

AGENDA

REGULAR COUNCIL MEETING

CITY OF GENEVA, NEW YORK

September 7, 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. PROCLAMATION – Clr. John Salone
- V. SUPERVISOR UPDATE
- VI. PRESENTATION – Green Committee, Volunteer Weeding Efforts at Lakefront Park
- VII. DRI UPDATE
- VIII. FOUNDRY UPDATE
- IX. CONSIDERATION OF MEETING MINUTES
This portion of the meeting is dedicated to correction of meeting minutes for the following Council session:
 - A. August 3 (Regular Council Meeting) {Page 3}
- X. 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.
- XI. 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

XII. 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.*

XIII. UNFINISHED BUSINESS

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

- A. Resolution Appointing Supervisor for District 1 – Presented by Mayor Valentino #35-2022
- B. Second Reading of an Ordinance Amending Chapter 300 Entitled “Solid Waste” – Hauler Licensing - Presented by City Manager Hendrix #4-2022 {Page 20}
- C. Resolution Authorizing an Intermunicipal Agreement by the City of Geneva with the Towns of Waterloo and Geneva Concerning the Expansion of the ADAT System at Marsh Creek - Presented by City Manager Hendrix #36-2022 {Page 26}
- D. Bond Resolution to Finance Improvements to the Marsh Creek Wastewater Treatment Plant and Amending, Restating, Replacing and Partially Repealing Bond Resolution Dated August 4, 2021 - Presented by Comptroller Newcomb #37-2022 {Page 34}

XIV. 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. First Reading of an Ordinance Amending Chapter 335 Entitled “Vehicles and Traffic” of the City Code (Washington Street) – Presented by City Manager Hendrix #6-2022 {Page 39}
- B. Resolution Authorizing Castle Creek Stabilization Project – Presented by City Manager Hendrix #38-2022 {Page 41}
- C. Resolution Scheduling a Public Hearing in Connection with an Application to the NYS Office of Community Renewal for CDBG Grant Funding - Presented by City Manager Hendrix #39-2022 {Page 47}
- D. Resolution Authorizing a Clean Energy Program with Heatsmart Monroe-FLX – Presented by Clr. Regan #40-2022 {Page 55}
- E. Discussion on Winter Parking {Page 57}
- F. Board/Commission Appointments

XV. 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.

XVI. ADJOURNMENT

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

REGULAR COUNCIL MEETING

August 3, 2022 – 7:00 PM

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

Presiding – Steve Valentino, Mayor

1. ROLL CALL

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

Absent: Clr. Salamendra

2. PROCLAMATION – Officer Timothy S. Peters

3. PRESENTATION – CERTIFICATES OF RECOGNITION – Castle Street Rescue

4. SUPERVISOR UPDATE

Supervisor Petropoulos said that the county had quite a bit of discussion about possibly cutting the gas tax, but decided against it due to the two service areas on I-90 which is mostly used by people just passing through and not county residents. He said that if there are any residents who are truly suffering, he would be happy to take it up with the board. On August 13th, there will be an Open House at Jordan Hall from 10am to 3pm. He said the county is currently hiring all ages and all skill levels. He said that the Veterans Outreach Center of Rochester offers services and help for veterans and will be holding a stand down on September 16 from 11am to 2pm at the Public Market at 280 Union Street.

5. 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.

WORK COMPLETED TO DATE:

As of the last progress meeting held Thursday July 21, 2022, the contractor has used 82% of the contract time and has completed 60% of the proposed work. The current pay estimate # 10, was dated July 18, 2022 approved the contractor's total dollars completed was \$5.82 M out of \$10.1 M. The current contract substantial completion date is at end of October 2022. The contractor has submitted a request for contract time extension which is being reviewed.

UPCOMING WORK SCHEDULED:

The current Contract 1 or "5&20 Corridor" Phase is in Phase 1B. The contractor is working on the center lane of Rtes. 5&20. Work continues on storm sewer upgrades, underground electrical work and installing median granite curbing. NOTE** Traffic pattern switch to Phase 1C is anticipated for the week August 15th allowing contractors to work in the Westbound lane of Rtes 5&20. Additionally, be advised that nightwork is part of the Phase 1C - Work Zone Traffic Control Plan, and the contractor is expected to install a short-term detour and plan night time asphalt milling and hot mix paving. We currently do not have anticipated schedule for night work.

The current Contract 2 or "Street Scape and 5 Points" is in Phase 2C. Work continues on finalizing all decorative features, landscaping, brick pavers, sidewalk, signage, and green infrastructure along Castle and Exchange. The Buzzuto Center rain water collection system is being constructed. All traffic signal and street light work remains to be completed.

UTILITY WORK:

DPW is seeking quotations for storm sewer repairs to piping under Rte 5&20

CONCERNS:

ELECTRICAL – Subcontractor delays continue.

RAIL ROAD - Norfolk Southern Rail Road (NSRR) – We are still waiting on East Castle Street project plans approval

EVENTS – Coordinating with BID Garlic Fest, Live on Linden St and Hotel schedules

6. FOUNDRY UPDATE**Remedial Design**

- NYSDEC's engineering contractor continued to develop the remedial design plans for Genesee Park and coordinated with the City DPW regarding proposed park enhancements to be installed after remediation. Work is now expected to begin in late August with removal of the public sidewalks along Genesee and Lewis Streets (while the sidewalk through the middle of the park remains open). Excavation of the park inside the fence is expected to begin in September, after restoration of the perimeter sidewalks is complete. Design of park enhancements by the City is proceeding concurrently with NYSDEC's work.
- Design activities continue for all other remaining properties south of Lewis Street. The project arborist evaluated trees at properties on Genesee, Geneva, and Tillman Streets. Remaining structural

inspections will be completed this fall. Remediation of these properties is expected to be completed in 2023.

Remedial Construction

- Fencing was installed at properties located south of Middle Street between Exchange Street and Wadsworth Street. Landscaping is anticipated to be completed this summer and fall.
- At properties located on Exchange, Wadsworth, and Middle Streets, north of Middle Street:
 - Excavation is complete and restoration is substantially complete at most of the 15 properties from 113 Exchange Street south to Middle Street. Remaining restoration items will be completed this summer and fall.
 - Remedial construction activities began on seven properties in the northern part of this block, just north of 113 Exchange Street as far north as 77 Exchange Street and 54 Wadsworth Street. Excavation is expected to be completed by mid-August, with most property features restored by early fall. Replacement plants and trees will be installed this fall or next spring.
- As noted above, remedial construction work at Genesee Park is expected to begin near the end of August and restoration is anticipated to be completed in early November 2022. Other work south of Lewis Street will be performed concurrently with work at Genesee Park.

7. CONSIDERATION OF MEETING MINUTES

ACTION TAKEN by Clr. Regan; seconded by Clr. Salone

MOVED THAT the minutes of the July 6th Council Meeting be approved

ROLL CALL VOTE: Aye – Clr. Camera, Clr. Regan, Mayor Valentino, Clr. Noone, Clr. Pealer, and Clr. Salone

Abstain – Clr. Gaglianese and Clr. Burrall

Absent - Clr. Salamendra

MOTION CARRIED

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

MOVED THAT the minutes of the July 11th Council Meeting be approved

ROLL CALL VOTE: Aye – Clr. Camera, Clr. Regan, Clr. Burrall, Clr. Noone, and Clr. Salone

Abstain – Clr. Gaglianese, Mayor Valentino and Clr. Pealer

Absent - Clr. Salamendra

MOTION CARRIED

8. PUBLIC COMMENT

Joe Wukitsch told council that he spoke at the December meeting, and it was his understanding after that meeting that council was going to form a committee to address his concerns about trees in the city right-of-way that are damaging sidewalks. He said he sold his property at 35 Columbia Street, and he notified the city that the tree in the right-of-way was causing the sidewalk to heave, but was told it could not be removed. He said that his concern is that there is a unilateral inspection with no process to appeal the decision. He said that forcing owners to repair their sidewalks is a fine and an exit tax. He said he was under the impression the city was going to move forward possibly using the model used by the City of Ithaca. He said he was told that the city does not take trees down, but he believes that to be incorrect, and he would like someone from the city to get back to him with a timetable.

Paul Peters thanked the city for the proclamation honoring his brother tonight. He also thanked the police department for their outpouring of love and support. He said he was met at the hospital by the police chief when his brother passed, along with other officers who escorted Tim's body to the funeral home and honor guards were posted at the funeral. He said his family can never repay the love they have received from this group of amazing people. He told council that our police officers are not the violent demons some councilors make them out to be. He also thanked the fire chief and fire department members who attended the funeral. He thanked Jennifer Slywka for helping his family with paperwork that needed to be done. He thanked Clr. Gaglianese for the moment of silence at last month's meeting, but he was upset when two council members did not acknowledge the moment of silence. He said he felt his brother deserved better in that 10 seconds, and he said it was disrespectful to Tim and to his entire family. He said that one of these council members has demeaned and vilified law enforcement since her election, posted on social media to defund the police, and support of violence against law enforcement officers. He said the other council member has supported her this whole time. He said it is time for this behavior to stop, and for these two council members to be held accountable.

Charles King said mental health is...

Alexander Kelly said that he is a business owner and is having trouble starting and maintaining a business in the city because of city regulations. He said he has been in business for ten years in different states, and he has done his due diligence, yet there are too many parameters for him to follow in the City of Geneva. He said that 10 years ago, food trucks were discussed, and he believed City Manager Matt Horn said they were only allowed under a street and sidewalk ordinance immediately adjacent to an existing business, but he cannot get clarity where he can do business. He said he has a mobile food truck and a business downtown, but after seven years he has not been given clarity where he can and cannot operate. When asked about his business, he said that it is a mobile food business at this point and he has a restaurant in the City of Geneva.

9. MAYOR AND COUNCIL REPORTS

Clr. Burrall thanked the speakers tonight for taking part in democracy. He announced there will be blood drives August 11th at Geneva General Hospital from 10-4, August 16th at the Seneca County Office Building from 11-4, August 18th at the Hall Fire Department from 2-6:30, and August 23rd at Belhurst from

1-7pm. He encouraged everyone to donate. He said that the Business Improvement District held a meeting on July 28th and hired their new Executive Director, Katherine Price and they invite people to come and visit the BID. He reported that Cruisin' Night was a success, and they are getting ready for the Garlic Festival this weekend with a soft kick off concert Friday night from 5-10pm. The festival will be Saturday and Sunday from 11am to 5pm at the Lakefront. Clr. Burrall announced that on August 13th, they will be holding the third event in a series of six in the Linden Street Wine Series from 6-8pm. He said it will include Rieslings, local merchants, microbreweries, and distilleries, and will be coordinated with the Live on Linden. He said that the building where the Red Dove was located sold and they anticipate a new restaurant opening September 30th. The B & D Deli will be closing at the end of the week noting that they had a special in honor of Officer Tim Peters. He said that Officer Peters was popular in his neighborhood as he was in charge of keeping the 18-wheelers on the truck route and out of downtown. Clr. Burrall said that he and Jim Norwalk collected \$665 for firewood this month, and after deducting expenses, he had \$605 for the Shadetree Committee fund.

Clr. Pealer said that he grew up in the restaurant business and remembers the strict laws in the city that his family had to follow. He said that he would like to see the city expand and modernize our mobile vending policies to encourage competition, but without stepping on toes. He said the Recreation Board met two times appointing a chair, Joan Barnard and vice-chair, Wes Greco. The city will be holding the Touch-a-Truck Day on October 10th and the Hildreth Hill Pumpkin Roll will be October 15th. He said there will be storefront painting and lamppost decorating for Halloween with information coming soon. He said there will be popup kickball program starting August 13th in the city parks. He said there will be an "It's My Party" music event at the lakefront on August 10th. The board decided to hold meetings the third Tuesday of the month. Clr. Pealer finished by saying that the board discussed and would like to see our website include an interactive map, WiFi in certain parks, improvements to the Brook Street tennis courts and restoration of Musical Porches.

Clr. Regan said she has been talking to Director of Public Works, Joe Venuti and has asked council about holding a work session to discuss sidewalks. Mayor Valentino said that with the council retreat this month, he would like council to check their calendars to see if September 12 or 19th would work. Clr. Regan said she attended the BOA Open House in July at the Crystal Street Gardens saying that the gardens are beautiful and the event was eye opening. She announced that on August 20th there will be a dedication of a plaque at the Visitor's Center for the AppleKnockers who played for over 50 years in the City of Geneva and throughout the state. She thanked Tim Higgins from the DPW and Massa Construction for being helpful with this event. With regard to the weed torch, she spoke to someone who has one noting that this person is willing to test it for us to see what our public works department thinks. She said that the Green Committee met in July to talk about the goals of the transfer station and what they have been in the past. She said that the Presbyterian Church does a Fifth Sunday Project, and they helped with weeding. She also said that 41 Lakefront Hotel will be hiring two gardeners to take care of the weeds at the lakefront. She said that the Blueprint Geneva Summer Youth Program has been working with the Green Committee, and Geneva Community Projects has donated \$1000 to purchase new plants for the lakefront. She said the Summer Reads Program has been working to identify plants for four sites they chose. Clr. Regan noted that these are all volunteers doing this work.

Clr. Camera said that he was contacted by the Ontario County Soil and Water Conservation District about a \$10,000 grant available to the city if we will bundle some money with it to do repairs to the Castle Creek area near the Brook Street tennis courts. He said it will require a supplement of about \$6,000 (\$3,000 in funding and \$3,000 in in-kind services). Clr. Gaglianese said he would like to see something done to help residents whose houses are affected by Castle Creek as well. Clr. Camera said that the Shadetree Committee is doing a lot of cool work, and Mark Perry is now working part-time for the city and has been assigned to the committee. He said the committee is looking to reforest Lafayette Avenue, and have noted that the urban forest trees at the transfer station are almost ready to be moved to replanting. The committee discussed the need for an Arborist and will be looking to see what other small cities are doing.

Clr. Salone said the Geneva Housing Authority is working on the upgrades to the Lyceum Street buildings, and they have a current waiting list for affordable housing of 970 people. He said he felt that Cruisin' Night was a success, but he wished that people did not bring their dogs. He did a walk-through at 36 Middle Street and discussed with Dave Linger about the planned units. He said that the Sons and Daughters of Italy will be holding festival weekends with August 19th cookie sales and a band playing. August 20th will be a pig roast along with live music.

Clr. Gaglianese said that the Planning Board did not meet. The Budget Advisory Board is hard at work and compiling questions for the police chief. He said that after hearing public comment, he feels we need to do whatever it takes to get businesses to come to Geneva, adding that we need revenue creation. He said he believes council needs to meet to discuss the marina situation. He said he feels the DRI project is beautiful now that the barricades are gone. He asked people to give it a chance. He thanked Paul Peters for speaking tonight saying that the proclamation was well-deserved, and he again said he is sorry to the family.

Mayor Valentino said that he noticed a woman coming out of 29 Linden Street Saturday night, and he said he is concerned at how easy it is for people to walk in, and he would like staff to continue to push for the building to be completed. He announced that Waters Edge will be breaking ground later this month on the former American Legion property. He thanked exiting President Jacobson for her tenure at Hobart and William Smith Colleges and said he is looking forward to Mark Gearan's return.

10. CITY MANAGER REPORT

City Manager Hendrix welcomed the new Comptroller, Stefanie Newcomb noting that Stefanie has a wealth of knowledge she has already put to work in her first 8 days on board.

2023 Budget: Together Stefanie and I will be diving into the 2023 Budget process in the coming weeks with a presentation to Council on September 21. Council will be meeting on August 24 in a retreat session to discuss a variety of things including Council priorities in the future. In my conversations with each member of council I have found many similarities across council priorities including investing in our people to make sure our resources are well trained and focused on meeting community needs, that the lakefront

remains a clean, safe, and friendly space for our community and visitors alike, that our downtown is maintained and sustained, and that we continue to be stewards of public resources. These cross-cutting themes will likely make an appearance within our budget discussions and decisions.

Director of Planning and Economic Development Search: The City of Geneva will begin our search for the next Director of Planning and Economic Development within the next week. This position will report directly to the City Manager and provide oversight to a team of two. The position is empowered to provide planning and management oversight on all matters related to economic development and planning for the City of Geneva, such as issues related to business development, zoning, housing, tourism, community engagement, energy, and community sustainability. As a management position, this is an unclassified position. The posting will soon be live on the city website.

Code Enforcement: On Monday we will welcome our newest Code Enforcement Officer and have a complete Code Enforcement team.

Lakefront: Our lakefront provides many opportunities for our citizens and visitors. There will be many people on our lakefront this weekend for the Glorious Garlic Festival. For safety and flow purposes, the Farmer's Market has been cancelled and many Farmer's Market vendors are participating in the festival, the boat launch will be closed from 2am on August 6th – 7pm on August 7th, and the disc golf course will also be unavailable during the event.

As events return to the lakefront our event planning team is working to further coordinate the City and partner resources. This team is charged with maintaining the safety for all that attend and support our lakefront and will be convening this fall to ensure that we can fully enjoy all the lake has to offer, from our boat launch, disc golf course, running trails, farmer's market, events and additional functions such as a marina.

As far as Marina, I am currently reviewing the amount of funding that has been anticipated for the funding this project through current grant awards and bonds. We are currently awaiting on the permitting processes through the Army Corps of Engineers and DEC of the designs provided in 2020 to allow us to move forward with this project. Once I have fully reviewed this analysis I will provide this overview to council with our options and expenses moving forward.

City Staff Triple Bottom Line Day: We will be hosting a Triple Bottom Line Day on August 31st for all day staff training. Triple Bottom Line days are ways that City staff learn and give back to the community, on August 31 we will close our offices to provide an in-staff training during this event.

Gratitude: I appreciate the work of our teams as they continue to come together to meet the needs of the city. You may find many of our team members taking well deserved vacations in the coming weeks, and while you may get an out of office email, please know that the work continues through other team members, as our employees take time to recharge.

11. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 300 ENTITLED "SOLID WASTE"

City Manager Hendrix presented the following ordinance for first reading:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENEVA, NEW YORK THAT CHAPTER 300, ENTITLED "SOLID WASTE", OF THE CITY OF GENEVA MUNICIPAL CODE, BE AMENDED AS FOLLOWS:

Section 300-1 is amended to read as follows:

§ 300-1 Purpose.

By the adoption of this chapter, the City Council of the City of Geneva, for the promotion of the health, safety and general welfare of the City of Geneva and its inhabitants, declares its intent to regulate collection and disposal of residential and commercial solid waste within the City of Geneva.

Section 300-2 is amended as follows:

1. The following definitions are added in alphabetical order

COLLECTION -- means the act of picking up solid waste material from the public right-of-way abutting homes, or business or industrial sites.

COMMERCIAL SOLID WASTE – means solid waste generated by retail stores, other businesses, offices, restaurants, warehouses, educational, health, not for profit, and other, non-manufacturing, excluding one and two family residential and industrial wastes.

CONSTRUCTION AND DEMOLITION DEBRIS -- means uncontaminated solid waste resulting from the construction, remodeling, repair and demolition of structures and roads, and uncontaminated solid waste consisting of vegetation resulting from land clearing and grubbing, utility line maintenance and seasonal and storm-related cleanup. Such waste includes, but is not limited to, bricks, concrete and other masonry materials, soil, rock, wood, wall coverings, plaster, drywall, plumbing fixtures, non-asbestos insulation, roofing shingles, asphaltic pavement, glass, plastics that are not sealed in a manner that conceals other wastes, electrical wiring and components containing no hazardous liquids, and metals that are incidental to any of the above.

COMPOSTING MATERIALS – Organic material, including but not limited to, food waste and lawn materials, suitable for composting.

RESIDENTIAL SOLID WASTE—means household waste, generated by single family or multifamily dwellings with up to eight dwelling units, excluding automobile parts, tires, construction and debris materials, yard trash, bulky waste, white goods, and hazardous waste.

SOLID WASTE -- For the purposes of this Chapter, Solid Waste shall be defined as set forth in 6 NYCRR Section 360.2 subdivision a. currently in effect and as amended.

2. The term **RECYCLABLES** shall be redefined as follows:

RECYCLABLES —means a component of waste which exhibits the potential to be recycled.

3. The term **REFUSE COLLECTOR** shall be amended to “**SOLID WASTE COLLECTOR** “.

4. The term **TRASH RECYCLABLES** shall be deleted from Section 300-2.

Subdivision A (1) of Section 300-3 shall be amended to read as follows:

- (1) The owner of residential and multifamily premises within the City of Geneva, or individual places of business within the City of Geneva, shall contract with a solid waste collector licensed by the City of Geneva, and be financially responsible for continuous and regular disposal service for each residence for the trash/recyclables and food waste that may accumulate or be used on said premises.

Subdivision A (1) of Section 300-5 shall be amended to read as follows:

Initial violation. The authority having jurisdiction or its authorized representative shall order the owner of any premises who has not contracted with a collector of residential or commercial solid waste licensed by the City of Geneva, or upon whose premises solid waste shall have accumulated or become improperly stored, or where containers, empty or full, have become improperly stored in violation of this chapter to: contract with a collector of residential or commercial solid waste licensed by the City; to remove such solid waste from such premises and/or to remove containers, empty or full, or properly store them within two days after receipt of an initial notice of violation.

The title of Article III shall be amended to read as follows:

ARTICLE III

LICENSING OF SOLID WASTE COLLECTING

Section 300-6 shall be amended to read as follows:

No person or entity shall engage in the business of receiving, collecting or transporting residential or commercial solid waste within the City of Geneva without first obtaining a license to carry on such business from the Clerk of the City of Geneva and paying the fee for such license as set by City Council resolution.

A person or entity may obtain a license to receive, collect or transport residential solid waste within the City of Geneva and a license to receive, collect or transport commercial solid waste within the City of Geneva as provided in this article.

Nothing herein contained shall be construed to prevent any person or entity from transporting yard trimmings or brush generated on residential or commercial premises for the purpose of disposal.

Section 300-7 shall be amended as follows:

1. Subdivision A shall be repealed in its entirety to be replaced by the following:

A. The City Clerk may issue up to six (6) licenses for collection of residential solid waste in the City. Licenses issued pursuant to this chapter shall be for a period of two calendar years or less, to expire on December 31st of the license period. Said Licenses shall be subject to revocation as provided herein. A person or entity licensed to collect residential solid waste, shall pay an annual fee to be determined by City Council Resolution

2. The current subdivision B of Section 300-7 shall be replaced by the following:

B. The City Clerk may issue up to six (6) licenses for collection of commercial solid waste in the City. Licenses issued pursuant to this chapter shall be for a period of two calendar years or less, to expire on December 31st of the license period. Said Licenses shall be subject to revocation as provided herein. A person or entity licensed to collect commercial solid waste, shall pay an annual fee to be determined by City Council resolution.

3. The current subdivision B of Section 300-7 shall be re-lettered as subdivision C and shall be amended to read as follows:

C. The City Clerk may issue one additional license to the operator of the Geneva Resource Recovery Park authorizing the operator to operate a transfer facility that accepts no more than 20 cubic yards of waste per day, excluding mercury-containing products, at the Geneva Resource Recovery Park as defined and governed as an exempt facility by NYSDEC Chapter IV – Quality Services Subchapter B: Solid Wastes, Subpart 362-3 Transfer Facilities. Hazardous household items such as, but not limited to, petroleum products, tires, appliances, are only allowed during special events, with written permission from the City of Geneva Director of Public Works. The license issued pursuant to this subsection shall be for a period of one year or less, subject, however, to the revocation thereof as provided herein. The operator of the Geneva Resource Recovery Park shall pay an annual fee for this license no later than January 31 of each year in an amount to be determined by City Council Resolution. The operator of Geneva Resource Recovery Park shall retain the right to renew said license annually unless the license is revoked by City Council, the New York State Department of Environmental Conservation registration is not in effect, or the licensee discontinues operating the Geneva Resource Recovery Park.

4. A new subdivision D. shall be added to Section 300-7 to read as follows:

D. Unless a license for collection of residential or commercial solid waste is revoked by the authority having jurisdiction, or the collecting person or entity discontinues operations in the City for a period greater than 60 days, the licensee shall apply to the City Clerk for renewal of its license for collection of residential or commercial solid waste no later than 60 days prior to the expiration of its current license. A licensee shall have no vested right in renewal of its license, except that in the event the maximum number of licenses described in Subdivisions A or B have been issued, current license holders in good standing will have the option to renew prior to a license being issued to a previously unlicensed collector.

5. A new subdivision E. shall be added to Section 300-7 to read as follows:

E. Prior to issuing or renewing a license under this Chapter, the City Clerk shall review the performance of the applicant. The City Clerk shall notify an applicant or a licensee of its determination issuing or denying an application for issuance or renewal of a license under this Chapter in writing, stating the reasons therefor. An applicant or licensee may appeal a determination denying its application for issuance or renewal of its license no later than 30 days of the date it is notified of the determination by filing a written appeal with the office of the City Manager. Determination of the appeal shall be made within 30 days of the date of receipt. A denial of an application for renewal of a license shall be stayed pending determination of the appeal.

6. A new subdivision F. shall be added to Section 300-7 to read as follows:

F. No license shall be required for the collection for the purpose of disposal of yard trimmings or brush generated on residential or commercial premises.

7. A new subdivision G. shall be added to Section 300-7 to read as follows:

E. Any person or entity collecting construction and demolition debris related to a building permit and any person or entity using a "roll off" or other device to collect residential or commercial solid waste or construction or demolition debris, whether or not such activity is associated with a building permit, shall pay a fee to the City Clerk in an amount to be determined by City Council resolution.

Section 300-9 shall be amended as follows:

1. The current subdivision D of Section 300-9 shall be replaced by the following:

D. All vehicles used by collectors for purposes under this Chapter shall have insurance in place for claims of bodily injury and property damage with limits of no less than \$1,000,000 per occurrence. Such insurance shall be without prejudice to other coverage. The City of Geneva shall be named as additional insured.

2. Subdivision F of Section 300-9 shall be repealed in its entirety. Subdivisions G through M of Section 300-9 shall be renumbered F through L accordingly.

3. Section 300-10 shall be amended to read as follows:

300-10 Disposal In The Ontario County Landfill Site

All solid waste generated in the City of Geneva, shall be delivered for disposal to the Ontario County Landfill in the Town of Seneca.

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

MOVED THAT this ordinance be approved for first reading

Clr. Camera said he feels staff did a great job and all of the bases are covered. He is definitely in favor of only allowing six licenses in the city. He said he is still concerned with the labeling of toters issue noting that labels help people to recycle. He said that the County has \$5,000 available to help cover the cost of the labels, and it can be as easy as sending an email to the solid waste department at the county.

Clr. Noone said he agrees with the advisement of staff that there should be no limit to the number of haulers we allow, and he believes in free market which will promote competition and increase accountability. He said he would like to offer an amendment to section 300-7 1(a) and 2(b) to include the words "any number of" licenses.

Clr. Gaglianese said he agrees, saying that it should drive the prices down and he would like to take recommendations from staff as well.

Clr. Regan said she appreciates the argument behind this, but she is frightened by the idea of having no limit and is not in favor of this amendment. Clr. Burrall said that the origin of the ordinance was concern about having an unlimited number of 55,000 gross vehicle weight packers on our streets at any one time along with the health component to it. He said we currently have the right number of licensees, but we are not vetting them in the proper way. He said the city should be looking for companies to do both commercial and residential pick up five days a week noting that we do not have a need for residential haulers, but we do for commercial ones.

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

MOVED THAT this ordinance be amended in section 300-7 1(a) and 2(b) to replace the wording "up to six (6)" with "any number of"

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

Abstain – Clr. Camera, Clr. Regan, and Clr. Burrall

Absent - Clr. Salamendra

MOTION CARRIED

{Roll Call on the ordinance as amended above}

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

Abstain – Clr. Camera, Clr. Regan, and Clr. Burrall

Absent - Clr. Salamendra

MOTION CARRIED

12. RESOLUTION OF SUPPORT AND AUTHORIZATION FOR CLEAN WATER GRANT APPLICATION

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva (City) supports the submission of a New York State Water Infrastructure Improvement Act (WIIA) and New York State Intermunicipal Water Infrastructure Grant application, on behalf of the City, for upgrades to the Marsh Creek Wastewater Treatment Plant (WWTP), hereinafter referred to as the “Project”; and

WHEREAS, the New York State Environmental Facilities Corporation (EFC) administers grants to assist municipalities in funding water quality infrastructure projects that protect public health and improve water quality; and

WHEREAS, an Engineering Report, entitled “*Engineering Report for the Marsh Creek Wastewater Treatment Plant, Expansion of the ATAD Sludge Digestion System and Upgrades to the Marsh Creek Pump Station*”, dated July 2021 (updated September 2021), and the July 2022 Supplement recommends implementing the Project to help improve water quality and protect public health; and

NOW, THEREFORE BE IT RESOLVED, that the Geneva City Council identifies the City Manager as the authorized representative of the City to submit the WIIA /IMG application on behalf of the City and execute all associated documents relative to and as required for the WIIA/IMG application, including the funding agreement and financial application, as applicable; and

BE IT FURTHER RESOLVED, that the City shall provide local matching funds totaling at least 75% of the Project Costs in the form of in-kind services or cash contributions appropriated and obligated through State Revolving Fund (SRF) or other approved financing or funds, in accordance with the Bond Resolution; and

BE IT FURTHER RESOLVED that the Geneva City Council supports the Project and submission of the 2022 WIIA/IMG grant application on behalf of the City to improve water quality and protect public health.

City Manager Hendrix said this resolution would increase our wastewater infrastructure and provide grant funding to do so. When asked for clarity, City Manager Hendrix said that council will be seeing a bond resolution at the September 7th meeting related to this grant, and this will increase our capacity for economic development.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1absent)

13. RESOLUTION DECLARING SURPLUS PROPERTY

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva no longer has use for the following bicycles that were found but the owner of each could not be located:

Status	CR #	Brand	Size
Found Property	2020-34910	Kulana 2-seater	26"
Found Property	2020-22661	Hyper	26"
Found Property	2021-22767	BCA	20"
Found Property	2021-19796	Giant	26"
Found Property	2021-20504	Genesis	20"
Found Property	2021-21323	Next	26"
Found Property	2021-15963	Mongoose	26"
Found Property	2021-24913	Kent	16"
Found Property	2021-24913	Huffy	10"
Found Property	2021-15963	Mongoose	26"
Found Property	2020-22636	Mongoose	26"
Found Property	2020-33013	Roadmaster	26"
Found Property	2020-25258	Thruster	20"
Found Property	2020-23931	Trek	26"
Found Property	2020-29828	Huffy	26"
Found Property	2020-25780	Kent	18"
Found Property	2020-20467	GS	26"
Found Property	2020-19409	GT	26"
Found Property	2020-33013	Next	20"
Found Property	2020-29941	Genesis	20"
Found Property	2020-33013	Inspire	20"
Found Property	2020-29762	Huffy	16"
Found Property	2021-2912	Next	20"
Found Property	2021-9711	Giant	26"
Found Property	2021-14136	GT	26"
Found Property	2021-15124	Hyper	26"
Found Property	2021-15310	Mongoose	26"
Found Property	2021-17937	Huffy	24"
Found Property	2021-17851	Roadmaster	24"
Found Property	2021-16734	Next	26"
Found Property	2021-15533	Next	26"
Found Property	2021-18716	Huffy	16"
Found Property	2021-29828	Huffy	26"

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 police department is authorized to donate the bicycles to local charities around the City of Geneva.

ACTION TAKEN by Clr. Salone; seconded by Clr. Camera
MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY (8-1absent)

14. RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN INTENT TO APPLY FOR THE 2022 RESTORE NY COMMUNITIES INITIATIVE

City Manager Hendrix presented the following resolution:

WHEREAS, Empire State Development has announced another round of Restore New York Communities Initiative ("Restore NY") which provides municipalities with financial assistance for the revitalization of commercial and residential properties; and

WHEREAS, the program encourages community development and neighborhood growth through the elimination and redevelopment of blighted structures; and

WHEREAS, the Restore NY Community Initiative aligns with at least one proposed redevelopment project which is located at 36 Middle Street ("project"); and

WHEREAS, after decades of service as a grain elevator, the building was used as a warehouse for a Waterloo moving company and when acquired by the current owner, it was vacant and in danger of demolition by neglect; and

WHEREAS, one of the biggest hurdles is the economic viability of the project due to the size of the building and extent of the deterioration due to years of neglect resulting in the anticipated construction costs far exceeding what can be borne by the anticipated rents from the 9 apartments that are proposed, and

WHEREAS, if the City were to apply and receive the Restore NY funding it will allow this project to come to fruition providing nine housing units to be created from a vacant property of which four will be affordable housing, and

NOW THEREFORE BE IT RESOLVED, that the City Manager is authorized to submit an intent to apply for the 2022 Restore NY funding in anticipation of supporting the project on 36 Middle Street.

David Linger came to the podium and told everyone that this project will include nine apartments, one with two bedrooms, the rest with one. It will have four affordable housing units and be available for a diverse group of people. The apartments will be from approximately 600 sq ft to 1300 sq ft. He said the footprint of the building will stay, and if awarded the grant, they will work with SHIPO to meet their standards.

When Clr. Pealer asked why this resolution came before council, City Manager Hendrix clarified that the City of Geneva is actually applying for the grant, and it requires council approval to do that.

ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Salone
MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY (8-1absent)

15. RESOLUTION AUTHORIZING AGREEMENT WITH HWS FOR USE OF MCDONOUGH PARK

City Manager Hendrix presented the following resolution:

WHEREAS, the City is the owner of certain lands known as the Joseph E. McDonough Park located at 180 Lyceum Street in Geneva, New York (the “Park”); and

WHEREAS, the City has entered into an Agreement of Lease with Geneva Baseball through its President, Fenton R. Ohmann dated April 1, 2021, which Lease Agreement spells out the rights and responsibilities as to the City and Geneva Baseball; and

WHEREAS, Hobart and William Smith Colleges (the “Colleges”) have re-constituted their NCAA Division III baseball program (the “Program”); and

WHEREAS, the City and Geneva Baseball desire to allow the Program to use the Park for practice, games, and other activities spelled out in an Agreement to be crafted in collaboration with the City Manager, Legal Counsel, and the Parties (City, Geneva Baseball Inc., and the Colleges); and

WHEREAS, the Parties desire to work together cooperatively and collaboratively in their collective use of the Park for the good of each of the Parties as spelled out in a shared Agreement; and

WHEREAS, timeliness of creating a shared agreement is of the utmost importance to ensure improvements to the facilities can be undertaken and the Colleges have agreed to undertake certain specified maintenance tasks related to the system as specified by NCAA Division III regulations;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is authorized to execute a Memorandum of Agreement with the Colleges and Geneva Baseball, Inc.

Clr. Gaglianese said he would like Bob Ohmann to be part of the negotiations, and City Manager Hendrix said he has been from the beginning. She said that any delays are due to making sure we have all of the liabilities and legalities covered. Clr. Salone said that he let the College know that they would not be able to install artificial turf in the historic park. City Manager Hendrix said that all improvements required by the NCAA will be taken care of by the College while any future improvements should be covered in the agreement or discussed as needed.

ACTION TAKEN by Clr. Salone; seconded by Clr. Camera
MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY (8-1absent)

16. PUBLIC COMMENT

No public comment was offered at this time.

17. ADJOURNMENT

**ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Noone
MOVED THAT the meeting be adjourned at 9:10pm
MOTION CARRIED UNANIMOUSLY**

Lori Guinan

City Clerk



Geneva City Council
Agenda Item Briefing

To: Geneva City Council
From: Amie Hendrix, City Manager
Meeting Date: September 7, 2022
Item Title: Ordinance Amending Chapter 300 Entitled "Solid Waste" of the City of Geneva Municipal Code

Action Required:

An affirmative vote by a majority of City Council is required to approve this ordinance.

Background:

- At the July 11 Work Session city staff were asked to incorporate changes to the ordinance to reflect the addition of two additional licenses for each commercial and residential hauling resulting in six available licenses for each category. The changes to the ordinance are outlined in the attached document.
- The change in ordinance also provides the inclusion of language related a "roll off container" or other device to collect residential or commercial solid waste or construction or demolition debris.
- An additional proposal to allow for a resolution to address the fees as part of a separate resolution which may occur during the budget process versus in ordinance language has also been included in the proposed changes.
- Currently City staff are researching applications and agreements from other localities, which will allow staff to implement a revised application process for 2023. This will be shared with Council prior to launch of a new application. Fees associated with the licensing will be voted on by Council through a resolution.
- The advisement of City staff members remains to not limit the number of haulers allowed within the city. While there is concern about the number of haulers servicing one street multiple times a week, this has not been shown in our research. Having more options for residents allows competitive pricing among haulers as well as differing quality of services.

Financial Impact:

Current licensing is an annual fee of \$250 per day on Monday-Thursday, and a \$750 fee for Friday.

Office of the City Manager

CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456

**CITY OF GENEVA NEW YORK
CITY COUNCIL ORDINANCE NO 4-2022**

**ORDINANCE AMENDING CHAPTER 300 ENTITLED “SOLID WASTE”
OF THE CITY OF GENEVA MUNICIPAL CODE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENEVA, NEW YORK THAT CHAPTER 300, ENTITLED “SOLID WASTE”, OF THE CITY OF GENEVA MUNICIPAL CODE, BE AMENDED AS FOLLOWS:

Section 300-1 is amended to read as follows:

§ 300-1 Purpose.

By the adoption of this chapter, the City Council of the City of Geneva, for the promotion of the health, safety and general welfare of the City of Geneva and its inhabitants, declares its intent to regulate collection and disposal of residential and commercial solid waste within the City of Geneva.

Section 300-2 is amended as follows:

1. The following definitions are added in alphabetical order

COLLECTION -- means the act of picking up solid waste material from the public right-of-way abutting homes, or business or industrial sites.

COMMERCIAL SOLID WASTE – means solid waste generated by retail stores, other businesses, offices, restaurants, warehouses, educational, health, not for profit, and other, non-manufacturing, excluding one and two family residential and industrial wastes.

CONSTRUCTION AND DEMOLITION DEBRIS -- means uncontaminated solid waste resulting from the construction, remodeling, repair and demolition of structures and roads, and uncontaminated solid waste consisting of vegetation resulting from land clearing and grubbing, utility line maintenance and seasonal and storm-related cleanup. Such waste includes, but is not limited to, bricks, concrete and other masonry materials, soil, rock, wood, wall coverings, plaster, drywall, plumbing fixtures, non-asbestos insulation, roofing shingles, asphaltic pavement, glass, plastics that are not sealed in a manner that conceals other wastes, electrical wiring and components containing no hazardous liquids, and metals that are incidental to any of the above.

COMPOSTING MATERIALS – Organic material, including but not limited to, food waste and lawn materials, suitable for composting.

RESIDENTIAL SOLID WASTE—means household waste, generated by single family or multifamily dwellings with up to eight dwelling units, excluding automobile parts, tires, construction and debris materials, yard trash, bulky waste, white goods, and hazardous waste.

SOLID WASTE -- For the purposes of this Chapter, Solid Waste shall be defined as set forth in 6 NYCRR Section 360.2 subdivision a. currently in effect and as amended.

2. The term **RECYCLABLES** shall be redefined as follows:

RECYCLABLES —means a component of waste which exhibits the potential to be recycled.

3. The term **REFUSE COLLECTOR** shall be amended to “**SOLID WASTE COLLECTOR**”.

4. The term **TRASH RECYCLABLES** shall be deleted from Section 300-2.

Subdivision A (1) of Section 300-3 shall be amended to read as follows:

- (1) The owner of residential and multifamily premises within the City of Geneva, or individual places of business within the City of Geneva, shall contract with a solid waste collector licensed by the City of Geneva, and be financially responsible for continuous and regular disposal service for each residence for the trash/recyclables and food waste that may accumulate or be used on said premises.

Subdivision A (1) of Section 300-5 shall be amended to read as follows:

Initial violation. The authority having jurisdiction or its authorized representative shall order the owner of any premises who has not contracted with a collector of residential or commercial solid waste licensed by the City of Geneva, or upon whose premises solid waste shall have accumulated or become improperly stored, or where containers, empty or full, have become improperly stored in violation of this chapter to: contract with a collector of residential or commercial solid waste licensed by the City; to remove such solid waste from such premises and/or to remove containers, empty or full, or properly store them within two days after receipt of an initial notice of violation.

The title of Article III shall be amended to read as follows:

ARTICLE III LICENSING OF SOLID WASTE COLLECTING

Section 300-6 shall be amended to read as follows:

No person or entity shall engage in the business of receiving, collecting or transporting residential or commercial solid waste within the City of Geneva without first obtaining a license to carry on such business from the Clerk of the City of Geneva and paying the fee for such license as set by City Council resolution.

A person or entity may obtain a license to receive, collect or transport residential solid waste within the City of Geneva and a license to receive, collect or transport commercial solid waste within the City of Geneva as provided in this article.

Nothing herein contained shall be construed to prevent any person or entity from transporting yard trimmings or brush generated on residential or commercial premises for the purpose of disposal.

Section 300-7 shall be amended as follows:

1. Subdivision A shall be repealed in its entirety to be replaced by the following:

A. The City Clerk may issue any number of licenses for collection of residential solid waste in the City. Licenses issued pursuant to this chapter shall be for a period of two calendar years or less, to expire on December 31st of the license period. Said Licenses shall be subject to revocation as provided herein. A person or entity licensed to collect residential solid waste, shall pay an annual fee to be determined by City Council Resolution

2. The current subdivision B of Section 300-7 shall be replaced by the following:

B. The City Clerk may issue any number of licenses for collection of commercial solid waste in the City. Licenses issued pursuant to this chapter shall be for a period of two calendar years or less, to expire on December 31st of the license period. Said Licenses shall be subject to revocation as provided herein. A person or entity licensed to collect commercial solid waste, shall pay an annual fee to be determined by City Council resolution.

3. The current subdivision B of Section 300-7 shall be re-lettered as subdivision C and shall be amended to read as follows:

C. The City Clerk may issue one additional license to the operator of the Geneva Resource Recovery Park authorizing the operator to operate a transfer facility that accepts no more than 20 cubic yards of waste per day, excluding mercury-containing products, at the Geneva Resource Recovery Park as defined and governed as an exempt facility by NYSDEC Chapter IV – Quality Services Subchapter B: Solid Wastes, Subpart 362-3 Transfer Facilities. Hazardous household items such as, but not limited to, petroleum products, tires, appliances, are only allowed during special events, with written permission from the City of Geneva Director of Public Works. The license issued pursuant to this subsection shall be for a period of one year or less, subject, however, to the revocation thereof as provided herein. The operator of the Geneva Resource Recovery Park shall pay an annual fee for this license no later than January 31 of each year in an amount to be determined by City Council Resolution. The operator of Geneva Resource Recovery Park shall retain the right to renew said license annually unless the license is revoked by City Council, the New York State Department of Environmental Conservation registration is not in effect, or the licensee discontinues operating the Geneva Resource Recovery Park.

4. A new subdivision D. shall be added to Section 300-7 to read as follows:

D. Unless a license for collection of residential or commercial solid waste is revoked by the authority having jurisdiction, or the collecting person or entity discontinues operations in the City for a period greater than 60 days, the licensee shall apply to the City Clerk for renewal of its license for collection of residential or commercial solid waste no later than 60 days prior to the expiration of its current license. A licensee shall have no vested right in renewal of its license, except that in the event the maximum number of licenses described in Subdivisions A or B have been issued, current license holders in good standing will have the option to renew prior to a license being issued to a previously unlicensed collector.

5. A new subdivision E. shall be added to Section 300-7 to read as follows:

E. Prior to issuing or renewing a license under this Chapter, the City Clerk shall review the performance of the applicant. The City Clerk shall notify an applicant or a licensee of its determination issuing or denying an application for issuance or renewal of a license under this Chapter in writing, stating the reasons therefor. An applicant or licensee may appeal a determination denying its application for issuance or renewal of its license no later than 30 days of the date it is notified of the determination by filing a written appeal with the office of the City Manager. Determination of the appeal shall be made within 30 days of the date of receipt. A denial of an application for renewal of a license shall be stayed pending determination of the appeal.

6. A new subdivision F. shall be added to Section 300-7 to read as follows:

F. No license shall be required for the collection for the purpose of disposal of yard trimmings or brush generated on residential or commercial premises.

7. A new subdivision G. shall be added to Section 300-7 to read as follows:

E. Any person or entity collecting construction and demolition debris related to a building permit and any person or entity using a “roll off” or other device to collect residential or commercial solid waste or construction or demolition debris, whether or not such activity is associated with a building permit, shall pay a fee to the City Clerk in an amount to be determined by City Council resolution.

Section 300-9 shall be amended as follows:

1. The current subdivision D of Section 300-9 shall be replaced by the following:

D. All vehicles used by collectors for purposes under this Chapter shall have insurance in place for claims of bodily injury and property damage with limits of no

less than \$1,000,000 per occurrence. Such insurance shall be without prejudice to other coverage. The City of Geneva shall be named as additional insured.

2. **Subdivision F of Section 300-9 shall be repealed in its entirety. Subdivisions G through M of Section 300-9 shall be renumbered F through L accordingly.**
3. **Section 300-10 shall be amended to read as follows:**

300-10 Disposal In The Ontario County Landfill Site

All solid waste generated in the City of Geneva, shall be delivered for disposal to the Ontario County Landfill in the Town of Seneca.



**Geneva City Council
Agenda Item Briefing**

To: Geneva City Council

From: Amie Hendrix

Meeting Date: September 7, 2022

Item Title: Intermunicipal Agreement Among the City of Geneva, New York, the Town of Geneva, New York, and The Town Of Waterloo, New York Relative to Shared Services and Expenses of The City's Waste Water Treatment Plant Expansion Project

Action Required:

An affirmative vote by a majority of City Council is required to approve this resolution.

Background: This resolution will authorize the City Manager as the authorized representative to enter into Memorandum of Agreements with the Town of Geneva and Town of Waterloo regarding the grant cost sharing.

Financial Impact:

The City shall provide local matching funds totaling at least 75% of the Project Costs in the form of in-kind services or cash contributions appropriated and obligated through State Revolving Fund (SRF) or other approved financing.

Office of the City Manager, Amie Hendrix

CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456

RESOLUTION # 36 - 2022

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT BY THE CITY WITH THE TOWNS OF WATERLOO AND GENEVA CONCERNING THE EXPANSION OF THE ATAD SYSTEM AT THE MARSH CREEK WASTERWATER TREATMENT PLANT

WHEREAS, the City of Geneva owns and operates a wastewater treatment plant hereinafter referred to as the "WWTP," located a 45 Doran Avenue in the City of Geneva; and

WHEREAS, the City of Geneva and the Towns of Geneva and Waterloo have development proposals and existing projects for new housing and commercial enterprises, that are critical to the growth and economic success of the region, and which require municipal sewer service to be viable; and

WHEREAS, a report prepared in January 2020 by the MRB Group found that the Autothermal Thermophilic Aerobic Digester (ATAD) system at the WWTP was close to capacity and would have to be expanded in order for the City to safely accept the loads required for the scheduled and anticipated new development in the City of Geneva and Towns of Geneva and Waterloo; and

WHEREAS, the City of Geneva and the Towns of Geneva and Waterloo propose to jointly and, as appropriate individually, apply for grant funding to assist with paying the costs of expanding the ATAD) system at the WWTP; and

WHEREAS, the City of Geneva and the Towns of Geneva and Waterloo propose that cost of the expansion not covered by grants will be paid by bond funding obtained by the City; and

WHEREAS, the Towns of Geneva and Waterloo agree in principle to enter into agreements with the City, upon expansion of the ATAD, authorized by General Municipal Law, by which the City will agree to provide wastewater treatment services to the Towns of Geneva and Waterloo for agreed upon consideration based on the volume of their respective flows to the City's WWTP, compared to the total flow volume to the City's WWTP; and

WHEREAS, an Intermunicipal Agreement memorializing these understandings must be submitted with the application for grant funding to assist with paying the costs of expanding the ATAD, and

WHEREAS, the Towns of Geneva and Waterloo have approved the attached Intermunicipal Agreement memorializing these understandings.

NOW, THEREFORE BE IT RESOLVED that the Geneva City Council, hereby and in due form, does confirm the above understandings and approves the form of the attached Intermunicipal Agreement, and it is further,

RESOLVED that the City Manager is authorized to execute the attached Intermunicipal Agreement.

**INTERMUNICIPAL AGREEMENT
AMONG THE CITY OF GENEVA, NEW YORK,
THE TOWN OF GENEVA, NEW YORK, AND
THE TOWN OF WATERLOO, NEW YORK
RELATIVE TO SHARED SERVICES AND EXPENSES
OF THE CITY'S WASTE WATER TREATMENT PLANT EXPANSION PROJECT**

THIS AGREEMENT, made effective this ____ day of _____, 2022,
among:

1. The **CITY OF GENEVA**, a Municipal Corporation, chartered under the laws of the State of New York, located in the County of Ontario and State of New York, with the principal place of business at 47 Castle Street, Geneva, NY, 14456, hereinafter sometimes referred to as the "City".
2. The **TOWN OF GENEVA**, a Municipal Corporation, established under the laws of the State of New York, located in the County of Ontario and State of New York, with the principal place of business at 3750 County Road 6, Geneva, NY 14456, on behalf of its Town Sewer District #1, a special district created pursuant to New York Town Law.
3. The **TOWN OF WATERLOO**, a Municipal Corporation established under the laws of the State of New York, located in the County of Seneca and State of New York, with offices located at 66 Virginia Street, Waterloo, New York 13165, on behalf of its Town Sewer District #1, a special district created pursuant to New York Town Law,

WITNESSETH

WHEREAS, this agreement is made in accordance with Article 5-G of the New York State General Municipal Law; and

WHEREAS, the City of Geneva owns and operates a wastewater treatment plant hereinafter referred to as the "WWTP," located at 45 Doran Avenue in the City of Geneva; and

WHEREAS, the parties have existing agreements authorized by General Municipal Law by which the City of Geneva provides wastewater treatment services to the Town and Waterloo for agreed upon consideration;

WHEREAS the City of Geneva's WWTP handles sludge with its Autothermal Thermophilic Aerobic Digester (ATAD) system, a state of the art treatment system that results in Class A Biosolids suitable for farmland use, and it is currently in such use; and

WHEREAS the City of Geneva and the Towns of Geneva and Waterloo have development proposals and existing projects for new housing and commercial enterprises, that are critical to the growth and economic success of the region, that require municipal sewer service to be viable; and

WHEREAS the City of Geneva's waste water treatment system and WWTP were analyzed to gauge the capacity of the system by MRB Group, which resulted in a report issued in January 2020 titled "Sanitary Sewer and Wastewater Treatment Plant Capacity Analysis." The report found the lines for waste water were adequate for current and additional loads, but the Marsh Creek Pump Station and ATAD were close to capacity and would have to be expanded in order for the City to safely accept the loads required for the scheduled and anticipated new development in the City of Geneva and Towns of Geneva and Waterloo; and

WHEREAS the parties understand and acknowledge that the most cost-effective option for additional area municipal sewer capacity is to expand the City of Geneva's WWTP rather than the Towns of Geneva or Waterloo constructing their own waste water treatment plant elsewhere and re-directing flows to a new plant; and

WHEREAS the Marsh Creek Pump Station at this time primarily serves a section of the Town of Geneva that has development proposals and potential in need of municipal sewer service, and the Town and City have moved ahead to overhaul this pump station, sharing the cost on a 50-50 basis using American Rescue Plan Act and other funds, to solve this part of the capacity problem, leaving the ATAD as the remaining limiting factor for the immediate and long-term economic health of the region; and

WHEREAS a second ATAD can be constructed at the City of Geneva's WWTP to essentially double the capacity to handle sludge and open the region to the opportunities for additional housing and commercial enterprises that are needed and seeking to locate in the Finger Lakes Geneva region; and

WHEREAS without this expansion these enterprises will go elsewhere, and the long-term viability of this area will be stymied; and

WHEREAS so that existing and future projects can be developed in the City of Geneva and in the Towns of Geneva and Waterloo with access to hook-up to the WWTP, the parties to this agreement wish to cooperate and share the cost of this needed expansion according to their use of the system, and to jointly apply for grants to aid in paying for the expansion; and

WHEREAS the parties do not have the funds available to pay the cost of the expansion, so the City, as owner of the WWTP, will use bond funding to pay for the expansion;

NOW THEREFORE, it is mutually agreed as follows:

1. The parties will jointly and as appropriate individually apply for grant funding to assist with paying the costs of the ATAD expansion project, and will cooperate with each other and the professionals assisting with all applications.
2. The cost of the expansion not covered by grants will be paid by bond funding obtained by the City. The cost includes all customary expenses related to the expansion project, including, but not limited to, professional fees, advertising and bidding expenses, and bond expenses, but not including staff time incurred by any party.
3. The Towns of Geneva and Waterloo will annually pay the City their proportional shares of the City's bond payment based on the volume of their flows to the City's WWTP compared to the total flow volume to the City's WWTP. The percentages will be determined each year based on flow data from the previous year. Payments to the City by the Towns of Geneva and Waterloo will be made in time for the City to timely make bond payments.
4. The City will make bond payment information and WWTP flow data readily and reasonably available to the Towns of Geneva and Waterloo.
5. The parties agree the City is authorized to advertise for all bids for any material or service needed for the project. The City agrees to reasonably share information and consult with the Towns of Geneva and Waterloo prior to accepting a bid, but the City shall have the exclusive authority to accept a bid consistent with applicable law and City policy.
6. The Towns of Geneva and Waterloo agree in principle to enter into modified agreements with the City, authorized by General Municipal Law, by which the City will agree to provide wastewater treatment services to the Towns of Geneva and Waterloo for agreed upon consideration in a format similar to the existing agreement between the City and the Town of Geneva.
7. The parties agree in principle to take any reasonable action consistent with the spirit of this agreement and necessary to apply for grant or bond funding and to conform with grant or bond funding.
8. Once the ATAD expansion is completed, the City agrees to approve new, modified, altered or expanded development in the Towns of Geneva and

Waterloo based on the new capacity limits so long as capacity is not an issue and so long as any applicant meets the City's (and, if necessary, the Towns') requirements for hook-up as set forth in the existing agreement between the City and Town of Geneva.

9. The term of this agreement will be from the above-stated effective date to the date of the City's final bond payment for payment of the ATAD expansion.
10. All notices required by or given pursuant to this agreement shall be in writing. All notices and payments required by or given pursuant to this agreement shall be delivered to the address of the applicable party set forth in this agreement, or such other address as a party shall have provided in writing to the other parties, either in person or by mailing such notice or payment by regular mail.
11. This agreement constitutes the complete understanding of the parties. No modification of any provisions shall be valid unless in writing and signed by all parties.
12. The laws of the State of New York shall govern this agreement.
13. The parties agree to cooperate in good faith to accomplish the goals of this agreement and in the functioning of this regional waste water treatment system.
14. The parties agree that any controversy, claim or cause of action arising out of or relating to this agreement, or the breach of this agreement, may be submitted to and decided by arbitration conducted in Ontario County and administered by the American Arbitration Association (or otherwise as the parties agree). If the parties agree to arbitration, the decision of the arbitrator shall be final, non-appealable and binding on the parties (unless otherwise agreed to by the parties).
15. This agreement may be executed in one or more counterparts, all of which shall be considered one and the same agreement, and shall become a binding agreement when one or more counterparts have been signed by each party and delivered to the other parties.

IN WITNESS WHEREOF, each party has caused this agreement to be signed by its duly authorized officers as set forth below.

CITY OF GENEVA

Date: _____

By: _____
Amie Hendrix, City Manager

TOWN OF GENEVA

Date: _____

By: _____
Mark Venuti, Supervisor

Date: _____

By: _____
Robert McCarthy, Councilmember

Date: _____

By: _____
Jeffrey Dunham, Councilmember

Date: _____

By: _____
Kimberly Aliperti, Councilmember

Date: _____

By: _____
Mitchell Wilber, Councilmember

TOWN OF WATERLOO

Date: _____

By: _____

Donald Trout, Supervisor

Date: _____

By: _____

Michael Pfeiffer, Councilmember

Date: _____

By: _____

Robert Lotz, Councilmember

Date: _____

By: _____

Howard Strader, Councilmember

Date: _____

By: _____

Tyrone Thomas, Councilmember



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Stefanie Newcomb, City Comptroller

Meeting Date: September 7, 2022

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

Background:

Authorizing the issuance of \$9,236,950 in bonds of the City to finance the construction and equipping of additions and other improvements to the marsh creek wastewater treatment plant and amending, restating replacing and partially repealing bond resolution dated August 4, 2021.

Impact on Strategic Imperatives (*i.e. Economic Development, Talent Capitalization, Promoting Assets, Pride of Place*):

Economic Development: The funds will be used for execution of the Marsh Creek capital improvement plans.

Alternatives: N/A

Financial Impact:

This resolution will create annual debt service payments, starting in 2027. For every \$1 million borrowed, it adds roughly \$35,000 in debt service.

Comptroller's Office

CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456
(315) 789-2114 - snewcomb@geneva.ny.us - www.cityofgeneva.ny.us

RESOLUTION NO. 37 – 2022

BOND RESOLUTION, DATED AUGUST [], 2022, OF THE CITY COUNCIL OF THE CITY OF GENEVA, ONTARIO COUNTY, NEW YORK (THE “CITY”), AUTHORIZING THE ISSUANCE OF \$9,236,950 IN BONDS OF THE CITY TO FINANCE THE CONSTRUCTION AND EQUIPPING OF ADDITIONS AND OTHER IMPROVEMENTS TO THE MARSH CREEK WASTEWATER TREATMENT PLANT AND AMENDING, RESTATING, REPLACING AND PARTIALLY REPEALING BOND RESOLUTION DATED AUGUST 4, 2021

WHEREAS, the City Council of the City of Geneva (the “**City Council**”) has determined to undertake the construction and equipping of additions and other improvements to the Marsh Creek Wastewater Treatment Plant (the “**WWTP**”) to increase the capacity thereof, as further described herein and to appropriate funds for such specific object or purpose and to make certain determinations in connection with such specific object or purpose; and

WHEREAS, as a pre-condition to the adoption of this resolution, by resolution dated August 4, 2021 (the “**SEQR Resolution**”), the City Council determined that the foregoing specific object or purpose constitutes a Type 1 action under the provisions of the State Environmental Quality Review Act (collectively, “**SEQRA**”) and that such specific object or purpose will not result in adverse impacts upon the environment, and therefore no further action need be taken by the City Council under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, all other conditions precedent to the financing of each of the specific object or purpose hereinafter described, have been performed and no other action need be taken by the City Council as a pre-condition to the adoption of this resolution; and

WHEREAS, the City Council previously adopted a resolution (the “**Prior Resolution**”) relating to the WWTP titled:

BOND RESOLUTION, DATED AUGUST 4, 2021, OF THE CITY COUNCIL OF THE CITY OF GENEVA, ONTARIO COUNTY, NEW YORK (THE “CITY”), AUTHORIZING THE ISSUANCE OF \$7,000,000 IN BONDS OF THE CITY TO FINANCE THE CONSTRUCTION AND EQUIPPING OF ADDITIONS AND OTHER IMPROVEMENTS TO THE MARSH CREEK WASTEWATER TREATMENT PLANT; and

WHEREAS, the City Council has determined that additional moneys will be required to complete the improvements to the WWTP; and

WHEREAS, pursuant to the provisions of the New York Local Finance Law (the “**Law**”) the City Council wishes to amend, restate, replace, and partially repeal the Prior Resolution and replace the Prior Resolution with this resolution; and

WHEREAS, the City Council now wishes to appropriate funds for the foregoing specific object and purpose and to authorize the issuance of the City’s bonds and bond anticipation notes to be issued to finance said appropriation; and

WHEREAS, in connection with the issuance of the bonds described pursuant to this resolution, and all prior and future bond issues, the City desires to adopt a written post-issuance compliance policy to assist the City in compliance with its obligations under state and federal law and regulations.

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 \$9,236,950 principal amount of bonds pursuant to the provisions of the Law to finance the estimated cost of the construction, reconstruction, and equipping of the additions and other improvements to the WWTP, including reconstructing the existing anaerobic digester tank into an autothermal thermophilic aerobic (“ATAD”) reactor tank, reconstructing the existing industrial waste holding tank no. 2 into an ATAD storage nitrification denitrification reactor (“SNDR”), constructing a new biofilter and odor control unit, and construction new additions or improvements to increase the capacity of the WWTP to 3,100 gallons per minute, and including all other related incidental improvements, equipment, furnishings, and expenses required in connection therewith. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$9,236,950, said amount, to the extent not previously appropriated, is hereby appropriated therefor and the plan of financing thereof shall consist of (i) the issuance of \$9,236,950 in serial bonds of the City authorized to be issued pursuant to this resolution, or bond anticipation notes issued in anticipation of such serial 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; provided, however, that to the extent that the City receives grants from any source to fund such specific object or purpose, the amount of said serial bonds shall be reduced dollar for dollar by the amount of such grants. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years pursuant to subdivision 4. of Section 11.00 of the Law.

SECTION 2. 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 3. Each of the bonds or other obligations 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 or other obligations 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 or other obligations 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 or other obligations and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

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 or other obligations and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 5. Each of the bonds or other obligations authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds or other obligations shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds or other obligations 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 or other obligations 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 or other obligations 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, the chief fiscal officer of the City (the “**City Comptroller**”). Such notes shall be of such terms, form and contents as may be prescribed by said City Comptroller 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 City Comptroller. Such bonds or notes shall be of such terms, form and contents as may be prescribed by said City Comptroller 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 City Comptroller, as the chief fiscal officer of the City.

SECTION 7. The City Comptroller is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds or other obligations authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103

of the Internal Revenue Code of 1986, as amended (the “**Code**”) and to designate the bonds or other obligations authorized by this resolution and any notes issued in anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 8. The City Comptroller 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 City Comptroller sufficient authority to execute those applications, agreements, instruments, or to do any similar acts necessary to affect the issuance of the aforesaid bonds or other obligations or bond anticipation notes without resorting to further action of this City Council.

SECTION 10. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 11. Pursuant to Section 41(1)(a) of the Law, Section 1 of the Prior Resolution authorizing serial bonds in the amount of \$7,000,000 is hereby repealed and replaced with Section 1 hereof. For avoidance of doubt, all other provisions in the Prior Resolution, including provisions relating to temporary expenditures and “official intent” are hereby ratified and confirmed.

SECTION 12. 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 or other obligations issued pursuant to this resolution.



**Geneva City Council
Agenda Item Briefing**

To: Geneva City Council

From: Amie Hendrix

Meeting Date: September 7, 2022

Item Title: Washington Street Parking, Standing, & Stopping Restrictions

Action Required:

An affirmative vote by a majority of City Council is required to approve this resolution.

Background: In chapter 335-17 of City of Geneva Municipal Code entitled "Vehicles & Traffic - Parking standing and stopping restrictions" indicates no special parking restrictions for the south side of lower Washington Street between the intersection of Park Place and Pulteney Streets in the City except for "No parking from the west curb line of Park Place to a point 60 feet westerly."

The Director of Public Works has determined that the sidewalks and "parking" areas adjoining the northern boundaries of the properties at 101 Washington Street through 117-119 Washington Street are located on property belonging to the City.

After consultation with Legal Counsel, the Planning and Zoning Coordinator, and Interim City Manager Slwyka and following a meeting of the residents of this area, the Director of Public Works recommends a two-hour parking limit be enacted for the South Side of Washington Street from 101 Washington Street through 117-119 Washington Street, two-hour parking only, effective Monday through Friday 8:00 a.m. to 5:00 p.m.

The residents have received property surveys and a notice of the intent to create this change prior to the meeting.

Financial Impact:

No current financial impact.

Office of the City Manager, Amie Hendrix

CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456

ORDINANCE # 6 - 2022

AN ORDINANCE AMENDING CHAPTER 335 ENTITLED "VEHICLES & TRAFFIC" OF THE CITY OF GENEVA MUNICIPAL CODE

BE IT ORDAINED by the City Council of the City of Geneva, New York that Chapter 335, entitled "Vehicles & Traffic" of the City of Geneva Municipal Code be amended:

WHEREAS, the current section 335-17, entitled "Parking standing and stopping restrictions." Indicates No special parking restrictions for the south side of Lower Washington Street between the intersection of Park Place and Pulteney Streets in the City except for "No parking from the west curb line of Park Place to a point 60 feet westerly", and

WHEREAS, the City Director of Public Works has determined that the northern boundaries of properties at 101 Washington Street though 117-119 Washington Street are the South Street Line of Washington Street, and

WHEREAS, the City Director of Public Works has determined that the sidewalks and "parking" areas adjoining the northern boundaries of the properties at 101 Washington Street though 117-119 Washington Street are within the bounds of Washington Street, and

WHEREAS, the City Director of Public Works has determined that the sidewalks and "parking" areas adjoining the northern boundaries of the properties at 101 Washington Street though 117-119 Washington Street are located on property belonging to the City, and

WHEREAS, the City Director of Public Works recommends a two-hour parking limit be enacted for the South Side of Washington Street from 101 Washington Street though 117-119 Washington Street, two hour parking only, effective Monday through Friday 8:00 a.m. to 5:00 p.m.

NOW THEREFORE IT IS ORDAINED, as follows

Section 335-17 of the Geneva City Code, entitled "Parking standing and stopping restrictions." be and the same is hereby amended to include the following:

Lower Washington Street: On the South side from 101 Washington Street to 117-119 Washington Street, two hour parking only, effective Monday through Friday 8:00 a.m. to 5:00 p.m.



**Geneva City Council
Agenda Item Briefing**

To: Geneva City Council

From: Amie Hendrix

Meeting Date: September 7, 2022

Item Title: Resolution Authorizing Castle Creek Stabilization Project

Action Required:

An affirmative vote by a majority of City Council is required to approve this resolution to authorize the City Manager to enter into this agreement.

Background: Castle Creek runs through the City of Geneva, NY. A portion of the stream near Brook Street is eroding and contributing sediment and nutrients to the waterway. Estimating lateral erosion at 6 inches per year, stabilizing 100 linear feet of the 6-8 feet high bank would result in approximately 22 tons of soil savings per year. Work would be completed during low water conditions, with rock stabilization. Partnerships with the City of Geneva Highway Department, the Ontario County Department of Public Works, and Ontario County Water and Soil Conservation District would support engineering, permitting and labor and equipment for project installation. Based on availability of partner organizations, installation would be Summer 2023.

Financial Impact:

No financial impact outside of staff resources to assist in the work.

Office of the City Manager, Amie Hendrix

CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456

RESOLUTION # 38 - 2022

RESOLUTION AUTHORIZING CASTLE CREEK STABILIZATION PROJECT

WHEREAS, the Ontario County Soil and Water Conservation District has proposed a project for stabilization of Castle Creek as it flows through property owned by the City on Brook Street, Tax Map No #104.10-2-1.300; and

WHEREAS, the Ontario County Soil and Water Conservation District proposes that the City and Ontario County provide \$3,000 worth of in kind/labor services for the project; and

WHEREAS, in order to stabilize Castle Creek on the property owned by the City, the Ontario County Soil and Water Conservation District will need access to the property; and

WHEREAS, the Ontario County Soil and Water Conservation District has submitted a proposed permission agreement which would provide for access to the property.

NOW, THEREFORE BE IT RESOLVED that the Geneva City Council, hereby and in due form, does grant the Ontario County Soil and Water Conservation District license to enter upon property owned by the City on Brook Street, Tax Map No #104.10-2-1.300, said access to be used exclusively for the proposed Castle Creek Stabilization project, it is

RESOLVED, that the City Manager is authorized to execute the attached agreement, granting the Ontario County Soil and Water Conservation District license to enter upon the property owned by the City on Brook Street, Tax Map No #104.10-2-1.300, said access to be used exclusively for the proposed Castle Creek Stabilization project, and it is further,

RESOLVED, the City is authorized to provide \$3,000 worth of in kind/labor services for the project.

PERMISSION TO USE LAND (ONTARIO COUNTY SWCD)

THIS AGREEMENT (this "Agreement") is entered into the ____ day of _____, between:

Ontario County Soil & Water Conservation District ("ONTARIO COUNTY SWCD")
Street Address: 480 North Main Street
City: Canandaigua
State: New York Zip Code: 14424

and

LANDOWNER:
Street Address:
City:
State: New York Zip Code:

WHEREAS, ONTARIO COUNTY SWCD wishes to use property located at _____, being tax map number _____ and more specifically identified in the attached Exhibit A (the "Property") for the purpose of: (collectively, the "Work"); and

WHEREAS, Restoration of disturbed areas shall be limited to that area specified on the attached Exhibit A; and

WHEREAS, Approximate start date for the Work is anticipated to be _____, with the completion of the Work to be _____, not accounting for weather and other circumstances that may effect completion of the Work (the "Work Schedule").

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the City and the County agree as follows:

1. **Permission.** During the Work Schedule, ONTARIO COUNTY SWCD and any sub-contractors shall be allowed to use the Property as necessary to accomplish the Work.
2. **Dig Safe.** LANDOWNER represents and warrants that there are no utilities, electrical or other critical infrastructure on the Property other than what has been illustrated in the attached Exhibit A.
3. **Consideration.** This Agreement is made for consideration in the amount of (\$0 dollars).
4. **Restoration.** The cost of returning the property disturbed, beyond the right-of-way, to its original condition shall be the sole responsibility of the ONTARIO COUNTY SWCD and its sub-contractors, excluding reasonable wear in tear in light of the Work.
5. **Insurance.** Any sub-contractor(s) shall provide adequate insurance to protect the ONTARIO COUNTY SWCD's Work.
6. **Indemnification.** Except for any damages resulting from the negligence of the LANDOWNER, ONTARIO COUNTY SWCD shall hold the LANDOWNER, harmless from any damages resulting from the negligence of anyone under the direction and control of the ONTARIO COUNTY SWCD, and shall indemnify the LANDOWNER for environmental disturbances or

damages directly caused by the negligence of the ONTARIO COUNTY SWCD or its sub-contractor(s).

7. **Limitation of Liability.** NOTWITHSTANDING ANYTHING TO THE CONTRARY, IN NO EVENT SHALL ONTARIO COUNTY SWCD BE LIABLE, WHETHER IN CONTRACT OR IN TORT OR UNDER ANY OTHER LEGAL THEORY (INCLUDING, WITHOUT LIMITATION, STRICT LIABILITY AND NEGLIGENCE) FOR DAMAGE, CLAIMS, DEMANDS, COSTS, JUDGMENTS, FEES, ATTORNEY'S FEES, LOSS, LOST PROFITS OR REVENUES, LOSS OR INTERRUPTION OF USE, OR SIMILAR ECONOMIC LOSS, OR FOR ANY INDIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL, PUNITIVE, OR SIMILAR DAMAGES, ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT. WITH REGARD TO ALL OTHER CLAIMS, ONTARIO COUNTY SWCD'S TOTAL LIABILITY SHALL BE LIMITED TO THE CONSIDERATION IN PARAGRAPH 3 ABOVE.
8. **Miscellaneous.** The parties agree that this Agreement shall be governed by and interpreted in accordance with the laws of the State of New York and that venue shall be in Ontario County, New York. The parties agree that in the event that any clause or provision of this Agreement is held to be invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not otherwise affect the remaining provisions of this Agreement, which shall continue to be enforceable.

Signed:

Ontario County SWCD

Landowner – (print)

Landowner – (signature)

Name of Applicant: Ontario County SWCD

Date of Application: April 12th 2022

Contact Name: Megan Webster

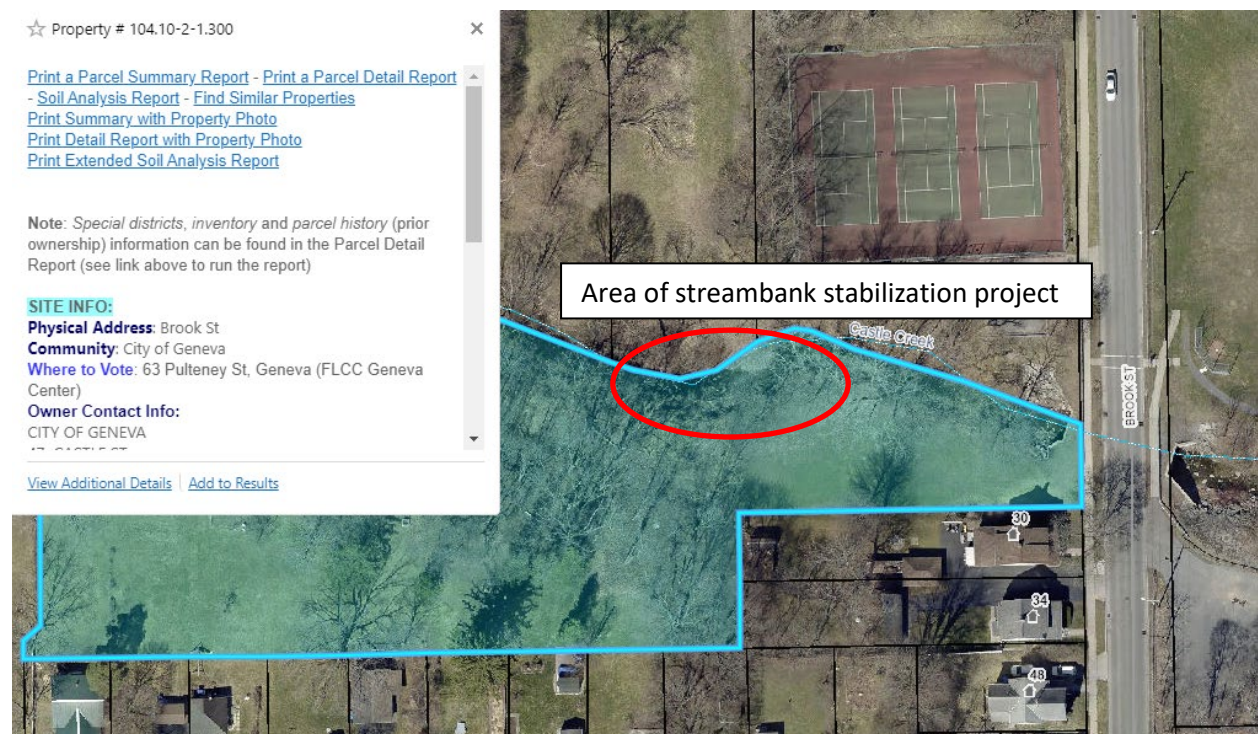
Contact Phone Number: 585-396-1450

Project Title: Castle Creek Stream Stabilization Project

Project Address: Town of Geneva, Brook Street, Property #104.10-2-1.300

Owner: City of Geneva

Funding Request: \$10,000



Project Description:

Castle Creek runs through the City of Geneva, NY. A portion of the stream near Brook Street is eroding and contributing sediment and nutrients to the waterway. Estimating lateral erosion at 6 inches per year, stabilizing 100 linear feet of the 6-8 feet high bank would result in approximately 22 tons of soil savings per year. Work would be completed during low water conditions, with rock stabilization.

Partnerships with the City of Geneva Highway Department and the Ontario County Department of Public Works would support engineering, permitting and labor and equipment for project installation. Based on availability of partner organizations, installation would be Summer 2023.

Project Budget

Item	Description	Pure Waters SNRP Funds	In Kind	Total
Labor	OC Department of Public Works /City of Geneva		\$3,000.00	\$3,000.00
Equipment	OC Department of Public Works		\$3,000.00	
Materials	Seneca Stone	\$8,000.00		\$8,000.00
Labor	Ontario SWCD 40 Hours @ \$44/hour	\$2,000.00		\$2,000.00
Total		\$10,000.00	\$6,000.00	\$16,000.00



Photo 1: Castle Creek looking upstream at Brook Street in the City of Geneva.



Photo 2: Castle Creek looking downstream towards Brook Street in the City of Geneva.



Geneva City Council
Agenda Item Briefing

To: Geneva City Council
From: Amie Hendrix, City Manager
Meeting Date: September 7, 2022
Item Title: Resolution Scheduling a Public Hearing in Connection with an Application to the New York State Office of Community Renewal for CDBG Economic Development Grant Funding

Action Required:

Majority vote of council to submit grant application

Background:

The City of Geneva, with assistance from the Geneva Local Development Corporation and MRB Group, is looking to submit an application for funding from the CDBG Economic Development program administered by the New York State Office of Community Renewal (NYS OCR) in the 2022 funding year. The application would request \$180,000 to fund a Microenterprise Assistance Program, which would support entrepreneurs and small businesses with 5 or fewer employees within the City. This assistance is intended to generate new business activity and growth in the City of Geneva, particularly in a way that would create new jobs and/or economic opportunity for low/moderate income individuals.

Financial Impact:

N/A – some staff capacity

Attachments:

Draft of CDBG application

Office of the City Manager

CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456

RESOLUTION # 39 – 2022

**RESOLUTION SCHEDULING A PUBLIC HEARING IN CONNECTION WITH AN APPLICATION TO THE
NEW YORK STATE OFFICE OF COMMUNITY RENEWAL FOR CDBG ECONOMIC DEVELOPMENT
GRANT FUNDING**

WHEREAS, economic development and the creation of economic opportunity are a key priority of the City of Geneva and the Geneva City Council; and

WHEREAS, the Geneva City Council supports small business development and entrepreneurship as a means of advancing economic activity and vibrancy in the City of Geneva; and

WHEREAS, it is in the public interest of the citizens of Geneva to enhance business and economic opportunity; and

WHEREAS, in furtherance of said goals, Geneva City Council intends to submit an application for grant funding in the amount of \$180,000 to the New York State Office of Community Renewal (OCR) for the CDBG Economic Development program to re-establish a Microenterprise Assistance Program; and

WHEREAS, the funding agency requires a Public Hearing be held to collect citizen feedback on the community and economic development needs of the City of Geneva and the proposed project prior to submission of said application;

NOW THEREFORE BE IT RESOLVED that a public hearing be held on October 5, 2022 at Time 7:00pm pursuant to New York State Open Meetings Law and the requirements of OCR concerning the proposed application for CDBG Economic Development grant funding submitted herewith.

City of Geneva

Geneva Microenterprise Assistance Program

Program Design Plan

Introduction

The City of Geneva has been awarded \$180,000 in CDBG Microenterprise Assistance Program funding from the New York State Office of Community Renewal. These funds have been used to re-establish the Geneva Microenterprise Assistance Program (GMAP). Under this program, grants of \$5,000 to \$30,000 will be available to eligible businesses, start-ups, and entrepreneurs in the City of Geneva. A total of \$153,000 in grant funding will be available, and the remaining \$27,000 will be used for program delivery and grant administration costs. The GMAP will be administered by a consultant, [consultant name].

Eligibility

Eligible applicants for the GMAP are entrepreneurs and small businesses that:

- Are located in or planning to locate in the City of Geneva. For new businesses, the proposed location must be determined at the time of application.
- Currently have 5 or fewer employees, including the owner(s). The number of employees is a headcount, regardless of part-time or full-time status.
- Are up to date on all local, state, and federal taxes and obligations. This includes, but is not limited to, property taxes, any water/sewer fees, sales tax, income tax, fines, etc. An applicant with past due balances being paid under a mutually agreed payment arrangement is considered current as long as the payment arrangement is current.
- Are owned by or commit to creating at least one job for low- and moderate-income (LMI) person(s). LMI income thresholds for 2022 are attached as Appendix A.
- Commit to using funds for only eligible activities.
- Commit to providing an equity (cash) match of at least 10% of the awarded grant amount.
- Commit to following all applicable local, state and federal laws and regulations, including zoning, codes, business licensure, etc.

Eligible activities for use of GMAP funds and equity match include:

- Machinery and Equipment
 - Computer equipment requires prior approval and must be used solely for business purposes
- Furniture and Fixtures
- Operating costs, including but not limited to:
 - Marketing expenses
 - Inventory
 - Rent/Security Deposits
 - Utilities
 - Payroll
- Reimbursement of the cost to participate in the required entrepreneurial training program
- Only expenditures made/incurred after the award date will be eligible.

Entrepreneurial Training Requirement

Awardees are required to complete a small business training course prior to incurring any costs for GMAP. Awardees can choose to participate in either of the following courses:

- Fast Track to Business Start-up offered by the Onondaga Small Business Development Center (www.onondagasbdc.org) or other SBDC office.
- Business Startup Program offered by an Ibero Business Center (<https://www.iberobiz.org/ibc/>), including the Ibero Business Center of the Finger Lakes located in Geneva.

Awardees that have completed one of these programs within 24 months prior to the GMAP award date may request to waive this requirement. This waiver request can be submitted to [consultant name] and must include a letter of request from the business owner/entrepreneur, a copy of the awardee's GMAP application, a resume for the owner/entrepreneur, and a copy of the training program certificate of completion. This waiver request will be submitted to and must be approved by NYS OCR. If not approved by NYS OCR, the awardee must complete one of the above programs.

Costs should not be incurred by the awardee until the training is complete or waiver is approved, and no grant disbursements will be processed until the certificate of completion or waiver approval are received by [consultant name].

Funding Details

Amount: Grants will be awarded in amounts of \$5,000 to \$35,000.

Match: Grant awardees must provide an equity (cash) match of at least 10% of the grant amount. For example, a grant award of \$15,000 would require a match of \$1,500. Proof of matching funds must be submitted in the form of relevant invoices and receipts showing expenditures made by the awardee. Match must be documented prior to any grant disbursements being requested.

Disbursement:

No funds will be disbursed to an awardee until a certificate of completion for the Fast Track to Business Start-up training program is submitted to [consultant name], and until the equity match is documented.

Grants will be disbursed on a reimbursement basis. Expenditures must be paid by the awardee and submitted for reimbursement. The reimbursement request must include relevant invoices and receipts that satisfactorily show proof of payment. Hand written receipts will not be accepted as satisfactorily showing proof of payment. Upon review and approval of the request and documents, [consultant name] will submit the reimbursement request to the City of Geneva, who will then issue a check for the reimbursement amount to the awardee.

Job Creation Requirement: Awardees that **do not** qualify as LMI owners per the thresholds in Appendix A will be required to create at least 1 full-time equivalent job that will be given to an LMI individual. If more than 1 job is created as a result of the GMAP funding, at least 50% of the

jobs created will need to be filled by LMI individuals. Job creation requirements must be met by August 30, 2024.

Grant Approvals

Eligibility review: [Consultant name] will review each application for eligibility. This includes the eligibility of the applicant, as well as the eligibility of the proposed uses of funds.

Grant Committee: All applications deemed eligible by [consultant name] will be reviewed by the Grant Committee. The Grant Committee will score each application based on the scoring criteria outlined in Appendix B. Based on that scoring, the grant committee will decide which applications are funded and at what amount. Not all applications will receive funding, and not all awarded applications will receive the full amount requested.

The grant committee will include seven members from the IDA, LDC, and City of Geneva.

Support Activities

All awardees will be required to complete an entrepreneurial training program as outlined above. This program will assist them in developing business plans and learning skills that will help them to succeed in starting and growing their businesses. In addition, [consultant name] will work with awardees to identify and connect them with local and regional mentors, service providers, and peers. These networks will provide awardees with the resources and relationships they will need to continue to run and grow their businesses, from mentorship and guidance, to financing and insurance, to personal support through the challenges and trials of business ownership. Finally, [consultant name] will work with Town staff to assist awardees through any relevant local development approvals, permits, or processes.

Program Marketing

The City of Geneva and [consultant name] are dedicated to marketing the GMAP to ensure that all potential applicants are aware of the opportunity. This marketing and outreach will include, at a minimum:

- 1) Direct outreach to known existing microenterprises in the City.
- 2) Posting information about the program on the City website, social media, and newsletters.
- 3) Partnering with various local and regional economic development partners to identify and reach out to potential applicants, such as the Geneva LDC, Geneva IDA, Geneva BID, IBERO, Geneva and Ontario Chambers of Commerce, Ontario County EDC, Finger Lakes Community College, Cornell Agritech, etc.
- 4) Outreach to relevant local service providers, such as lenders, lawyers, accountants, wealth managers, and marketing professionals, to identify potential applicants and to provide information that they can share with their clients.
- 5) Inquiring with and providing information to downtown landlords so that they can share program information with current or potential tenants that might benefit from the program.
- 6) Issuing a press release about the program to local media outlets, such as local newspapers and radio.
- 7) Hosting at least one public informational session about the GMAP.

Program Objectives & Impact

The primary objectives of the program are to:

- 1) Assist in the start-up or growth of at least 6 small businesses.
- 2) Create at least 3 new jobs, in addition to self-employment for the business owners.
- 3) Create opportunities for LMI residents of the City, thereby decreasing poverty and generating household wealth.
- 4) Generate an economic multiplier that supports various local businesses, whether through the direct purchases of the awardee businesses or critical mass that attracts additional visitors.
- 5) Reduce storefront vacancy in downtown and neighborhood business districts within the City of Geneva.

The GMAP intends to assist at least 6 microenterprises. It is anticipated that at least 3 will be start-ups (in operation less than 6 months), at least 3 will be owned by LMI persons, and at least 3 jobs will be created for LMI persons.

It is required that at least 50% of the funding available to microenterprises is awarded to start-ups.

These support activities listed above, along with ongoing guidance from [consultant name] and economic development partners, will aid in sustaining and growing the awarded businesses into the future. This will prolong and multiply the benefits of the GMAP program.

Program Oversight

[Consultant name] will provide grant administration and program delivery for the GMAP. [Consultant name] has experience with various state funding resources, including [additional details about consultant experience once selected].

The City of Geneva has administered multiple MAP, New York Main Street, Downtown Revitalization Initiative, and various other state programs in the past. There are also a number of other programs and resources available to small businesses, including awardees, including: City of Geneva Revolving Loan Fund, Geneva IDA, and Geneva BID.

Appendix A: Low- and Moderate-Income Thresholds

HUD updates income thresholds annually, so as the program continues, awardees will need to ensure that they have the most up to date verification forms for their job creation reporting.

For federal FY 2022, individuals in Seneca County qualify as LMI if their household meets the following thresholds:

# of people in household	Maximum Household Income
1	\$50,250
2	\$57,400
3	\$64,600
4	\$71,750
5	\$77,500
6	\$83,250
7	\$89,000
8	\$94,750

Appendix B: Scoring Criteria

Criteria	Points	Maximum Points
LMI Owner	Yes – 3 points No – 0 points	3 points
Minority, woman, and/or veteran Owner	Yes – 3 points No – 0 points	3 points
Start-up (in operation less than 6 months)	Yes – 3 points No – 0 points	3 points
Will fill vacant, street level storefront in downtown or neighborhood business district	Yes – 5 points No – 0 points	5 points
Reasonableness of costs	Up to 5 points	5 points
Project feasibility	Up to 5 points	5 points
Experience of owner	Prior experience owning a business – 1 point Demonstrated experience with product/service – 2 points	3 points
Match (as a % of grant amount)	26+% - 5 points 21-25% - 4 points 16-20% - 3 points 11-15% - 1 points	5 points
Job creation (not including owner)	9+ jobs – 3 points 5-8 jobs – 2 points 2-4 jobs – 1 point	3 points
Economic multiplier	Will attract visitors – 3 Intends to procure goods/services locally - 2	5 points
TOTAL		40 points



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Clr. Regan

Meeting Date: September 7, 2022

Item Title: Resolution Authorizing a Clean Energy Program with HeatSmart Monroe-FLX

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

Background: In 2017, Governor Cuomo designated Geneva as the 100th Clean EnergyCommunity. The \$16 million initiative supports local government leaders across the state to implement energy efficiency, renewable energy and sustainable development projects in their communities. As incentive, points are awarded to towns and cities for high impact actions that can be used to claim community grants through New York State Energy and Development Authority (NYSERDA).

HeatSmart Monroe-FLX is a grant funded agency that helps guide homeowners through the decision making involved in assessing and upgrading home heating and cooling for maximum efficiency. Offering their free workshops and materials in a public campaign qualifies as a high impact action, and if successful, would qualify Geneva for a \$5000 grant.

An affirmative vote would allow the City to partner with the Town of Geneva in this effort, and present informational sessions and materials at no charge to help advise residents interested in assessing energy use their homes.

Alternative: We do not offer this service to residents, and do not progress toward potential grant awards.

Financial Impact: None

3rd Ward City Councilor Jan Regan

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RESOLUTION # 40 - 2022

RESOLUTION AUTHORIZING A CLEAN ENERGY PROGRAM WITH HEATSMART MONROE-FLX

WHEREAS the City of Geneva was named the 100th Clean Energy Community in October 2017 under a program of the New York State Energy and Development Authority (NYSERDA) and

WHEREAS a high impact action named under NYSEDA's Clean Energy Program is to conduct a public campaign that provides information on energy efficient heating and cooling options and doing home energy assessments offered at no charge to the homeowner, and

WHEREAS HeatSmart Monroe-FLX is a grant funded company authorized by NYSERDA to assist municipalities in such a campaign through their public outreach and events to advise residents, track progress and report back to the City at no cost to the City or its residents and

WHEREAS the Town of Geneva initiated this same relationship with HeatSmart in August 2022, which would allow the City to partner with the Town in email or other social media outreach and in hosting public educational events about efficient heating and cooling options and

WHEREAS by successfully completing the program (which requires just five residents to express interest and obtain a free home energy assessment and three residents to follow up by making some sort of energy conservation upgrade to their home), the City will receive 500 points toward it's Clean Energy Community total and qualify for a \$5,000 grant for NYSEDA,

NOW THEREFORE BE IT RESOLVED that the City of Geneva undertake a clean energy campaign using the services of HeatSmart Monroe-FLX to program educational sessions on efficient home heating and cooling as described in this resolution.

Winter Parking Pilot Program Review

The City of Geneva developed the City Code to manage everything from people to property, roadways to sidewalks. The parking code assists in keeping all citizen safe on our roadways by allowing for City staff to clear the roadways when inclement weather arrives. The code was written with this in mind. It takes into account NY weather and the occasional lake effect snow from Lake Ontario that drops unexpected accumulation totals and the need for City staff to clear that effectively before the morning rush of traffic into downtown and the Hamilton St throughfare to neighboring work areas of Waterloo and Canandaigua.

Without this code in place, snow covered conditions may be untreated in public parking lots and on City streets. When vehicles are parked on the roadway at night and additional de-icing treatment and snow removal is needed. DPW is unable to plow snow to the curb line and the operators are continuously maneuvering around parked cars. Crosswalks are often left untreated from the curb to the width of a parked car left in a parking stall. These are just a few concerns.

When the City parking code was used (prior to 2018), GPD, around November 28, would put parking warning tickets on vehicles before the December 1st restrictions began. This allowed the parking motorists to begin the routine of alternate or no street parking. After December 1, Officers would write about 50 – 70 tickets per patrol ends (East, West and Beat). This number would decrease over the next weeks as parking motorist got into a routine. This included downtown residences using public parking lots. By January 1st, an officer could get the 2 am parking done in an end (East, West or Beat) in more efficient time, maybe writing 10 tickets per end as motorists are in a routine. If there was a storm, same thing, officers could get through their end efficiently and then coordinate tows to remove vehicles fairly and equitably across the entire City for proper roadway treatment.

Beginning in 2018 a pilot program was put in place. As we analyze the success of the pilot, we found that the parking motorists never fully embraced a routine and when a snow event occurs and notifications are put out to those who sign up for such notifications and many motorists often fail to adhere to the temporary restrictions, causing the roadways and parking lots to be littered with parked cars. Officers, in a snow storm are forced to attempt to write typically 150+ tickets City wide and that takes away from responding to 911 calls. This has led to parking tickets not being written city wide, an unfair and non-equitable effect of the pilot program. During the pilot, the city did not tow vehicles because we could not do this city wide fairly and equitably. Additionally due to staffing challenges, GPD was unable to be at full capacity.

In addition to the concerns regarding the equity and ability to manage the pilot process through the GPD, DPW staff estimate that it costs our taxpayers more than an additional \$14,000 minimum per snow event, now that we are allowing vehicles to remain parked from December 1 to April 1 until a winter parking restriction goes out. The costs are derived from the additional work required to remobilize labor and equipment where vehicles who did not heed the announcements and left their vehicles on the street.

Often snow storms occur over night, with extreme weather storm conditions, and in dark environments - parked cars are not a safe mix for large snow plow equipment equipped with both front and wing plowing capacities. Operating heavy equipment in these conditions is a stressful atmosphere and create

undue safety risks to our team of CDL drivers. Overnight snow plowing restrictions are from 2AM to 6AM. That 4-hour window is needed for crews to cover the entire 87 lanes miles of city streets at least one time.

When we cannot safely clear snow and or place ice control materials on streets due to parked cars, we have to then return to that area. Making second, third and often fourth trips to the same area is required at a cost to other scheduled work. It is not safe or efficient.

Often times the snow pushed to the curb lines and left around parked cars re-freezes into place creating additional unsafe conditions. When this happens plows and often loader equipment is required to remove the icepack once a vehicle is finally cleared.

Our recommendation would be to discontinue the pilot program at this time. The City Parking Code should be reinstituted for the winter season of 2022 – 2023 and beyond.

Additional Information

DPW Costs for Snow Events - \$12,000 to \$15,000 per event

- 5 Trucks at FEMA Rate \$73.31/hour x 8 hours = \$ 2,932.40
- 5 MEO/HEO = 8 hours x approximately \$32/hour + \$32/hour benefits = \$64/hour = \$2,560.00
- Operating Costs Fuel and Oil = 5 trucks x 3 gallons per hour x 8 hours x \$5.50/hour = \$660.00
- Total \$6,152.40 x 2.5 times to go back = \$15,381

Parking Ticket Review

Year	Number of Tickets	Amount Collected	Notes
2010	3956	61,415	
2011	4384	67,845	
2012	4039	64,537	
2013	3870	84,180	Increase in cost of tickets from \$10 - \$20
2014	3965	91,935	
2015	4068	92,580	
2016	4266	106,105	
2017	4037	96,605	
2018	2105	57,125	Pilot Program Begins, drop in tickets
2019	3228	69,295	
2020	1881	45,065	COVID
2021	1419	35,825	
Through 7/31/22	1151	-	Not all are collected

Safety Challenges with Parked Cars During A Snow Emergency

