to strike the City's year-old Police Review Board. This resolution puts forward a softer approach that looks at the complaint process and **concluded** disciplinary actions. It includes stakeholders in its review, including a member of the Geneva Police Department itself. While not impinging on the Chief of Police's power to discipline or the Collective Bargaining Agreements between the City and Officers, the work of the committee would increase transparency and community understanding of police operations.

**Alternative:** We continue to talk about the need for accountability, without making any changes to our operations.

**Financial Impact:** None

**Attachments:** City Attorney review of the resolution

**3<sup>rd</sup> Ward City Councilor Jan Regan**

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## RESOLUTION # 27 - 2022

### RESOLUTION CREATING A COMMITTEE ON POLICING

**WHEREAS** the City Council has the power to establish a board and prescribe its function under section 3.3 of the City Charter; and

**WHEREAS** the City Council and Geneva residents value accountability and transparency in government operations; and

**WHEREAS** section 3.13 of the City Charter vests the City Council with the power of investigation of all city departments and staff, including public safety, public works, and finance; and

**WHEREAS** residents and the City Council would benefit from greater understanding of the current policies, procedures, and outcomes of investigations into complaints of misconduct by Geneva Police Department (GPD) officers and

**WHEREAS** Executive Order No. 203 issued by Governor Cuomo in 2020 directed all local governments in New York State to develop plans to improve strategies, policies, procedures, and practices and promote community engagement to foster trust fairness and legitimacy, among other reviews, that would be well served by a community-based Committee on Policing,

**THEREFORE, BE IT RESOLVED** that the Geneva City Council establishes the "Committee on Policing" to:

- 1.1 explore the complaint procedure and propose changes to increase comfort for residents who wish to file a complaint
- 1.2 analyze existing systems for investigating and disciplining officers, including but not limited to reviewing investigations into complaints submitted to the GPD **that are concluded** while this committee is in operation; and
- 1.3 provide the City Manager and the Chief of Police with feedback about the GPD's existing rules and regulations; and
- 1.4 report recommendations to the City Council based on their work, including but not limited to providing reports at regular Council meetings

**AND BE IT FURTHER RESOLVED THAT** the committee have a maximum of fourteen (14) members, initially consisting of:

- 2.1 The GPD Chief of Police or his or her designee from among the department's lieutenants; and
- 2.2 any previously appointed or designated alternate members of the former Police Review Board; and
- 2.3 any additional residents of the City of Geneva who were selected to serve on the Police Reform and Reinvention Collective assembled in response to the NYS Directive on Policing Reform and
- 2.4 no less than one and no more than three members of the Geneva City Council and
- 2.5 other residents of the City of Geneva expressing genuine interest in policing policies, complaint process and disciplinary actions.

- 2.6 From these applicants, City Council shall vote on committee membership, initially prioritizing those with training on police accountability and police discipline procedures.
- 2.7 As necessary, new members of the committee will be nominated by current committee members and approved by City Council.

JER, Ward 3  
June 28, 2022

MEMO  
June 28, 2022

TO: City Council, City Manager  
From: City Attorney

Re: Review of Committee on Policing resolution

**INTRODUCTION**

Councilor Regan has submitted a resolution creating Committee on Policing for legal review.

Having read the proposed resolution, the resolution submitted by Councilor Camera at the May 2022 Council meeting, and Judge Doran's April 11, 2022 Decision in the Council 82, the following issues were identified.

1. Is the proposed resolution a resolution for reconsideration of Councilor Camera's May 4, 2022 resolution?
2. Does the proposed resolution violate Collective Bargaining rights of Council 82 adopted pursuant to the Taylor Law?
3. Does the proposed resolution violate the City Charter?
4. Membership of Committee on Policing?

**APRIL 11, 2022 DECISION**

Judge Doran determined that the local law creating the PRB was invalid, void, and unenforceable. He ruled that the City Could not take any action that conflicted with the City Charter, GPD General Orders, CBA provisions on Police Discipline, and the Taylor Law.

Judge Doran also ruled that the local law creating the PRB violated the City Charter because it interfered with the sole authority to decide police disciplinary issues granted to the Chief of Police and circumscribed the authority of the City Council to appoint members Decision at page 25. City Charter section 2.2.

**MAY 4, 2022 RESOLUTION**

The May 4, 2022 resolution offered by Councilor Camera, contemplated creation of a Police Accountability Committee whose purpose was to receive, research, analyze, and make recommendations to the City Council, Chief of Police and City Manager so they may better perform oversight of police operations and management for the citizens of Geneva. The resolution was not submitted for legal review.

**QUESTION I**  
**IS THIS A MOTION FOR RECONSIDERATION**  
**OF THE MAY 4, 2022 RESOLUTION?**

Rule 4(e) of the Council's Rules of Procedure imposes special procedures for reconsideration of legislative action. The May 4, 2022 Camera resolution is legislative action.

Councilor Camera's May 4, 2022 resolution called for creation of a Police Accountability Committee, a standing committee of the City Council consisting of Councilors and members of the public, including members of the PRB whose purpose would be to receive, research, analyze, and make recommendations to the City Council, the Chief of Police and the City Manager so that they may better perform oversight of police operations and management.

Councilor Camera stated the Committee would perform an independent assessment of police misconduct or a complaint lodged against the department and investigate.

**CONCLUSION**

The language in section "2" of the first resolving paragraph of Councilor Regan's resolution, authorizing the proposed committee to analyze existing systems for investigating and disciplining officers, including but not limited to reviewing investigations into complaints submitted to the GPD that are concluded while this committee is in operation, could support a determination by the presiding officer that Councilor Regan's resolution is a motion for reconsideration.

**QUESTION II**  
**DOES THE REGAN RESOLUTION VIOLATE CBA RIGHTS**  
**OF COUNCIL 82 ADOPTED PURSUANT TO THE TAYLOR LAW?**

The language in section 1-2 of Councilor Regan's Resolution authorizing the proposed committee to review investigations into complaints submitted to the GPD echoes the invalidated language of local law 1-2021:

Judge Doran ruled that such reviews and investigations of complaints of police misconduct by an individual other than a GPD superior officer violate the CBA.

There is no language in the CBA authorizing such activity.

**CONCLUSION**

The language in Councilor Regan's resolution authorizing the proposed committee to review GPD investigations into complaints of police misconduct violates Council 82's CBA with the City,

**QUESTION III**  
**DOES THE PROPOSED RESOLUTION VIOLATE THE CITY CHARTER?**

Section 3.12 of the City Charter prohibits the City Council from exercising administrative functions. If the City Council cannot engage in administrative functions, it cannot authorize a community committee to do so.

The City Charter provides that the City Manager is the Director of Public Safety and appoints the Police Chief. The Chief appoints and removes all Officers and employees of the Department subject to the provisions of the Civil Service law and rules and regulations thereunder. The Chief makes the rules and regulations concerning the operation of the department and the conduct, duties and assignments of all officers and employees, which rules and regulations shall first be approved by the city manager. Charter Sections 9.1 and 9.2.

Sections 1-1 through 1-3 of the Regan Resolution authorize the Committee to:

1. Explore the complaint procedure and propose changes to increase comfort for residents who wish to file a complaint
2. Analyze existing systems for investigating and disciplining officers, including but not limited to reviewing investigations into complaints submitted to the GPD that are concluded while this committee is in operation; and
3. Provide the City Manager and the Chief of Police with feedback about the GPD's existing rules and regulations.

**A. Exploring and proposing changes to the procedures applicable to investigation of complaints of police misconduct and disciplining officers.**

The activities would constitute interference with the authority of the Chief to make the rules and regulations concerning the operation of the department and the conduct, duties, and assignments of all officers and employees.

**B. Reviewing investigations into complaints submitted to the GPD**

Investigating complaints of police misconduct and discipline of GPD officers, found in GPD General Orders 300 and 310 is an administrative function assigned to the Chief of Police. The procedures in General Order 300 are the sole mechanism for investigating complaints of police misconduct.

If the Committee on Policing engaged in these activities, it would constitute administrative interference with the procedures found in the General Orders for investigating complaints of police misconduct.



**QUESTION IV**  
**MAKE UP OF THE COMMITTEE ON POLICING**

The language in sections 2-1, 2-2, and 2-3 are of concern. The City Council's general authority to appoint members of committees is limited, in this case to the appointment of former members of the PRB and the Police Reform and Reinvention Collective. There is no mention of any other classes of individuals who might serve on the Committee.

The City Attorney recommends that if the City Council intends to create a Committee on Policing, members should be appointed by the City Council with no restrictions imposed on its membership. Inclusion of members of Council 82 and others subject to complaints of police misconduct is more likely to lead to acceptable provisions authorizing review of investigations of police misconduct.

**CONCLUSION**

This is a unilateral attempt to create a procedure to review investigations of police misconduct without input from police members whose rights are protected by CBAs entered into pursuant to the Taylor law.

Portions of the proposed resolution violate the City Charter, the Taylor Law, and Police CBAs.

The language of the proposed resolution lacks details or procedures to be employed by the Committee.

Membership on such a committee should not be restricted to classes of individuals. Inclusion of members of Council 82 and others whose rights are protected by CBAs is more likely to lead to acceptable provisions authorizing review of investigations of police misconduct.

REESPECTFULLY SUBMITTED

CITY ATTORNEY



To: Geneva City Council

From: Lori Guinan, City Clerk

Meeting Date: July 6, 2022

Item Title: Resolution Supporting Submission of a Local Government Efficiency Grant Application by Ontario County

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**Action Required:**

An affirmative vote by a majority of Council

**Background:**

The Ontario County Administrator has requested support from our local municipalities for the submission by the County of a Local Government Efficiency grant application to the New York State Department of State for up to \$200,000.00 per participant for implementation of a prospective Shared Services Project. The County will serve as lead agency on this grant application. The County is asking the city to sign a Memorandum of Understanding agreeing to in good faith negotiate an agreement amongst the county and other co-applicants

**Financial Impact:**

There will be no cost to the city.

**Attachments:**

Memorandum of Understanding

**Office of the City Clerk**

Lori Guinan

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## **RESOLUTION # 28 - 2022**

### **RESOLUTION SUPPORTING THE SUBMISSION OF A LOCAL GOVERNMENT EFFICIENCY GRANT APPLICATION TO THE NEW YORK DEPARTMENT OF STATE AND AUTHORIZING A MEMORANDUM OF UNDERSTANDING TO FACILITATE THE ONTARIO COUNTY ELECTRONIC CONTRACT AND INSURANCE LIFECYCLE MANAGEMENT SOLUTION IMPLEMENTATION PROJECT**

**WHEREAS**, the Local Government Efficiency ("LGE") Grant program, administered by the New York State Department of State, is intended to incentivize new actions between local governments that will reduce the cost of municipal operations and modernize the delivery of local services; and

**WHEREAS**, the Ontario County (the "County") Administrator has requested the City of Geneva's support for the submission by the County of a Local Government Efficiency grant application to the New York State Department of State for up to \$200,000.00 per participant for implementation of a prospective Shared Services Project where multiple entities within the County will collaborate in implementation and ultimately transition to an electronic contract and insurance lifecycle management solution (the "Ontario County Electronic Contract and Insurance Lifecycle Management Solution Implementation Project"); and

**WHEREAS**, the Ontario County Electronic Contract and Insurance Lifecycle Management Solution Implementation Project will include: (1) defining existing contracts, insurance and approval processes for each participating entity; (2) defining opportunities for efficiencies and cooperation amongst the participants with contract policies, forms, workflows, vendors, insurance and risk management review; (3) development of training materials for participants and their vendors; (4) development of virtual support database; (5) building of webpage for 24/7/365 access to materials and virtual support database; and

**WHEREAS**, the County will serve as the lead applicant on this grant application; and

**WHEREAS**, the flexibility that has been required to continue to serve its constituents in a COVID-19 world, the increased retirements and workforce transition and the decrease in potential workforce applicants have put added pressure on local governments to be more efficient, and the proposed project between local governments to transition them to an electronic contract and insurance lifecycle management solution will reduce the cost of municipal operations and modernize the delivery of local services both in the collective procurement of software and consultant services and in the administration of contracts and insurance via an electronic software.

**NOW THEREFORE, BE IT RESOLVED**, that the City of Geneva, on behalf of itself and its special districts supports the application by lead applicant Ontario County for funding from the LGE Grant for the Ontario County Electronic Contract and Insurance Lifecycle Management Solution Implementation Project, in the form as filed with the Clerk of Ontario County Legislature; and

**FURTHER BE IT RESOLVED**, that the City Mayor is hereby authorized to execute a Memorandum of Understanding between the County and other co-applicants on behalf of itself and its special districts agreeing to in good faith negotiate an agreement amongst the County and co-applicants with a consultant to complete the Ontario County Electronic Contract and Insurance Lifecycle Management Solution Implementation Project; and

**FURTHER BE IT RESOLVED**, that a copy of this resolution be forwarded to the County Administrator.

## **MEMORANDUM OF UNDERSTANDING**

### **Implementation of Electronic Contracts and Insurance Lifecycle Management Solution**

**THIS MEMORANDUM OF UNDERSTANDING** (this “MOU”) is made the \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the County of Ontario, with offices located at 20 Ontario Street, Canandaigua, New York 14424 (the "County") and the Cities of Canandaigua and Geneva, Towns of Bristol, Canadice, Canandaigua, East Bloomfield, Farmington, Geneva, Gorham, Hopewell, Manchester, Naples, Phelps, Richmond, Seneca, South Bristol, Victor and West Bloomfield, Villages of Bloomfield, Clifton Springs, Manchester, Naples, Phelps, Rushville, Shortsville and Victor, the Sewer Districts of Ontario County, Cities of Canandaigua and Geneva, Towns of East Bloomfield, Farmington, Geneva, Naples, Phelps, Villages of Manchester, Shortsville and Victor, Water Districts of Canandaigua, East Bloomfield, Geneva and Naples all within the County of Ontario, New York (collectively “Co-Applicants”). The County and Co-Applicants are at times referred to herein individually as a “party” and collectively as the “parties.”

**WHEREAS**, the Local Government Efficiency (“LGE”) Grant program, administered by the New York State Department of State, is intended to incentivize new actions between local governments that will reduce the cost of municipal operations and modernize the delivery of local services; and

**WHEREAS**, the LGE Grant program provides for up to \$200,000.00 per participant for an implementation project; and

**WHEREAS**, the flexibility that has been required to continue to serve its constituents in a COVID-19 world, the increased retirements and workforce transition and the decrease in potential workforce applicants have put added pressure on local governments to be more efficient, and a project between local governments to transition them to an electronic contract and insurance lifecycle management solution will reduce the cost of municipal operations and modernize the delivery of local services both in the collective procurement of software and consultant services and in the administration of contracts and insurance via an electronic software

**WHEREAS**, the parties desire LGE Grant funding to facilitate the Ontario County Electronic Contract and Insurance Lifecycle Management Solution Implementation Project; and

**WHEREAS**, the County will serve as the lead applicant on this grant application, now therefore, be it

**NOW, THEREFORE**, the parties agree as follows:

The parties agree to in good faith negotiate and enter into an agreement amongst themselves and a consultant to (1) define existing contracts, insurance and approval processes for each party; (2) define opportunities for efficiencies and cooperation amongst the parties with contract policies, forms, workflows, vendors, insurance and risk management review; (3) develop training

materials for parties and their vendors; (4) develop a virtual support database for each party; (5) build a webpage for the parties and their vendors 24/7/365 access to materials and virtual support; and

This MOU may not be amended or modified orally; the MOU can only be amended or modified by written agreement, signed by authorized representatives of the parties.

The invalidity or unenforceability of any provision of this MOU shall in no way affect the validity or enforceability of any other provision of this MOU.

This MOU constitutes the entire MOU and understanding between the parties on the issue addressed herein and supersedes all prior MOUs or understandings, whether written or oral on the matter.

This MOU may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute but one and the same MOU. Any party providing a scanned or photocopied signature agrees to execute and deliver to the other party an original signed MOU upon request.

**IN WITNESS THEREOF**, the parties hereto have executed this MOU.



Geneva City Council  
Agenda Item Briefing

To: Geneva City Council

From: Clr. Salamendra

Meeting Date: July 6, 2022

Item Title: Resolution Scheduling a Public Hearing in Connection with the Adoption of a Local Law Amending Section 2.1 of the City Charter to Eliminate Two Elected "At Large" City Councilor Positions

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**Action Required:** Schedule a public hearing to amend the City Charter to eliminate two elected "at large" City Councilor positions.

**Background:** The Municipal Home Rule Law requires a Public Hearing be held before a local law is adopted. The resolution proposes to hear from the public regarding the possibility of eliminating the two "at large" City Council positions.

**Financial Impact:** None. At this point, the request is only for a Public Hearing.

**Attachment:** DRAFT of Proposed Local Law

**5th Ward City Councilor Laura Salamendra**

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**RESOLUTION # 29 - 2022**

**RESOLUTION SCHEDULING A PUBLIC HEARING IN CONNECTION WITH THE ADOPTION OF  
A LOCAL LAW AMENDING SECTION 2.1 OF THE CITY CHARTER  
TO ELIMINATE TWO ELECTED "AT LARGE" CITY COUNCILOR POSITIONS**

**WHEREAS**, currently § 2.1 of the City Charter provides, in part, for elective offices of a Mayor and eight (8) Councilors, and

**WHEREAS**, § 2.1 of the City Charter provides for election of the Mayor and two (2) Councilors by the electors of the City at Large and six (6) Councilors, one by the electors of each City Ward.

**WHEREAS**, it is the goal of City Government to provide a democratically elected governing board, and

**WHEREAS**, in furtherance of said goals, Geneva City Council intends to adopt local law # 5-2022, eliminating two elected positions described in the section 2.1 of the City Charter as "at large" City Councilors, and

**WHEREAS**, the Municipal Home Rule Law requires a Public Hearing be held before a local law is adopted, and

**WHEREAS**, Section 23 subd 2 (e) of the Municipal Home Rule Law requires that a local law which changes the term of an elective office become operative only if approved at such election by the affirmative vote of a majority of the qualified electors of such local government voting upon the proposition

**NOW, THEREFORE BE IT RESOLVED** that a public hearing be held on August 3, 2022 at 7:00 p.m. pursuant to the Municipal Home Rule Law concerning proposed local law # 5 -2022 submitted herewith.



## Local Law # 5 – 2022

### LOCAL LAW ELIMINATING THE ELECTED POSITIONS OF “AT LARGE” CITY COUNCILORS

**BE IT ENACTED**, by the City Council of the City of Geneva as follows:

The Geneva City Charter, approved by referendum, effective January 1, 1974 as amended thereafter, is hereby further amended to eliminate two elective positions of “at large” City Councilors described in City Charter § 2.1.

#### Section I – Purpose

Section I. It is the intent of this local law, which is subject to mandatory referendum, to eliminate two elective positions of “at large” City Councilors described in City Charter Section 2.1.

Section II– City Charter Article 2, Section § 2.1 pertaining to elected officials is hereby amended to read as follows:

§ 2.1 The elective offices of the City shall be the Mayor, six (6) Councilors and ~~three~~ (3) Supervisors and such City Judges as are established by State Law. The Mayor and the six (6) Councilors shall hold office for four (4) years. The Supervisors elected at the general election in 1992 and thereafter shall be elected for a term of four (4) years, except to fill vacancies. The City Judges shall be elected or appointed as established by State Law. The Mayor shall be elected by the electors of the City at Large. The six (6) Councilors shall be elected by the electors of their respective wards. One Supervisor shall be elected by the electors of the first and second wards which is designated as the first supervisory district, one supervisor by the electors of the third and fourth wards which is designated as the second supervisory district, and one supervisor by the electors of the fifth and sixth wards which is designated as the third supervisory district.

Section III. The proposed amendment to City Charter Article 2, § 2.1 contemplated by this local law shall supersede local law #3 -2022 staggering the terms of office of the Mayor and Councilors, if local law #5-2022 is approved by mandatory referendum.

Section IV. City Charter Article 2, § 2.1 shall be amended to provide that the six Geneva City Council members and the Mayor shall be elected in stages every two years beginning with the 2023 general election. The Mayor and Councilors representing wards 2, 4, and 6 shall be elected to a term of two years in said election. Councilors representing wards 1, 3, and 5 shall be elected to a term of four years in said election. Every general election thereafter, all Councilors and the mayor shall serve a term of four years.

#### Section IV – Effective Date

This local law shall become operative only if approved at the November 8, 2022 general election by the affirmative vote of a majority of the qualified electors of the City of Geneva voting upon the proposition in the above matter, and as prescribed by law.

#### Abstract of Proposition

Shall the City of Geneva Local Law # 5 – 2022 eliminating two positions of “at large” City Councilors be approved?



Geneva City Council  
Agenda Item Briefing

To: Geneva City Council

From: Clr. Regan

Meeting Date: July 6, 2022

Item Title: Resolution for a Variance on City Code, Chapter 114-1, Outdoor Burning Prohibited

---

**Action Required:** Discussion and consideration by Council and a majority vote

**Background:** In July 2020, City Council unanimously passed a resolution to essentially ban the use of synthetic pesticides and fertilizers on City properties. Since that time, the Department of Public Works, with the City Green Committee and in consultation with Cornell AgriTech, has researched alternatives to the care of green spaces. The use of Flame Torches to control weeds in specific, contained areas is an inexpensive effective approach to killing weeds in many spaces. Although the language of the Outdoor Burning Code speaks to fires such as burning of garbage, in an abundance of caution, this resolution seeks a variance on the code to allow DPW testing of this common tool.

**Alternative:** We determine a variance is not necessary, or we do not test this tool and look to other solutions for weeding public spaces.

**Financial Impact:** Cost is approximately \$100-270 for industrial torch. (Note: Council has voted in funds for purchase of needed equipment for this purpose.)

**3<sup>rd</sup> Ward City Councilor Jan Regan**

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## RESOLUTION # 30 – 2022

### RESOLUTION TO FOR A VARIANCE ON CITY CODE, CHAPTER 114-1, OUTDOOR BURNING PROHIBITED

**Whereas:** City Council voted to ban use of synthetic chemicals on city owned properties for the environmental protection of our lake, land and people on July 1, 2020, and

**Whereas:** The Green Committee, in conjunction with the City Department of Public Works (DPW) and in consultation with Cornell AgriTech has investigated alternative approaches to caring for our public green spaces and

**Whereas:** One tested and viable approach to specific weeding issues is the use of "Weed Troches" which use a small, directed flame to kill weeds on contact and without chemicals and

**Whereas:** Testing of this inexpensive approach would benefit the ability of the DPW to access the effectiveness of this approach in various garden plots, sidewalks, and other areas where mechanical weeding is less efficient alternative and

**Whereas:** The Fire Chief of the Geneva Fire Department (GFD) has stated the following opinion on use of this targeted flame technique:

- The flame weeder is a commercial made product and it should be used in accordance with manufacturers specifications
- The area should be observed and inspected for embers or flames after burning
- A fire extinguisher should at the point of use
- The process should be avoided on windy days
- Burning should be avoided around other dry vegetation
- The process should be avoided during the months of the NYS DEC burn ban (typically Mar-May)

**And whereas:** The Head of the DPW will work closely with the GFD Chief in safely testing this technique and

**Whereas:** The current code, Chapter 114-1, Outdoor Burning Prohibited, though addressing larger fires generally, can have a variance applied to allow this targeted and controlled approach to weeding areas of City property

**Therefore, be it resolved** that the City Council permit a variance to City Code, Chapter 114-1, Outdoor Burning Prohibited, to ensure DPW staff and GFD staff can work together in testing and, if successful, implementing the use of Weed Torches to assist in eco-friendly care and upkeep of public spaces in the City.

JER, Ward 3, 6.28.22



To: Clr. Camera and Clr. Gaglianese  
From: Lori Guinan, City Clerk  
Date: July 6, 2022  
Subject: Appointments for Council Meeting

Appointments to the Police Budget Advisory Board: Jonathan Millis, Michele Neary, and John Lynch, with David Strickland appointed as an alternate. All terms expire December 31, 2022.

**Office of the City Clerk**  
**Lori Guinan**

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