

AGENDA

REGULAR COUNCIL MEETING

CITY OF GENEVA, NEW YORK

February 1, 2023

**Public Safety Building
255 Exchange Street
Geneva, NY 14456**

EXECUTIVE SESSION AT 6:00PM

To Discuss Collective Negotiations Pursuant to Article Fourteen of the Civil Service Law

COUNCIL MEETING STARTS AT 7:00PM

Listen to the City of Geneva's YouTube Channel:

[YouTube.com/cityofgenevany](https://www.youtube.com/cityofgenevany)

- I. CALL TO ORDER – Mayor, Steve Valentino
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. SUPERVISOR UPDATE
- V. DRI UPDATE
- VI. FOUNDRY UPDATE
- VII. CONSIDERATION OF MEETING MINUTES
This portion of the meeting is dedicated to correction of meeting minutes for the following Council session:
 - A. January 4, 2023 (Regular Council Meeting) {page 3}
- VIII. 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.
- IX. 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.*

X. 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 Scheduling a Public Hearing in Connection with the Adoption of Local Law #1-2023 Creating Staggered Terms of Office for Members of the Geneva City Council – Presented by City Manager Hendrix #5-202 {page 16}

XI. NEW BUSINESS

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

- A. Resolution Authorizing Residency Exemption for the Current Police Chief – Presented by City Manager Hendrix #6-2023 {page 21}
- B. Resolution Scheduling A Public Hearing in Connection with the Adoption of a Local Law Authorizing an Exemption Providing for a 10% Exemption for Volunteer Firefighters or Ambulance Drivers Certified by the Geneva Fire Department. #7-2023 {page 23}
- C. First Reading of an Ordinance #1-2023 Amending Chapter 335-17 “Vehicles & Traffic” Pulteney/Washington {page 26}
- D. First Reading of an Ordinance #2-2023 Amending Chapter 335-17 “Vehicles & Traffic” S.Main/Jay {page 28}
- E. First Reading of an Ordinance #3-2023 Amending Chapter 335-9 “Stop Intersections” William@West {page 30}
- F. Discussion Regarding Staff Residency Requirements
- G. Board/Commission Appointments

XII. 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

XIII. 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.

XIV. ADJOURNMENT

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

REGULAR COUNCIL MEETING

January 4, 2023 – 7:00 PM

Public Safety Building
255 Exchange Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

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

Absent: Clr. Salamendra

2. PUBLIC HEARING - Application to the New York State Office of Empire State Development for Round 7 of the Restore NY Communities Initiative Funding

Mayor Valentino opened the public hearing at 7:03pm. With no comment offered at this time, he closed the public hearing at 7:04pm.

3. DRI UPDATE

Thank you, Mayor and City Councilors and good evening. On behalf of the DPW, Barton & Loguidice (B&L) and Nardoizzi Construction, we want to please wish all residents, business owners and visitors a happy and healthy new year.

WORK COMPLETED TO DATE:

As of Wednesday 12/28/22, the contractor has completed 88% of the proposed work. The current Pay Estimate # 15, dated December 20, 2022 shows completed work to date was \$8.9 M out of \$10.2 M. Routes 5&20 traffic signal upgrades and the Bozzuto Rain Water Collection system installation are progressing. Granite paver accents have been installed.

The contractor has submitted requests for substantial completion acceptance, pay quantity discrepancy review and contract extensions of time which are all being investigated. Substantial completion will be granted when all traffic signal work has been installed and accepted.

UPCOMING WORK SCHEDULED:

Contract 1, "5&20 Corridor" continues to be in Phase 1C. Work Zone Traffic Control will continue until all proposed traffic signal work can be properly installed.

Contract 2, "Street Scape and 5 Points" continues to be in Phase 2C. Work is not yet completed on all traffic signal upgrades.

CONCERNS:

BUZZUTO – Rain Collection Structure is not completed,

ELECTRICAL – Subcontractor traffic signal material and equipment delays continue

BUDGET - Anticipate that all final completed contractor work to come in right at or just under the original base bid of \$10.2M to approximately \$9.8.

4. CONSIDERATION OF MEETING MINUTES

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

MOVED THAT the minutes of the December 7th Council Meeting be approved

**ROLL CALL VOTE: Aye – Clr. Camera, Clr. Regan, Mayor Valentino, Clr. Gaglianese,
Clr. Burrall, Clr. Pealer, and Clr. Brimm**

Abstain – Clr. Noone

Absent - Clr. Salamendra

MOTION CARRIED

5. PUBLIC COMMENT

No public comment was offered at this time

6. CITY MANAGER REPORT

Tax Payments

The Comptroller's office is aware of a technical issue that occurred when preparing the 2023 Tax bills. We are currently working with our software company to correct the situation and will be sending out corrected bills within the next few days on colored paper to help residents identify the updated bill. As a result, we have paused accepting payments and will provide a brief extension to the January 31 deadline to allow residents time to make the initial payment, without any penalty. Thank you for your patience.

Staffing

The Comptroller's Office is welcoming a new Finance Clerk II on January 23, 2023. The office will be reorganizing and welcoming the Senior Account Clerk previously housed in the Human Resources office into the Finance Department. This position will bring payroll back under the Comptroller's Office. We look forward to this fully staffed.

We will begin the search for the Deputy Director of Human Resources in the coming months.

The search for a Director of Planning and Economic Development and Senior Clerk will resume in the coming month. I will be convening the internal and external panel participants in late January to revamp the position announcement for the Director position. The Senior Clerk will likely be posted provisionally as we have exhausted the civil service list of tested candidates.

We will be remodeling the first floor of City Hall to accommodate the staffing changes and to bring the finance team together.

Marina Project

We have just received correspondence from the Army Corps of Engineers to allow us to seek permitting to carry out the work related to the docking system/marina. The permits will allow the city to begin the process to implement the marina as proposed in the DRI submittal which was previously approved by Council. Our team will be reviewing the next steps with our consultants and bringing forward those steps to the members of council. According to our grant financing, the project must start in 2023.

2022 Successes

City Manager Hendrix provided council with success lists as prepared by each department.

7. SECOND READING OF AN ORDINANCE AMENDING CHAPTER 335 ENTITLED "VEHICLES AND TRAFFIC" OF THE GENEVA MUNICIPAL CODE

City Manager Hendrix presented the following ordinance for second reading:

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 City Code section 335-16 subdivision C, currently states as follows: No vehicles shall be parked on any other street in the City of Geneva between the hours of 2:00 a.m. and 6:00 a.m. except during the months of April, May, June, July, August, September, October and November.", and

WHEREAS, the City Director of Public Works recommends the City Council adopt weather event parking regulations.

NOW THEREFORE IT IS ORDAINED, as follows

- A. Section 335-16 subdivision C of the Geneva City Code, be and the same is hereby amended to read as follows:
 1. No vehicles shall be parked on any other street in the City of Geneva between the hours of 2:00 a.m. and 6:00 a.m. during a Weather Event except during the months of April, May, June, July, August, September, October and November.
 2. Weather Event Regulations

- a. For purposes of this article, a Weather Event shall be defined as a period of snow, sleet, freezing rain, ice, and any other weather event which results or reasonably can be expected to result in accumulation upon a street or highway of snow or ice. A Weather Event shall continue until such time as the City streets are fully cleared.
 - b. A Weather Event shall be declared by the City Manager or a designated person after consultation with the City Director of Public Works and the Chief of Police. A Declaration of a Weather Event may include specific directions to the Department of Public Works and the Police Department concerning how the Weather Event regulations shall be enforced. In the absence of such a direction from the City Manager, the City Director of Public Works and the Chief of Police shall determine how the Weather Event regulations shall be enforced
 - c. Official notification of a Weather Event will be posted on the city website and through alternative notification and social media systems.
 - d. It shall be unlawful and a violation of this article for any person to park or leave standing any vehicle on any of the public streets or state highways maintained by the City of Geneva within the confines of city limits during a Weather Event while the Department of Public Works plows, salts or engages in other activities to clear City streets and highways.
3. State of Emergency.

In the event the State of New York or any other authority declares a state of emergency due to serious snow, ice or similar events which is communicated to the public through the news or other media, the notice requirements of this Article shall not apply, and any vehicle found parked or standing on or upon a public street or state highway maintained by the City of Geneva within the confines of city limits shall be removed at the owner's expense, without any prior notice, and in accordance with the city's Ordinance governing the removal and impounding of vehicles, and all applicable rules and regulations governing removal and impounding of vehicles. No Official Notification by the City shall be required if a state of emergency is declared by the State of New York.

4. Enforcement.

In addition to enforcement provisions set forth above, the provisions of Article VI of this Chapter pertaining to Weather Events and States of Emergency shall be enforced in accordance with the provisions of this Code, including but not limited to Section 335.27 and Article VII of this Chapter. In the event the City is obligated to institute or defend a civil complaint arising out of enforcement, all attorneys' fees, disbursements and costs incurred by City of Geneva with respect to instituting or defending such action shall be the responsibility of the violator."

Any vehicle found parked or standing on or upon a public street or state highway maintained by the City of Geneva within the confines of city limits during a Weather Event or a State of Emergency, shall be removed at the owner's expense, without any prior notice, and in accordance with the city's Ordinance governing the removal and impounding of vehicles set forth in Section 335.27 A and C, and all applicable rules and regulations governing removal and impounding of vehicles.

B. Section 335-27 subdivision A of the Geneva City Code, be and the same is hereby amended to read as follows:

"Authority to remove and impound vehicles. When any vehicle is parked or abandoned on any highway in the City during a Weather Event or a State of Emergency as defined in Section 335-16 subdivision C or during a snow storm, flood, fire, or other public emergency which affects that portion of the public highway upon which said vehicle is parked or abandoned, or when any vehicle is found unattended on any highway in the City where said vehicle constitutes an obstruction to traffic, or when any vehicle is parked or abandoned on any highway or parking lot in the City where not duly registered or not displaying registration and plates or is parked or abandoned on any highway or any City property, said vehicle may be removed and impounded by direction of any police officer of the City to any place or garage designated by the Chief of Police.

C. Section 335-27 subdivision C of the Geneva City Code, be and the same is hereby amended to read as follows:

"C. Storage and charges. After removal and/or impoundment of any vehicle as provided in this section, the vehicle may be stored in a suitable place at the expense of the owner. Such owner or person in charge of the vehicle may redeem the vehicle upon payment of all expenses actually and necessarily incurred in effecting such removal and storage, including the total cost of towing, including an additional charge for flatbed or dolly, and any charges for storage."

City Manager Hendrix said this ordinance includes an amendment to section 335-27c that refers to towing as was discussed at the last meeting. The code gave dollar amounts for towing services that were outdated, so the new code will just say at the cost of towing.

Mayor Valentino said that moving this from a pilot to wording in the code will give residents an opportunity to park on streets during non-snow events.

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

MOVED THAT this ordinance be approved for second reading

MOTION CARRIED UNANIMOUSLY (8-1 absent)

8. RESOLUTION IN SUPPORT OF THE APPLICATION TO THE EMPIRE STATE DEVELOPMENT FOR RESTORE NY ROUND 7 FUNDING

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva submitted an Intent to Apply for Restore NY Funding to Empire State Development (ESD) for Round 7– Restore NY – Community Initiative (“Restore 7”), which was announced on October 28 for the Pretzel Logic project (“Project”);

WHEREAS, the Project will be located at 88 Middle Street (Tax ID 104.8-3-16) and the adjacent parcel (Tax ID 104 8.3-15.100), located in Ward 6 (“Property”);

WHEREAS, the Project involves the redevelopment of a vacant building into a space for Pretzel Logic, LLC to support growth and development;

WHEREAS, the Project meets the criteria set forth by ESD for Restore 7, which is intended “for the sole purpose of revitalizing urban and rural areas, disadvantaged communities, and stabilizing neighborhoods”;

WHEREAS, the Restore 7 criteria also states that “an important goal of Restore NY is to revitalize urban centers, rural areas, and disadvantaged communities. It is anticipated that upon completion, the projects funded by Restore NY grants will attract individuals, families, and industry and commercial enterprises to the municipality. It is further anticipated that the improved community and business climate will result in an increased tax base thereby improving municipal finances and the wherewithal to further grow the municipality’s tax and resource base, lessening its dependance on state aid”;

WHEREAS, the Restore 7 guidelines further state that “[s]trong emphasis will be placed on projects from economically distressed communities . . . [and] project feasibility and readiness”;

WHEREAS, the Project is located in Ward 6, which is an economically distressed area of the City;

WHEREAS, the proposed private financing for the Project is sufficient for it to be a viable project;

WHEREAS, the Project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources;

WHEREAS, the Project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities within the City of Geneva;

WHEREAS, the Geneva City Council supports the creation of additional employment opportunities in Ward 6;

WHEREAS, the City of Geneva held a public hearing to receive comments from the public on the Project, the anticipated Restore 7 Application, as well as the Property that is the subject of the anticipated application; and

NOW THEREFORE BE IT RESOLVED that the City of Geneva will submit a Restore 7 application for funding in the amount of approximately \$1,840,000 to support the Pretzel Logic, LLC Project which has a total anticipated cost of \$2,055,000.

Nichola Ostrander who is representing Pretzel Logic told council that they are looking to expand their business at 88 Middle Street as their current location at the GEDC building can't support them now. She said the building requires a lot of construction and rehabilitation to bring it back to life along with expansion. When Clr. Burrall asked how many employees they currently had, Ms. Ostrander said they had 20 employees, but needed to downsize and loaned some of those employees out to another manufacturing company with the intention of bringing those employees back and adding 15 more employees over the course of 5 years.

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

9. RESOLUTION DESIGNATING MIDEY, MIRRAS AND RICCI, LLP AS THE GENEVA CITY ATTORNEY

City Manager Hendrix presented the following resolution:

WHEREAS, in 2015, City Council shifted its legal services delivery platform to a public-private partnership model, challenging the private sector to deliver a high level of service in a cost-effective manner; and

WHEREAS, the City Council designated the firm of Midey, Mirras, and Ricci, LLP as its counsel under the aforementioned model; and

WHEREAS, the firm has delivered on its challenge relative to cost effectiveness and service delivery.

NOW, THEREFORE BE IT RESOLVED, that the Geneva City Council, hereby and in due form does designate the firm of Midey, Mirras, and Ricci, LLP as the Geneva City Attorney with all the powers set forth in City Charter section 7.5 for the period of January 1, 2023 through December 31, 2023, with a monthly retainer of \$7,500 for 50 hours of work, an over retainer fee of \$150 per hour.

City Manager Hendrix said that she recently met with our attorneys to see how the current process is working. She noted that if council were to look at making changes to the current system, staff would look at the options and bring information, along with doing a request for proposals, to council to help make a decision. She said she plans to meet regularly with the attorneys to make sure our needs are being met to our satisfaction. She also noted there will always be times when we need to go to outside council for different reasons.

Mayor Valentino explained that this resolution is normally done once at the start of the council term along with designating a newspaper and financial institution, but for some a reason was done two years ago for a one-year term, and this is being done tonight to keep that appointment as it was budgeted for in 2023.

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

10. RESOLUTION OPPOSING THE INCREASE OF THE PERMITTED LANDFILL HEIGHT AND EXTENDED LIFE OF SENECA MEADOWS INC

City Manager Hendrix presented the following resolution:

WHEREAS, Seneca Meadows Inc. (SMI) is seeking to increase the life of its existing landfill ("Landfill") located at 1786 Salcman Road in the Towns of Seneca Falls and Waterloo, Seneca County, New York, and

WHEREAS, the project would add approximately 47 million cubic yards of air space used for the disposal of non-hazardous residential, commercial, institutional, and industrial wastes in the proposed SMI Valley Infill Area ("Valley Infill"), and

WHEREAS, The Valley Infill will involve the construction of approximately 47 acres of newly lined landfill area, as well as overfilling above approximately 191 acres of currently permitted landfill area, and

WHEREAS, an increase in the existing maximum permitted Landfill height by about 70 feet, and

WHEREAS, the type of waste being received at the facility (Municipal Solid Waste) and the approved design capacity of the Landfill, which is 6,000 tons per day (TPD), would not change, however, Landfill operation would be extended approximately 15 years, depending upon the waste volume received in a given year; and

WHEREAS, the impacts of SMI are felt by Geneva residents due to the proximity of the waste as well as environmental impacts of SMI; and

WHEREAS, the project sponsor must obtain the following project approvals from the New York State Department of Environmental Conservation ("NYSDEC"): modification of its existing Solid SMI Facility permit under 6 NYCRR Parts 360 and 363 ("the Part 360/363 permit"); its existing Title V permit under Environmental Conservation Law Article 19 ("the ATV permit"); a Change-of-use approval for the Tantalio Landfill Class 4 Superfund Site; and coverage under the SPDES MultiSector General Permit for Stormwater Discharges from Industrial Activities (GP-0-17-004). SMI must also obtain approval from the Town Boards of Seneca Falls and Waterloo ("Town Boards") for the Site Plan for the Valley Infill project Landfill. In addition, the Site will require Site Plan Approval from each Town's Planning Board, and the Project will also require Special Use Permit approvals from the Seneca Falls Zoning Board of Appeals and the Town of Waterloo. In addition, the project sponsor must also undergo an obstruction review by the Federal Aviation Authority ("FAA"); and

WHEREAS, traffic to and from the existing Landfill site, together with odors emanating therefrom, already negatively impacts surrounding roads, air quality and environmental conditions in the immediate area adjacent to the neighborhoods adjacent thereto; and

WHEREAS, The City of Geneva is not currently named as an interested party, however the residents of the City will be directly affected by the award of approval or by failure for SMI to receive the approval; and

WHEREAS, the impact of a landfill decreases the value of properties, increase greenhouse gases, and provide the potential for additional toxins to impact our community;

NOW, THEREFORE BE IT RESOLVED, The City of Geneva does hereby oppose any an increase in the existing maximum permitted Landfill height by about 70 feet, as well as the extension of the life of the landfill by approximately 15 years, without due consideration of its impact on adjacent neighborhoods; and

BE IT FURTHER RESOLVED, that the City of Geneva seeks to be named as an interested party due to the impacts on our community and therefore directs the City Manager to work with the DEC to achieve this designation; and

BE IT FURTHER RESOLVED that the City Council of Geneva directs the City Clerk to forward a copy of this resolution to the Department of Environmental Conservation, the Town Boards of Seneca Falls and Waterloo and the Seneca Falls Zoning Board of Appeals and the Town of Waterloo, and the Seneca County Board of Supervisors.

City Manager Hendrix told everyone that the DEC is currently receiving comments on the Seneca Meadows project. This resolution serves as an opportunity for the Geneva City Council to oppose the requests being made by Seneca Meadows and allow the city manager to seek interested party status which would place us on distribution lists regarding the landfill and make us an interested party insuring it is clear the landfill does impact us.

Clr. Camera said he would like to see a resolution supporting the Seneca Falls passage of Local Law #3 supporting the closure of the 2025 permit.

Clr. Burrall said that the long-term impact of closing the landfill is changing human behavior. We all need to look at the way we purchase, recycle and reuse. He encouraged everyone to change their behavior and think about composting.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

11. RESOLUTION APPROVING AN OPIOID SETTLEMENT AGAINST TEVA AS PRESENTED BY LITIGATION COUNSEL

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva has participated as a litigating subdivision municipality in the opioid litigation currently pending against the named defendants in the In Re National Opioid Litigation, and

WHEREAS, the Cherundolo Law Firm, PLLC, and Brindisi, Murad, Brindisi & Pearlman, LLP, together referred to herein as "Litigation Counsel", represent the City in connection with actions pending against the opioid manufacturers, distributors, sellers, and retailers of opioids, and

WHEREAS, an agreement of settlement has been proposed on behalf of the defendant, Teva, , in accord with the terms and circumstances as laid out by Litigation Counsel, and

WHEREAS, City Manager Aimee Hendrix and John C. Cherundolo, Esq., of the Cherundolo Law Firm, PLLC, having presented the complete settlement proposal submitted by settling Defendants to the City Council on or about the ____ day of January, 2022, and

WHEREAS, Litigation Counsel has been advised that they will not have the same option of applying to New York State for their attorney fees as they did with previous settlements, and, as such, Litigation Counsel will be paid from the City of Geneva's settlement proceeds in accordance with our retainer agreement. However, the New York Teva settlement will likely be included in a national settlement, and, as such, the attorneys fees will be limited to 15% of the recovery, plus disbursements.

WHEREAS, the settlement against Teva calls for payments to be made to the City of Geneva over the course of 18 years, as set forth in the schedule below, , upon application of the City to the Office of Addiction Services and Supports ("OASAS"). an amount totaling \$12,515.11, assuming full participation as described in the TEVA/New York Statewide Opioid Settlement Agreement:

City of Geneva							
	Total	2023	2024	2025	2026	2027	2028
Premium Regional Spend via OASAS	\$12,515.11	\$1,877.27	\$1,877.27	\$288.81	\$288.81	\$288.81	\$288.81
Total	\$12,515.11	\$1,877.27	\$1,877.27	\$288.81	\$288.81	\$288.81	\$288.81
City of Geneva, Cont.							
	2029	2030	2031	2032	2033	2034	2035
Premium Regional Spend via OASAS	\$288.81	\$288.81	\$288.81	\$288.81	\$288.81	\$288.81	\$288.81
Total	\$288.81	\$288.81	\$288.81	\$288.81	\$288.81	\$288.81	\$288.81
City of Geneva, Cont.							
	2036	2037	2038	2039	2040		
Premium Regional Spend via OASAS	\$288.81	\$288.81	\$1,668.68	\$1,668.68	\$1,668.68		
Total	\$288.81	\$288.81	\$1,668.68	\$1,668.68	\$1,668.68		

WHEREAS, Litigation Counsel has negotiated with, and has reached a tentative resolution with the State of New York for a Teva/New York Statewide Opioid Settlement Agreement concerning the settlement of claims against Teva, and

WHEREAS, releases and other documents are required to be executed and delivered to The State of New York Attorney General's Office and the settling Defendants on or before January 9, 2023 to effectuate the aforesaid settlement,

NOW, THEREFORE, this matter being fully discussed and agreed upon by the City of Geneva Council, it is hereby

RESOLVED that the City of Geneva agrees to resolve and otherwise accept the settlement proposal presented by Litigation Counsel with regard to the opioid settlement with the defendants named above and the same be and hereby is, approved, and it is further

RESOLVED that Aimee Hendrix, City Manager for the City of Geneva; Midey, Mirras & Ricci, LLP, City Attorney for the City of Geneva; and John C. Cherundolo, Esq. litigation co-counsel for the City of Geneva in the Opioid Litigation, be, and the same hereby are, duly authorized and empowered to enter into any settlement agreements to effectuate the aforesaid settlements, and to enter into the Teva New York Global Payment Opioid Settlement Sharing Agreement; the Teva New York Premium Payment Opioid Settlement Sharing Agreement; and to execute the New York Subdivision Settlement Participation Form and to otherwise execute and deliver such releases, waivers, agreements, or other documents to effectuate the aforesaid settlement as presented, and deliver such agreements and other documents as may be necessary to have the settlement effectuated with full participation on or before January 9, 2023

Attorney John Cherundolo told council that this is another settlement resulting from litigation against opioid companies. Cristen Mendoza said that the sum the city will be collecting in this guaranteed settlement will be \$12,515.11. She said that by virtue of our population and because we filed suit, the state agreed to this amount for litigating subdivisions. She said that Geneva will now need to apply to the Office of Addiction Services and Support, and her firm is in the process of obtaining details and will be updating the city soon. Mr. Cherundolo added that his firm has the availability to make application to the Federal NDL Lawsuit for their fees as well.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1absent)

12. BOARD/COMMISSION APPOINTMENTS

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

MOVED THAT Geoffrey Geiger, Christina DeJesus and James Petropoulos be appointed to the Board of Ethics, and Peter Gillotte be appointed as an alternate to the Board of Ethics
MOTION CARRIED UNANIMOUSLY (8-1 absent)

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

MOVED THAT Sid Moore and Alton Pace be reappointed to the Human Rights Commission
MOTION CARRIED UNANIMOUSLY (8-1 absent)

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

MOVED THAT Dana Hollenbeck be reappointed to the Local Development Corporation
MOTION CARRIED UNANIMOUSLY (8-1 absent)

13. MAYOR AND COUNCIL REPORTS

Clr. Gaglianese expressed his concern with the corner of Pulteney and Washington Streets on the northeast corner with a car being parked there, and he feels there should be no parking at that location for safety reasons. He also referred to the intersection of West Street and William Street saying there should be a four-way stop since it is so close to a school. He also said with regard to emergency response agencies, the city needs to find ways to help fund them because every second counts when responding to emergencies.

Clr. Brimm said he agrees with Clr. Gaglianese and also feels the crossing guard's safety is important.

Clr. Camera agreed with the crossing guard safety issue as well. He said that the county is doing a housing assessment study, and he and Clr. Salamendra met with Ryan Davis – Economic Development, Ontario County and Alissa Bub – Deputy Administrator, Ontario County on Jan 3rd. He read a report from the Ontario County Economic Development Office:

"Ontario County has initiated a county-wide Housing Needs Assessment and retained an experienced consultant, Urban Partners, to assist in that effort. The purpose of the study is to provide data to stakeholders about the current housing stock and new construction offerings, identify existing and anticipated housing needs to highlight disparities between availability and need, identify the factors contributing to that disparity, and develop strategies to address those factors. Ultimately, the project will document existing housing conditions, identify market and other forces that affect supply and demand now and, in the future, identify gaps in maintaining equitable access to safe, resilient, and reliable housing, and identify opportunities for improving and expanding housing options."

An important part of the process involves gathering input from the public about their housing experiences in Ontario County. The Housing Survey was created by Urban Partners to capture that feedback and help them develop a clearer understanding of a diverse and complex housing market. The survey gathers

information about residents' current housing situations and future plans. The survey also asks about barriers to purchasing and renting, issues surrounding senior housing, and more. Ontario County requests that you please take a few minutes to complete the housing survey and distribute it to your friends, relatives, and colleagues. The more responses received, the more accurate the representation of the housing needs will be. The survey is anonymous and responses are confidential. It would be GREAT if the city was willing to help spread the word on their website and/or social media accounts.

Clr. Camera encouraged residents to type in "Ontario County Housing Survey" in Google that takes you to the county website and then go to the bottom of the page to see the link to the survey. He referred to Clr. Salamendra's information at a prior council meeting where hundreds of hotel rooms are being used for single parents with multiple children to live in for months and months. He said this survey will come up with multiple strategies to address this problem.

Next, Clr. Camera referred to the transportation study and moving the railroad and that the Steering Committee members are: Tom Harvey – Dir. Of Planning, Ontario County., Jodie Bennix - Genesee Transportation Council, Lora Leone – NYS DOT, Ron Allen - Town of Phelps, Robert McCarthy – Town of Geneva, Mike Cheney – Village of Phelps, and Robert Camera – City of Geneva. He pointed out the objective of the project will be to identify potential rail-enabled industrial development sites along the Finger Lakes Rail and Norfolk Southern Rail Corridor in the studied area. Development capacities will be developed for the candidate properties and their impact of supporting transportation infrastructure evaluated. Comprehensive plan and zoning changes will be recommended to support the proposed development. At the same time, options for either relocating the existing Finger Lakes Railyard away from Seneca Lake will be sought and compared to options for improving the aesthetics and connectivity between the City of Geneva's northeastern neighborhoods from the lakefront. Options for rerouting the Finger Lakes Railyard to eliminate its route within the core downtown area of the City of Geneva will be sought and compared to the cost for making any identified improvements to the rail geometry, signage and operations in the city's downtown area to improve rail/vehicular/bicycle/pedestrian safety.

Lastly, Clr. Camera said he wanted to reaffirm his oath of office that he took when he was elected in 2019. He said he will do his best to not step on those rights when helping city residents.

Clr. Regan announced that the kick-off for the 125th Celebration of Geneva as a city took place on New Years Day and the spirit was wonderful. She said that anyone who has lived in a home that has been here since 1898 can pick up a sign at the Clerk's Office to put in their front yard. She said that most of what the committee planned for will be February 27-March 4. She said that individual organizations are making plans along with businesses. She gave council a tentative agenda that will be updated once finalized. She noted that on March 4th, there will be a community gathering at 4:00pm to view a video of then and now. She told everyone that on that day in 1898, John Philip Sousa played on stage at the Smith Opera House. She said that there will be cake and a cocktail party along with fireworks. She announced there are currently items for sale such as magnets, coffee mugs, hats, scarves, and koozie holders. Clr. Regan said that the Green Committee did not meet, but they are looking to hold the Mission Zero event on April 22nd at the Recreation Complex. She commented that this is council's final year and she has looked back at things council has hoped to get done. She said she hopes to relook at the composting facility at Doran Avenue to see where it stands. She referred to Joule Assets coming to last months council meeting to give an update on the Community Choice Aggregation Program.

Clr. Pealer extended a thank you to Clr. Regan and the volunteers and staff for the kick off of the 125th party noting that the term for a 125th anniversary is "quasiquicentennial." He said the Recreation Board did not meet, but he had an update from the Director of Recreation saying that over 270 people skated January 1st for free as part of the 125th celebration. Clr. Pealer said that the marina is important to him along with the commercial activity that will be cultivated by it, and he would like to see mobile vending and commercial activity to keep the marina viable. He said, per the Recreation Director and the YMCA, the gold card memberships will continue this month noting that at their peak, they had over 250 residents signed up. He said that people can call the YMCA at 315-789-1616 or the Recreation Department at 315-789-5005 with questions. He said that spring signups start in February including learn to skate and over the hill hockey, and their next board meeting will be January 18th. Clr. Pealer said that the Finger Lakes Workforce Investment Board talked about nonparticipation rates of our workforce, and he said they offer free training, and residents can go to www.fingerlakesworks.com for information on this training. He said they are discussing marketing initiatives and changing their website as well as creating youth events.

Clr. Burrall thanked Clr. Gaglianese for the issues he brought up tonight on traffic control noting that he has had great success in the past working with Mark Perry and Joe Venuti and suggested he call Mr. Venuti. He thanked Clr. Camera for mentioning the survey on housing. He announced the next blood drives will be January 10th at the Presbyterian Church from 1-7pm, January 25th at Geneva General Hospital from 10-4, and January 26th at FLCC from 1-6pm. He said the BID reported that the Local Development Corporation and the Industrial Development Agency agreed to help fund the 2023 beautification plan put through and proposed by the executive director, Catherine Price, and he thanked those community partners. He said the BID is currently planning their Winter Arts Festival February 4-11 which will include Ontario County restaurant week in conjunction with the Ontario County Chamber of Commerce. He said there will be a film festival, art walk, lantern parade to terminate on Linden Street with an ice bar. Clr. Burrall announced he has \$150 from firewood sales for the Shadetree Committee expenses. Lastly, he said that life is stressful and he enjoys being a spectator at athletic events. He said the Hobart Men's Lacrosse team is currently the number 1, Division 3 team in the United States, and he invited all to attend January 20th at 7:00pm to support the team, noting that there is no charge to attend or park.

Clr. Noone said he attended the 125th celebration and applauded Clr. Regan for her efforts as well as the committee members and those involved. He said he has questions about the housing situation for our county supervisors and he was discouraged that we do not have the press releases like Seneca County encouraging people to get out and fill out the survey. He said he would also like to see more options for people to complete the survey like Seneca County is offering. He said he seconded the traffic proposals by Clr. Gaglianese and he mentioned an issue with turning right onto Lyceum Street from Brook Street with two cars parked there it makes it difficult to turn. He said he spoke to business owners about salting their sidewalks and referred to a discussion he had with the former City Comptroller about the BID possibly taking over all of the snow removal downtown, but the discussions never finished. He said he would like clarification as to what BID's role is and would like to see this communicated to business owners so they are not questioning. He also seconded Clr. Pealer's mention of increasing activity at the lakefront. He would like to see pavilions, grills, a public beach and more. Clr. Burrall referred to Clr. Noone's mention of

misinformation on the BID website because as far as he has known the BID has never removed snow from sidewalks. He said he will address the inaccuracies with the BID. He noted they only clean and salt sidewalk corners at crosswalks.

Mayor Valentino referred to Clr. Burrall's mention of the Hobart hockey team being 13-0 and number one in the country and this being phenomenal. He wished them well moving forward. He thanked Clr. Regan for taking the lead on the 125th kick off. He said he attended the 100th Anniversary in 1998 at the Smith Opera House noting that he was also invited to Geneva Switzerland to do a celebration of Geneva's of the World including 28 Genevas, and he said he feels we are the most beautiful Geneva in the world. Lastly, he mentioned the city manager has purchased a home in the city, and he looks forward to seeing her in the city.

14. PUBLIC COMMENT

Andrew Spink said that he is grateful that this council chose him to serve on the Police Budget Advisory Board and he would like to make comments tonight on behalf of himself and not the board he is a member of. He said he is happy to see the restoration of Robert Maclean and James McCorkle to the board. He said he hopes council takes to heart the lessons learned over the past few months. He said he considered resigning when these two men were removed from the board because felt like the board was being made into a political punching bag noting that the board does not function like a political body. He said most of the board's decisions have been passed unanimously with the best interest of the city in mind, and he feels that Mr. Maclean and Mr. McCorkle are thoughtful and earnest along with all of the other members. He said it is worth remembering that the board does not have any policy making authority and only makes recommendations which council is free to reject. He said he wanted to address an email reported by the Finger Lakes Times. He said while he is very grateful for the chief of police and all he does to keep the city safe, he does not feel the chief is in a position to make demands of council about the composition of the board. He said he feels the board is more interested in finding creative solutions rather than creating an adversarial relationship with law enforcement. Lastly, he mentioned the intersection of William and Pulteney stating people may think it is a four-way stop.

15. ADJOURNMENT

ACTION TAKEN by Clr. Noone; seconded by Clr. Gaglianese
MOVED THAT the meeting be adjourned at 9:06pm
MOTION CARRIED UNANIMOUSLY (8-1 absent)

Lori Guinan

City Clerk



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: February 1, 2023

Item Title: RESOLUTION TO SET A PUBLIC HEARING IN CONNECTION WITH THE
ADOPTION OF A LOCAL LAW CREATING STAGGERED TERMS FOR THE
GENEVA CITY COUNCIL

Action Required:

An affirmative vote by a majority of City Council is required to set a public hearing to be held on February 15, 2023.

Background:

In 2023, Council voted to adopt a local law to allow City residents to vote on staggered terms for members of council. Due to a miscommunication between the County Board of Elections and the City of Geneva this resolution was not able to be included on the 2022 Ballot.

Adoption of this resolution will allow for a public hearing prior to a vote by council to amend the City Charter to provide that the terms of office of Geneva City Councilors and the Mayor shall be staggered so that all City Councilors and the Mayor do not come up for election in the same year.

Financial Impact:

No financial impact of setting a public hearing.

Office of the City Manager

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

RESOLUTION #5 -2023

RESOLUTION SCHEDULING A PUBLIC HEARING IN CONNECTION WITH THE ADOPTION OF A LOCAL LAW CREATING STAGGERED TERMS OF OFFICE FOR THE GENEVA CITY COUNCIL AND THE CITY MAYOR

WHEREAS, currently all Geneva City Councilors and the City Mayor are elected every four years in the same general City election, and

WHEREAS, it is the goal of City Government to provide a stable governing board, and

WHEREAS, in the 2019 city election, seven City Councilors were elected for the first time with little experience with City Government, and

WHEREAS, in furtherance of said goals, the Geneva City Council intends to adopt local law # 1-2023, a copy of which local law is submitted with this resolution, amending the City Charter to provide that the terms of office of Geneva City Councilors and the Mayor shall be staggered so that all City Councilors and the Mayor do not come up for election in the same year, and

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

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

NOW, THEREFORE BE IT RESOLVED that a public hearing be held on February 15, 2023 at 7:00 p.m. pursuant to the Municipal Home Rule Law concerning proposed local law # 1-2023 submitted herewith.

Local Law 1- 2023

Local Law Staggering the Terms of Office of Geneva City Councilors and the Mayor

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

Section 2.1 of the Geneva City Charter, approved by referendum, effective January 1, 1974, as amended thereafter, is hereby further amended to change the method of election of members of the Geneva City Council and Mayor.

Section I - Purpose

The purpose of this amendment to the City Charter is to stagger the terms of office of Geneva City Council members and the Mayor, so City Councilors and the City Mayor do not come up for election in the same year.

Section II - Elective Officers; terms

Section 2.1 of the Geneva City Charter, is amended as follows:

Geneva City Councilors and the City Mayor shall be elected in stages beginning with the 2023 general election.

The City Mayor, one City Councilor at large, and City Councilors representing City Wards 2, 4, and 6 shall be elected at the 2023 Election to terms of two years.

One City Councilor at large and City Councilors representing wards 1, 3, and 5 shall be elected in the 2023 general election to terms of four years.

Every general City election thereafter, all City Councilors and the Mayor shall be elected for four-year terms.

It is the intent of this local law, which is subject to mandatory referendum, to stagger the terms of office for City Councilors and the City Mayor so all City Councilors and the City Mayor do not come up for election in the same year.

Section III

The City Charter provision in conflict herewith specifically Article 2, Section 2.1 pertaining to elected officials is hereby amended.

Section IV - Effective Date

This local law shall become effective immediately upon approval by the affirmative vote of a majority of the qualified electors of the City of Geneva voting upon the proposition at the November 2023 general election as prescribed by law.

Abstract of Proposition

Shall City of Geneva Local Law # 1 - 2023 Staggering the Terms of Geneva City Councilors and the City Mayor be approved

MEMO

JANUARY 16, 2023

TO: Geneva City Council and Mayor
FROM: Midey, Mirras & Ricci, LLP

Re: 2023 Local Law staggering terms of office of the Geneva Mayor and City Councilors.

INTRODUCTION

On April 6, 2022, the Geneva City Council adopted Local Law 3-2022 which staggered terms of the offices of the Geneva City Mayor and City Councilors, effective January 1, 2024 if the local law was approved at a referendum on the November 8, 2022 general election by the affirmative vote of a majority of the qualified electors of the City of Geneva.

Since the staggered terms referendum was not placed on the November 8, 2022 ballot, local law 3-2022 was not approved and is not effective to stagger the terms as set forth in Local Law 3-2022.

QUESTION PRESENTED

Can the City of Geneva adopt a local law in 2023 which would stagger the terms of the City Councilors and Mayor effective January 1, 2024?

ANSWER

Yes, the City can adopt a Local Law staggering the terms of the and mayor and city councilors, effective January 1, 2024. The Local Law would be subject to approval at a referendum held at a special election or at the November 2023 general election. Timing of the mandatory referendum and wording of the effective date of the Local Law would be crucial

We have reviewed the New York State Constitution, the New State General City Law, The City Charter, Court Decision, and selected administrative opinions of the New York State Attorney General and Officer of the Comptroller.

The Court cases and administrative opinions addressed this very issue and discussed occasions when local laws changing terms of elected officials and the candidates whose changed terms were effective the first day of the following year were on the same ballot. The Ontario Board of Elections has concurred.

DISCUSSION

Terms of Office of City of Geneva elected officials' can only be changed by amendment of section 2.1 of the City Charter.

We find no provision in the New York State Constitution or the General City Law which controls changes in City of Geneva elected officials' terms of office.

Amending the City Charter to stagger the terms of office of City of Geneva elected officials can only be done by adoption of a Local Law pursuant to Municipal Home Rule Law section 10(1)(ii)(a)(1).

Municipal Home Rule Law 10(1)(ii)(a)(1) provides that:

A city shall have power to adopt and amend local laws, not inconsistent with the provisions of the constitution or not inconsistent with any general law, relating to terms of office of its officers and employees. *People v Torres*, 37 N.Y.3d 256, 265, CA 2021.

The Local Law would be subject to a mandatory referendum. Municipal Home Rule Law section 23.

The Ontario County Board of Elections advised on October 12, 2022 that a proposition subjecting such a local law for approval could be added to the same 2023 general election ballot that votes would cast to elect officials whose terms commence on January 1, 2024.

WORDING OF THE LOCAL LAW

In order to affect the terms of the Mayor and City Councilors commencing on January 1, 2024, a Local Law adopted in 2023 should state that it would be effective immediately upon its approval by the affirmative vote of a majority of the qualified electors of the City of Geneva.

SCHEDULING OF VOTE ON THE LOCAL LAW

A Local Law changing the term of elected officials must be submitted for approval at:

1. a general election of state or local government officers in such local government held not less than sixty days after the adoption; or
2. a special election held not less than sixty days after the adoption of the local law.

CONCLUSION

In order to stagger the terms in question, a proposed Local Law and a resolution scheduling a public hearing on the proposed Local Law must be placed on the City Council agenda. The language of the Local Law and the scheduling of the referendum must be carefully considered.

Midey, Mirras & Ricci, LLP

Local Law 1- 2023

Local Law Staggering the Terms of City Councilors and the Mayor

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

Section 2.1 of the Geneva City Charter, approved by referendum, effective January 1, 1974, as amended thereafter, is hereby further amended to change the method of election of members of the Geneva City Council and Mayor.

Section I - Purpose

The purpose of this amendment to the City Charter is to stagger the terms of Geneva City Council members and the Mayor so City Councilors do not come up for election in the same year.

Section II - Elective Officers; terms

Section 2.1 of the Geneva City Charter, is amended as follows:

Geneva City Councilors and the City Mayor shall be elected in stages beginning with the 2023 general election.

The Mayor, one City Councilor at large, and City Councilors representing City Wards 2, 4, and 6 shall be elected at the 2023 Election to terms of two years.

One City Councilor at large and City Councilors representing wards 1, 3, and 5 shall be elected in the 2023 general election to terms of four years.

Every general City election thereafter, all City Councilors and the Mayor shall be elected for four year terms.

It is the intent of this local law, which is subject to mandatory referendum, to stagger the terms of office for City Councilors and the Mayor so all City Councilors and the Mayor do not come up for election in the same year.

Section III

The City Charter provision in conflict herewith specifically Article 2, Section 2.1 pertaining to elected officials is hereby amended.

Section IV - Effective Date

This local law shall become effective immediately upon approval at a special election to be held on April 11 by the affirmative vote of a majority of the qualified electors of the City of Geneva voting upon the proposition in the above matter, and as prescribed by law.

Abstract of Proposition

Shall the City of Geneva Local Law # 1 - 2023 Staggering the Terms of Geneva City Councilors and the Mayor be approved?

RESOLUTION # 10 - 2022

**RESOLUTION SCHEDULING A PUBLIC HEARING IN CONNECTION
WITH THE ADOPTION OF LOCAL LAW 3-2022 CREATING
STAGGERED TERMS OF OFFICE FOR MEMBERS OF THE GENEVA CITY COUNCIL.**

WHEREAS, it is in the best interest of the City of Geneva to ensure continuity and stability of its City Council, and

WHEREAS, currently all Geneva City Councilors are elected for four year terms every four years in the same general election, and

WHEREAS, staggering the terms of office of City Councilors would ensure there would always be experienced Councilors sitting on the City Council familiar with operation of the City, issues before the Council, and City Council procedures, and

WHEREAS, in furtherance of said goals, Mayor Steve Valentino proposes the adoption of local law 3-2022 directing that the terms of office of Geneva City Councilors and the City Mayor shall be staggered so all City Councilors and the Mayor do not come up for election in the same year, and

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

NOW, THEREFORE BE IT RESOLVED that a public hearing be held on April 6, 2022 at 7:00p.m. pursuant to the Municipal Home Rule Law concerning proposed local law 3-2022 submitted herewith.

STATE OF NEW YORK)
COUNTY OF ONTARIO) ss:

I, Lori Guinan, City Clerk of the City of Geneva, New York, do hereby certify the foregoing to be a true and complete copy of an original resolution on file in the City Clerk's Office, which said original was adopted at a Regular Meeting of the Geneva City Council held on March 2, 2022.

Dated: March 3, 2022

Lori Guinan

City Clerk



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: February 1, 2023

Item Title: Authorizing Residency Exemption For Current Police Chief

Action Required:

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

Background:

As Chief Passalacqua will be retiring in June 2023, he and his family have decided to relocate after his retirement and have placed their home in the City of Geneva on the market. Although he currently continues to reside within the City of Geneva, this resolution will waive the residency for the remaining tenure of Chief Passalacqua allowing him to relocate once his house has sold.

Financial Impact:

None.

Office of the City Manager

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

RESOLUTION #6-2023

AUTHORIZING RESIDENCY EXEMPTION FOR CURRENT POLICE CHIEF

WHEREAS, the City of Geneva's comprehensive plan charges us with protecting and strengthening our uniquely urban character and our sense of community; and

WHEREAS, as Chief of the Geneva Police Department, Michael J. Passalacqua has worked to enhance public safety, address problems creatively through collaboration and partnership, and to advance celebration of our multi-cultural heritage through his leadership; and

WHEREAS, in 2009, the Geneva City Council adopted a resolution requiring residency of police and fire chiefs; and

WHEREAS, the resolution cited ready access to public safety issues as key to rapid efficient response; and

WHEREAS, Chief Passalacqua is scheduled to retire on June 30, 2023, and

WHEREAS, Chief Passalacqua has begun the process of relocating his residence from the City of Geneva with the potential sale of his current home within the City and

WHEREAS, Chief Passalacqua's residence outside the City of Geneva, pending his retirement, will not negatively affect ready access to public safety incidents; and

WHEREAS, Chief Passalacqua's exemplary service record, commitment to protecting and enhancing the quality of life for all Genevans, and core leadership skills make him an effective public safety leader and Police Chief.

NOW, THEREFORE BE IT RESOLVED, that the Geneva City Council, hereby and in due form, exempts Chief Passalacqua from the residency requirement affected by the 2009 Resolution for the remainder of his tenure; and

RESOLVED this 1st day of February, 2023.

STATE OF NEW YORK)

COUNTY OF ONTARIO) ss:

I, Lori J. Guinan, City Clerk of the City of Geneva, New York, do hereby certify the foregoing to be a true and complete copy of an original resolution on file in the City Clerk's Office, which said original was adopted at a Regular Meeting of the Geneva City Council held on February 1st, 2023.

Dated:

City Clerk



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: February 1, 2023

Item Title: RESOLUTION TO SET A PUBLIC HEARING IN CONNECTION WITH THE ADOPTION OF A LOCAL LAW AUTHORIZING AN EXEMPTION WHICH WOULD PROVIDE FOR A 10% EXEMPTION FOR VOLUNTEER FIREFIGHTERS OR AMBULANCE DRIVERS WHO HAVE BEEN CERTIFIED BY THE GENEVA FIRE DEPARTMENT

Action Required:

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

Background:

The New York State Legislature has authorized an exemption which would provide for a 10% exemption for volunteer firefighters or ambulance drivers who have been certified by the Geneva Fire Department to assist in recruitment and retention of volunteers. After reviewing the requirements of this authorization, City staff have found that ~40 current volunteers could receive this benefit at a cost to the City of approximately \$10,000 to provide a 10% reduction on property taxes. If Council were to choose to move towards provision of this benefit the Municipal Home Rule Law requires a Public Hearing be held before a local law is adopted.

Financial Impact:

No financial impact of setting a public hearing; if the resolution is adopted the financial impact is ~\$10,000 annually.

Office of the City Manager

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

Resolution #7-2023

**RESOLUTION SCHEDULING A PUBLIC HEARING IN CONNECTION WITH THE
ADOPTION OF A LOCAL LAW AUTHORIZING AN EXEMPTION WHICH WOULD
PROVIDE FOR A 10% EXEMPTION FOR VOLUNTEER FIREFIGHTERS OR AMBULANCE
DRIVERS WHO HAVE BEEN CERTIFIED BY THE GENEVA FIRE DEPARTMENT.**

WHEREAS, the City of Geneva wishes to encourage residents to volunteer with the City Fire Department or Emergency Medical Technician (EMT) Department, and

WHEREAS, the number of volunteers has fallen to a point where service has been affected, and

WHEREAS, the New York State Legislature has authorized an exemption which would provide for a 10% exemption for volunteer firefighters or ambulance drivers who have been certified by the Geneva Fire Department, and

WHEREAS, The City of Geneva wishes to adopt a Local Law which would authorize a 10% exemption for volunteer firefighters or ambulance drivers who have been certified by the Geneva Fire Department, and

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

NOW, THEREFORE BE IT RESOLVED that a public hearing be held on February 15, 2023 at 7:00 p.m. pursuant to the Municipal Home Rule Law concerning proposed local law # 1-2023 submitted herewith.

Local Law[#] 2- 2023

LOCAL LAW AUTHORIZING REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS.

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

Qualifying volunteer firefighters and ambulance drivers in City of Geneva as authorized by § 466-a of the Real Property Tax Law adopted by the laws of 2022 chapter 670 § 1.

Section 1: Statutory Authority

The purpose of this Local Law is to grant a partial exemption from real property taxation to qualifying volunteer firefighters and ambulance drivers in the City of Geneva as authorized by § 466-a of the Real Property Tax Law.

Section 2: Exemption granted.

- A. Any enrolled member who has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or voluntary ambulance service as an enrolled member of such incorporated volunteer fire company, fire department, or voluntary ambulance service will be entitled to a 10% reduction in their taxable value for City tax purposes.
- B. Any member who has achieved over 20 years of accumulated service shall be considered a life member and the exemption will continue for the remainder of their life if the property serves as their primary residence.
- C. Any un-remarried surviving spouse of a volunteer who was killed in the line of duty shall continue to receive the 10% exemption if:
 - a. The AHJ certifies that the un-remarried spouse is eligible for the exemption.
 - b. Volunteer had accumulated 5 (five) years of service.
 - c. Residence continues to be the primary residence of the surviving spouse.
- D. Any un-remarried surviving spouse of a volunteer who passed away shall continue to receive the 10% exemption if:
 - a. The AHJ certifies that the un-remarried spouse is eligible for the exemption.
 - b. Volunteer had accumulated 20 (twenty) years of service.
 - c. Residence continues to be the primary residence of the surviving spouse.

Section 3: Terms and conditions.

The following terms and conditions shall be applied in the implementation of this article:

- A. No such exemption shall be granted until a volunteer has achieved a minimum of 2 years of service.

Section 4: Effective Date

This Local Law shall take effect immediately upon passage and shall be applicable for all assessment rolls filed after that date.



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Joseph Venuti, Director of Public Works

Meeting Date: February 1, 2023

Item Title: First Reading of an Ordinance Amending Chapter 335 Entitled "Vehicles & Traffic" of the City of Geneva Municipal Code

Action Required:

Amend Code 335-17 to include No Parking Here to Corner Signage and allow enforcement of such. Install one street sign and post.

Background:

118 Washington Street, located on the NE corner of Washington St and Pulteney St has residents parking vehicles on Pulteney Street. Geneva City Code 335-17 does not indicate any parking restrictions in this area.

Requiring a 50 foot set back from Washington Street safely allows for multiple vehicle parking spaces to remain at this location and removes the unsafe sight distance situation that is currently being observed.

Financial Impact:

DPW materials less than \$200.00

Director of Public Works

Joseph Venuti

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

(315) 789-3101 - FAX (315) 789-8373 - jvenuti@geneva.ny.us - www.cityofgeneva.ny.us

ORDINANCE # 1 - 2023

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 parking restrictions on the east side of Pulteney Street, north of Washington Street, and

WHEREAS, the City Director of Public Works recommends that a defined no parking here corner restriction be established in this area.

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: Pulteney Street, On the East Side: No parking from the north curb line of Washington Street to a point 50 feet in a northerly direction.

ADOPTED BY THE GENEVA CITY COUNCIL ON _____, 2023.

ATTEST:

Mayor

City Clerk



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Joseph Venuti, Director of Public Works

Meeting Date: February 1, 2023

Item Title: First Reading of an Ordinance Amending Chapter 335 Entitled "Vehicles & Traffic" of the City of Geneva Municipal Code

Action Required:

Amend Code 335-17 to modify No Parking Here to Corner Signage and allow enforcement of such. Install one street sign and post.

Background:

772 South Main Street, located on the west side between Saint Clair Street and Jay Street has a new museum business and the property owners have requested on street parking. Geneva City Code 335-17 currently restricts parking in this area.

Reducing the current 260 foot to 190 foot set back from Jay Street safely allows for multiple vehicle parking spaces to at this location and allows a 190 foot sight distance to the north.

Financial Impact:

DPW materials less than \$200.00

Director of Public Works

Joseph Venuti

CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456
(315) 789-3101 - FAX (315) 789-8373 - jvenute@geneva.ny.us - www.cityofgeneva.ny.us

ORDINANCE # 2 - 2023

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 parking restrictions on the west side of South Main Street "From a point 260 feet north of the north curb line of Jay Street...", and

WHEREAS, the City Director of Public Works recommends that additional parking spaces be allowed in this area.

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: Main Street, South, On the West Side: No parking from a point 190 feet north of the north curb line of Jay Street ..."

ADOPTED BY THE GENEVA CITY COUNCIL ON _____, 2023.

ATTEST:

Mayor

City Clerk



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Joseph Venuti, Director of Public Works

Meeting Date: February 1, 2023

Item Title: First Reading of an Ordinance Amending Chapter 335-9, Entitled "Stop intersections" of the City of Geneva Municipal Code

Action Required:

Amend Code 335-9 to add stop signs. Install two street sign and posts.

Background:

West Street School pedestrian and vehicle traffic have created safety crossing concerns at the intersection of William Street at West Street. The most recent NYSDOT Annual Average Daily Traffic (AADT) counts recorded in 2019 for nearby Washington Street, indicated between 3,522 and 4,164 vehicles per day travel in this neighborhood.

High traffic volumes at an intersection meets one of the Manual of Uniform Traffic Control Devices conditions for warranting a stop sign. The Director of Public Works recommends that stop signs be installed on William Street at West Street to safely control vehicle traffic at this intersection.

Financial Impact:

DPW material costs will be less than \$500.00

Department of Engineering and Public Works

Joseph Venuti, Director of Engineering and DPW

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

(315) 789-3101 - FAX (315) 789-8373 - JVenuti@Geneva.ny.us - www.cityofgenevany.com

ORDINANCE # 3- 2023

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 335-9, entitled "Stop intersections." Indicates no stop restrictions at the intersection of William Street at West Street

WHEREAS, the City Director of Public Works recommends that a defined traffic control device installation be established in this area by mean of stop signs.

NOW THEREFORE IT IS ORDAINED, as follows

Section 335-9 of the Geneva City Code, entitled "Stop intersections." be and the same is hereby amended to include the following:

William Street with West Street from the east and west.

William Street with West Street from the south.

ADOPTED BY THE GENEVA CITY COUNCIL ON _____, 2023.

ATTEST:

Mayor

City Clerk
