

AGENDA

REGULAR COUNCIL MEETING

CITY OF GENEVA, NEW YORK

March 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/c/cityofgenevany)

- I. CALL TO ORDER – Mayor, Steve Valentino
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. DRI UPDATE
- V. FOUNDRY UPDATE
- VI. CONSIDERATION OF MEETING MINUTES
This portion of the meeting is dedicated to correction of meeting minutes for the following Council session:
 - A. February 1, 2023 (Regular Council Meeting) {Page 3}
 - B. February 15, 2023 (Special Council Meeting) {Page 17}
- VII. 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.
- VIII. 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.*

IX. 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 Classifying Local Law #1-2023 Staggering Terms of Office of Geneva City Councils and the Mayor as an Unlisted Action Under SEQRA and Authorizing Geneva City Council as Lead Agency – Presented by City Manager Hendrix #8-2023 {Page 27}
- B. Resolution Declaring that the Local Law Amending the Geneva City Charter to Stagger Terms of Office of Geneva City Councilors and the Mayor, and Unlisted Action Under SEQRA, will not result in any Adverse Environmental Impact – Presented by City Manager Hendrix #9-2023 {Page 28}
- C. Local Law Staggering the Terms of Office of Geneva City Councilors and the Mayor – Presented by City Manager Hendrix #1-2023 {Page 29}
- D. Second Reading of an Ordinance Amending Chapter 335-17 Entitled “Vehicles & Traffic” {Pulteney/Washington} - Presented by City Manager Hendrix #1-2023 {Page 32}
- E. Second Reading of an Ordinance Amending Chapter 335-17 Entitled “Vehicles & Traffic” {S.Main/Jay} - Presented by City Manager Hendrix #2-2023 {Page 34}
- F. Second Reading of an Ordinance Amending Chapter 335-9 Entitled “Stop Intersections” {William/West} - Presented by City Manager Hendrix #3-2023 {Page 36}
- G. Resolution Requiring Residency of no more than 30-miles for Police and Fire Chiefs – Presented by City Manager Hendrix #10-2023 {Page 38}
- H. Discussion Regarding City Manager and City Clerk Residency Requirement

X. 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. Discussion Regarding Short Term Rentals {Page 40}
- B. Board/Commission Appointments {Page 58}

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. 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.

XIII. ADJOURNMENT

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

REGULAR COUNCIL MEETING

February 1, 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,
Clr. Noone, and Clr. Salamendra (via Zoom)

2. EXECUTIVE SESSION

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

MOVED THAT council move to executive session at 6:04pm to discuss collective negotiations pursuant to Article Fourteen of the Civil Service Law
MOTION CARRIED UNANIMOUSLY

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

MOVED THAT council exit executive session at 6:52pm
MOTION CARRIED UNANIMOUSLY

3. PROCLAMATION – Black History Month

4. SUPERVISOR UPDATE

Supervisor Kennedy said that he had a follow-up from Supervisor Pruetz's update that was sent to council last month. Supervisor Kennedy said that he is now on the Health and Human Services Committee and the Government Operations and Improvements Committee for the county where he will be asking questions about how the County Clerk envisions the future of the post pandemic Geneva Offices. He said he will be on an ad hoc Master Planning Committee for the parks master plan. He said they had a good meeting at Public Works to learn about the mutual aid agreement with the city and county. Lastly, the Health and Human Services Committee asked for an updated data sheet on all of the services being

offered to eligible county residents and the City of Geneva. He noted that according to the 2021 data Geneva receives about 23% of all public beneficiary services in the county. He said he is planning to come back in April with some 2022 data.

5. DRI UPDATE

Thank you, Mayor and City Councilors and good evening.

WORK COMPLETED TO DATE:

There is no significant progress on the project to report.

Pay Application 16 has been submitted in draft form and is currently being reviewed by the contractor.

Routes 5&20 traffic signal upgrades and the Bozzuto Rain Water Collection system installation are progressing although electrical components are still back ordered.

Bicycle shelters and racks 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" and Contract 2, "Street Scape and 5 Points"

Work is not yet completed on all traffic signal upgrades and will be once materials and equipment is secured.

CONCERNS:

Overall - Additional engineering charges due to uncompleted work and schedule delays

SIGNAGE – 5&20 - Reviewing additional permanent signs, median signs are getting run over often by motorists, Streetscape – Reviewing Exchanges St loading zones

BUZZUTO – Rain Collection Structure is not completed,

ELECTRICAL – Traffic signal material and equipment delays continue

6. FOUNDRY UPDATE

Remedial Design

- NYSDEC's engineering contractor completed remedial design plans for the block of properties located along the north side of Tillman St., east side of Geneva Street, and south side of Lewis Street. Remediation of these properties is scheduled for completion in 2023.
- Remedial designs were completed for 60 Middle Street, which had been used as a project staging area. Remedial construction details are provided below.
- Remedial design plans are in progress for 19 remaining properties that are located south of St. Peter's Church along Genesee and Geneva Streets, and along the west side of Geneva Street and south side of Tillman Street. NYSDEC and its engineering contractor will meet with homeowners in the coming months to review plans.
- No Further Action letters will be issued this month to the owners of properties remediated in 2022.

Remedial Construction

- Excavation of 60 Middle Street, which had been used as a project staging area, began in early January is scheduled to be completed this week.
- Per an agreement with the city, the contractor will use the vacant parcel at 42 Geneva Street as a staging area for materials and equipment during 2023. Setup activities will begin this month. Restoration details will be finalized with the Director of Public Works later in the year.
- Restoration activities at Genesee Park, including masonry activities and landscaping, are expected to resume in late March or April, pending weather, and are expected to be completed in late spring.
- Remediation of all remaining residential properties is expected to be performed in 2023. Remediation of the State Street staging area, located on the parcel just east of the railroad, is anticipated to be completed in 2024. Demobilization from the additional project staging area on Lehigh Street will also be completed in 2024.

7. CONSIDERATION OF MEETING MINUTES

Clr. Burrall asked to make an adjustment to the minutes saying that when he was referring to a local athletic team, he was referring the HWS Hockey team and not the Lacrosse team.

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

MOVED THAT the minutes of the January 4th Council Meeting be approved

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

Abstain – Clr. Salamendra

MOTION CARRIED

8. PUBLIC COMMENT

Paul Passavante, member of the Ontario County Planning Board, said that he wanted to acknowledge with enthusiasm the process the city has gone through involving consultants and the public with the zoning code update. He said that once the city has a code that people are mostly happy with, it will get referred to the County Planning Board for their comments. He said that we can reach out to the senior planner whose contact information is on the county website. He said he would be happy to facilitate an introduction on our behalf or provide information. He said that once the county provides their comments to the city, then council will vote on approval of the new code. Lastly, he told council that he was recently elected as the chair of the Ontario County Planning Board.

9. CITY MANAGER REPORT

City Manager Hendrix said that we are in final discussion with community partners about the Zoning update as there were some concerns over the initial update. She said the discussions will be coming to a close in the next couple days. She said the plan is to bring the update to the county and then to city council in March or April. Clr. Camera said he felt there were unresolved issues from the most recent meetings council had with the consultants and would like another work session to see where we are. Clr. Salamendra said she agrees with Clr. Camera and feels we need to zone Slosson Lane for development. Mayor Valentino said he would like council to see the draft before setting a work session.

City Manager Hendrix said that we have received a joint USDA grant in partnership with the Town of Geneva on sustainability. She said that as part of the grant, we will be receiving support from a part time sustainability coordinator. She said that this employee, the Town Supervisor and representatives from the Green Committee and the Town Sustainability Committee will be meeting in the near future to discuss this grant and the implementation, noting that it has a lot to do with composting and increasing our composting.

City Manager Hendrix said that we will soon have the contract for the Restore NY funding for Pretzel Logic, and we have received the official notice of award for the Round 6 project for the Middle Street

apartments, noting that we will soon have an executed contract and renovations can begin. She said our city events application has been updated and it is now available online for any organizations wishing to host an event in the city. Ms. Hendrix said that yesterday, the city was represented at the unveiling of the Veteran's Services Kiosk at the Welcome Center.

With regard to the Planning and Economic Development Director recruitment, she will be meeting with the internal and external teams to discuss the position on February 14, 2023, and they are looking to begin recruitment in March. The Police Chief test is now posted and interested, qualified candidates can now sign up for the exam. The application deadline is February 17, 2023, and all candidates must participate in the Civil Service Examination held on March 25, 2023. All information will be on our website.

10. 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 AND THE CITY MAYOR

City Manager Hendrix presented the following resolution:

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, 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 such election by the affirmative vote of a majority of the qualified electors of such local government voting upon the proposition.

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

City Manager Hendrix said that the local law passed last year did not make it on the ballot in November, so if this local law is approved, it will be placed as a referendum on the November 2023 ballot with a start date of January 2024 if approved by vote.

Clr. Burrall said that the proposed local law does not say which at-large councilor would get the 2-year term, and he suggested that the largest vote getter be the one who gets the four-year term. Mayor Valentino said that he will have the city attorney look at making this adjustment to the local law.

Clr. Gaglianese said he agrees with staggering the terms, but he voiced his disappointment with one of the at-large councilors getting that two-year term after all of the work they put into canvassing the entire city. He said if this passes, he hopes council will take a look at what the county is doing with combined wards along with the cities of Canandaigua and Auburn giving residents more representation.

Clr. Salamendra said that she regrets this going to a referendum without considering a remake of the city reminding council that she tried to bring forward the elimination of the at-large councilors as residents receive better representation by ward.

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

MOVED THAT this resolution be approved

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

Nay – Clr. Salamendra

MOTION CARRIED

11. RESOLUTION AUTHORIZING RESIDENCY EXEMPTION FOR THE CURRENT POLICE CHIEF

City Manager Hendrix presented the following resolution:

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.

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

City Manager Hendrix told everyone that this resolution follows a previous resolution for the former police chief, and it would allow the current chief to move out of the city before the end of his term. She said that he will be retiring at the end of June and his house is currently up for sale.

Clr. Noone said he would like to amend the resolution to remove paragraphs 1, 2 and 8 as they have nothing to do with the residency exemption. Clr. Camera said he agrees with this amendment noting that he has a problem with the resolution to begin with. He opposes the exemption because he feels the chief made an agreement when he was appointed, and his response time and knowledge of the city is enhanced with him living in the city. Clr. Regan agreed that a contract was signed, and an exemption is not something council should be doing because it is legislating for one individual.

Clr. Gaglianese said that we are talking about four months, noting that the current city manager took seven months to get a house, and council was willing to allow an extension for her. He said he feels the chief deserves respect on this request for his 20 years of service.

Clr. Salamendra said these things tends to go in one way and not the other and she does not feel the chief deserves an extension on his residency. She said she hopes the chief will be terminated. Mayor Valentino asked Clr. Salamendra to stay away from personal attacks and stick to the current resolution.

Clr. Burrall said that he feels it makes a difference where the chief is planning to move to and if he has a closing date. City Manager Hendrix said that she believes he has a closing date at the moment for the end of February or beginning of March with plans to establish residency in Waterloo with no closing date set for that property.

Clr. Camera said that he would like to add a stipulation that the chief acknowledge he has been living in the City of Geneva at least 80% of the time for the past year.

Clr. Pealer told council members he believes this is professionally reasonable noting that council just did this for the City Manager. He feels the chief has given 20 years to our city and is being up front about this.

Clr. Salamendra said that there is a rumor going around that the chief is not living here and she does not believe a residency exception should be granted. She said when she was forced out of her living arrangements, the mayor and several residents questioned where she was living. Mayor Valentino asked Clr. Salamendra to stick to the resolution presented and he wanted to call the roll. Clr. Salamendra said she would like the record to reflect that the mayor is silencing the fifth ward councilor. Mayor Valentino reminded Clr. Salamendra that he asked council to stick to the resolution without offering personal attacks.

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

MOVED THAT this resolution be amended to remove paragraphs 1, 2, and 8

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

Nay – Clr. Pealer

MOTION CARRIED

{Roll call on the resolution as amended}

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

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

MOTION CARRIED

12. 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

City Manager Hendrix presented the following resolution:

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 # 2-2023 submitted herewith.

City Manager Hendrix said that the State Legislature has authorized this exemption, and individual municipalities must approve it for their residents. She said that staff found approximately 40 current volunteers, but there may be more requirements above just being a volunteer. She said that staff is still looking into the requirements and how it would affect the city.

Clr. Regan said she has concerns because it is a little misleading to set a price on it because it is a moving target in some ways. She said she loves the idea of a resolution like this to increase the force and show gratitude, but she feels it is a question of the city being able to afford it. She said that the fire department is already asking for equipment that is being paid with property tax dollars. She said she has a hard time taking away from that fund. She said she would like council to consider the equality of it with properties being assessed at different amounts. She said she would like to see how the funds would be replaced and for council to consider something more equitable.

Clr. Gaglianese said this is wonderful noting that our fire department is second to none showing up at all hours of the day and night to help without getting paid. He told councilors to learn the history of our department noting that if we had to pay for their service, it would cost us millions. He also noted that they do a lot to raise funds on their own to help purchase equipment they need.

Clr. Camera said he would like to see support for the conversation coming up next month noting we have 18 career firefighters, two chiefs, and many volunteers. He said he would like to look at this holistically and the specific issue with volunteers that has developed and discuss the work they have taken on as far as EMT services. He said he would like to see this done in an equitable, measured way. Lastly, he noted that DPW employees do dangerous work all over the city every day, but he feels the city is broke and we need to grow out of our problems.

Clr. Pealer mentioned to council that he sent them a FLSA packet which he hopes they review, and he would like to hear the public's feedback. Chief Parrotta told council that our volunteers are not asking for this. He received the information from the State who passed the legislation to help with recruitment. He said his office has been reaching out to different resources to get more information, noting that the Assessor has come up with only about 38 people, but those people may not meet the eligibility requirements, and the average savings would be \$150-\$250 per year per volunteer.

Clr. Salamendra said she wanted the record to reflect earlier that the mayor has interrupted her several times during this meeting. She said that many people volunteer their time, and if we can't do this for everyone, we should not be doing it for some. She said that the city should be safe and healthy in a number of ways, and if the fire department needs more money, we should look elsewhere.

Clr. Noone said that this is a great piece of legislation from the State, and he would like to hear from residents and those directly impacted by it. He said the 10% is nothing as you can't put a price on safety, and although he fully supports the legislation, he would like council to look at the equity aspect.

City Manager Hendrix said that since this is State legislation, the City of Geneva cannot address the equity challenge.

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

MOVED THAT this resolution be approved

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

Nay – Clr. Salamendra

MOTION CARRIED

13. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 335-17 ENTITLED “VEHICLES AND TRAFFIC” – Pulteney St and Washington St

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 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 to 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.

City Manager Hendrix told everyone that this will require a 50 ft set back from Washington Street to safely allow multiple vehicle parking spaces to remain at this location while removing the unsafe sight distance situation that we currently have.

ACTION TAKEN by Clr. Noone; seconded by Clr. Brimm
MOVED THAT this ordinance be approved for first reading
MOTION CARRIED UNANIMOUSLY

14. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 335-17 ENTITLED "VEHICLES AND TRAFFIC" – S. Main St. and Jay St.

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 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 ..."

City Manager Hendrix told everyone that the city received a request from a new business to increase the on-street parking while maintaining a good site distance.

ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Noone
MOVED THAT this ordinance be approved for first reading
MOTION CARRIED UNANIMOUSLY

15. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 335-17 ENTITLED "VEHICLES AND TRAFFIC" –William St and West St

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 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.

City Manager Hendrix reminded everyone that this was discussed at the last council meeting for safety reasons.

ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Regan
MOVED THAT this ordinance be approved for first reading
MOTION CARRIED UNANIMOUSLY

16. **TABLED DISCUSSION REGARDING STAFF RESIDENCY REQUIREMENTS**

Mayor Valentino said that this item will be moved to the agenda on February 15th.

17. **BOARD/COMMISSION APPOINTMENTS**

ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Pealer
MOVED THAT Don Cass be reappointed to the Planning Board
MOTION CARRIED UNANIMOUSLY

ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Noone
MOVED THAT Michelle Neary and John Lynch be reappointed to the Police Budget
Advisory Board
MOTION CARRIED

18. **MAYOR AND COUNCIL REPORTS**

Clr. Regan said that the Green Committee is excited about the shared position with the Sustainability Committee and the addition of Jacob Fox. She said the Green Committee is pushing forward with the Mission Zero event on April 22nd at the Recreation Complex. She said the 125th Celebration will be

holding their main event at the Smith Opera House on March 4th. She said they have a few details to nail down and are looking at 6 speakers for a speaker series including two on the Iroquois Nation. She said Historic Geneva has an exhibit. They are planning to provide information on the impact of the wine industry, and the diverse cultures of Geneva will be the topic on March 1st, and they will be bringing back the First Fridays starting March 3rd. She said Geneva Community Projects is providing 10 musicians in 10 different locations, and on Saturday the celebration will end at the Smith Opera House at 4:00pm with a theme of Then and Now along with a reception at the Welcome Center and fireworks at Long Pier. She said the committee is currently putting together a Facebook Page.

Clr. Salamendra said that the Ontario County Housing Survey is still going and she hopes to have information next month on what they found.

Clr. Pealer said that the Recreation Board met and said that they had around 212 skaters on Martin Luther King Day. The Recreation Department is offering youth skating lessons and residents can call 315-789-5005 to get more information about registering. Clr. Pealer said that the board has been discussing pickleball along with how they might pay for this and other programs. He said their next meeting will be February 15th at 6:00pm. He asked City Manager Hendrix about the event form URL and if council could get that to provide to residents. Lastly, Clr. Pealer announced that public skating will be extended Feb 20-24 from 11:30am to 3:30pm.

Clr. Burrall told everyone that George Fairfax brought pickleball to our city 10 years ago, and up until COVID, was holding an annual pickleball tournament. He announced the next opportunities to donate blood will be February 9th at the Oaks Corners Firehouse from 11-5, February 17th at Jordan Hall from 9-2, February 24th at the Hall Fire Department from 1-6pm, February 27th at the Presbyterian Church from 1-7pm, and February 28th at the Scandling Center from 1-7pm and Geneva General Hospital from 11-4pm. Clr. Burrall said that the BID held a financial budget meeting and developed new committees for finalizing the budget. He said that the Historic Districts Commission did not meet. He said that the Shadetree Committee is doing great things with maintaining trees in the city, and lastly, he announced that he, Jim and Auggie Norwalk, and Jim Oswald collected \$1560 in firewood sales in the month of January for the Shadetree Committee fund.

Clr. Noone said that the Zoning Board did not meet. He asked if in the reconfiguration of 5 & 20, headed west bound toward Lake Street if something could be done about there being no notice given about the turning lane. Clr. Noone referred to a letter to the editor asking the Waterloo Village Board to create Hometown Hero banners, and he reached out to the couple to get more information saying that he would like to bring that to Geneva. He said that the banners could be hung from Memorial Day to Veteran's Day.

Clr. Gaglianese said that the Police Budget Advisory Board meets monthly with their last meeting being January 19th to discuss a tentative timeline for the 2024 budget preparation. They will be meeting with the Comptroller and researching police response to mental health crises. He thanked Amara Dunn for the update. He said that the Planning Board did not meet, and their February meeting will be February 21st due to the holiday.

Clr. Brimm said that he was not able to attend the Housing Authority meeting and he wanted to let everyone know with tax season here and April 15th being on the weekend that taxes will be due April 18th.

Clr. Camera thanked the city manager for identifying three properties in her report saying that he is glad something is being done. He said the Finger Lakes Railroad and Genesee Transportation project is unfolding slowly as the consultant will be selected in March, and they will be starting regular meetings in April. He said he hopes we will have a gut check on the marina project, and he understands the city manager will perform a rigorous cost analysis along with looking at the environmental impacts on the north end of the lake.

Mayor Valentino said that the Local Development Corporation did not meet. He said the Martin Luther King Day celebration was a well-attended, beautiful event. He complemented Reverend Golden and thanked Lucile Mallard for all of the work she puts into this event, and the city manager and the city councilors who attended.

19. PUBLIC COMMENT

Pat Schiller told council that a very successful businessman recently talked about a coin having two sides, which in council's case refers to Republicans and Democrats. She noted that the ring around the coin brings the two sides together, and that is very important.

20. ADJOURNMENT

**ACTION TAKEN by Clr. Noone; seconded by Clr. Pealer
MOVED THAT the meeting be adjourned at 9:03pm
MOTION CARRIED UNANIMOUSLY**

Lori Guinan

City Clerk

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

SPECIAL COUNCIL MEETING

February 15, 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, and Clr. Pealer

Absent: Clr. Noone and Clr. Salamendra

2. AMENDMENT TO THE AGENDA

ACTION TAKEN by Mayor Valentino; seconded by Clr. Gaglianese

MOVED THAT item 6 on the agenda “Local Law Creating Staggered Terms of Office for the Geneva City Council and Mayor” be removed from the agenda and placed on the March 1st agenda

MOTION CARRIED UNANIMOUSLY (7-2 absent)

3. PUBLIC HEARING – Local Law Creating Staggered Terms of Office for the Geneva City Council and Mayor

Mayor Valentino opened the public hearing at 7:03pm

Larry Campbell said that he is all for this change and feels it is a no-brainer.

Mayor Valentino closed the public hearing at 7:04pm

4. PUBLIC HEARING – Local Law Authorizing an Exemption Which Would Provide a 10% Exemption for Volunteer Firefighters and Ambulance Drivers

Mayor Valentino opened the public hearing at 7:05pm

Michele Neary said that she has been a proud resident of Geneva for 4 years and she was disappointed during the February 1st meeting when council members discussed this exemption for firefighters and ambulance drivers. She noted one council members remark that DPW workers could also potentially be called into dangerous situations, but they are not getting this exemption. Ms. Neary pointed out that DPW workers are supported by the taxpayers through their wages and other benefits for being a city employee. She said that volunteer firefighters and ambulance drivers are on call 24 hours a day, and she questioned why they would disrupt their lives and celebrations to go and help people who they most likely do not know. She said we owe them more, but the 10% tax reduction is a way to say “thank you and we value you.” She would like to see this help with recruitment as well. She finished by saying that we respect our veterans by giving them tax exemptions costing the city over \$70,000 per year, and she feels firefighters and ambulance drivers deserve our respect, and she asked council to vote in favor of this local law.

Mayor Valentino closed the public hearing at 7:07pm

5. DISCUSSION REGARDING STAFF RESIDENCY REQUIREMENTS

Mayor Valentino told everyone that this will just be a discussion tonight to try and provide staff with direction.

Clr. Gaglianese said he is in favor of changing the law and including a 20 mile radius around the city. He said he feels it would have been beneficial for the city manager after seeing what she went through to buy a house in the city. He said with our housing market being difficult, he does not know if it is worth it to disrupt a family. He questioned if a police chief moved his family here and decided he didn't want to stay what that would do to them. He referred to other municipalities changing their requirements. He noted school teachers in our district saying he feels they are still vested in our community if they lived within 20 miles. He added that he feels the decision should be up to the city manager since it is her appointment.

Clr. Brimm said he is in favor of removing the residency requirements with some sort of cap. He feels we could obtain much better talent if the residency was opened up, also noting our housing stock is low. He said he feels a 60-mile radius would be the maximum.

Clr. Camera said he is in favor of removing the residency requirement referring to studies printed in a USA Today article noting there was no significant benefit found to having a chief living within the city limits. He referred to an officer who works at the Geneva Police Department and lives outside the city limits, noting that this officer is very popular and a community leader where he lives. Clr. Camera said he feels we would be open to more talent if we allowed non-resident applications. He referred to studies being done about police forces being understaffed all over the country and are experiencing significant numbers of retirements related to the national atmosphere causing more problems. He said a 60-mile radius would be the maximum.

Clr. Regan said she is in favor of removing the residency requirement to allow the city the opportunity for more talent. She said she was going to propose using the Geneva City School District residency as her

boundary. She said she feels allowing an hour distance seems a bit much. She said she likes the idea of them living in our community and shopping in our stores.

Clr. Pealer said he would really like people to live in our city, and if they do not want to, we should be asking why not. He suggested giving incentives to employees to move here. He finished by saying that the wants to be competitive in the environment, but he also wants employees to be our neighbors.

Clr. Burrall said that he has mixed feelings because he is a relationship person and feels that if someone's boss were the taxpayers of Geneva, he feels they should want to live where their boss lives. He said he also believes there are always exceptions to commitment. He questioned if the city could ask questions of individual applicants as to why they don't want to live in our community. He said he knows the applicant pool is rough today regardless of the occupation noting that a friend of his told him when he was first hired at the state police over 20 years ago, there were 41,000 applicants in one year, and today there are less than 12,000 with probably less than 1,000 who are qualified to take an interview. He said that if we cannot find a qualified employee within the city and have to go outside the city, he would suggest amending the benefits package. He said he prefers hiring residents, but has had challenges, noting the world is different and people don't mind driving distances to work or are able to work remotely. He finished by saying that he cannot agree one way or the other without changing the benefit package for those who choose not to move here.

Mayor Valentino reminded everyone that the city manager and city clerk are charter changes while the police chief and fire chief were done by resolution. He said he was on council when the resolution for the chiefs was passed, noting that there was a big push to get them into our city to be a part of our city, and not for response time. He said he could be open to a 15-20 mile radius or residency preferred with exceptions allowed. He also said that if someone is not willing to change their formal residency but are willing to have an apartment with an upfront conversation, he could work with that. He said he does not want us to limit to only city residents and receive no applications, so we would need to be open to discussions.

Clr. Gaglianese said he feels we need to get the right person for the job and retain the employees we already have. He said with the pool of applicants getting smaller and smaller, we need to give people a reason to apply and move here.

City Manager Hendrix said that this topic came up in the police chief search with applications needing to be in by this Friday, February 17th for the Geneva Police Chief exam. She said she has told interested police chief candidates to watch this meeting to see what council's thoughts are on changing the residency requirement. She noted in the information she provided to council that most other municipalities only require the city manager to be a resident. She said that some municipalities have offered changes to their benefits packages while others grant waivers. She added that vague language is not super helpful.

Clr. Camera said he does not support a residency requirement, but he also does not support a long distance drive for the new chief. He said he hopes whoever the new chief is that they will be a leader who

comes in and created leadership patterns and guidelines to improve morale. He said he would like to see as many people as possible apply for the police chief position because Geneva is a great place to be. Clr. Pealer said that he encourages all watching this meeting to take the test because council agrees there is flexibility.

When asked about the exam, City Manager Hendrix said that it is a New York State civil service exam with a scoring mechanism that creates a list for us to interview from. She said she believes the exam fee is \$20.

Mayor Valentino said that council has given the city manager direction that they want to amend the resolution to open up residency and have something on the March 1st agenda. Clr. Gaglianese said he would like to stay away from saying they have to live in Ontario County because there are parts of Seneca County that are closer to Geneva than some parts of Ontario County. Mayor Valentino said that council can make changes to the resolution the city manager brings in March. City Manager Hendrix said that at a minimum council can abolish the 2009 resolution requiring residency for the police chief and fire chief, but staff will put something together per council's direction so it is not wide open.

6. AMENDMENT TO THE AGENDA

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

**MOVED THAT Appointments to Boards and Commissions be added to the agenda
MOTION CARRIED UNANIMOUSLY (7-2 absent)**

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

**MOVED THAT Jim Norwalk be reappointed to the Shadetree Committee
MOTION CARRIED UNANIMOUSLY (7-2 absent)**

7. ADJOURNMENT

ACTION TAKEN by Mayor Valentino; seconded by Clr. Pealer

**MOVED THAT the meeting be adjourned at 7:56pm
MOTION CARRIED UNANIMOUSLY**

Lori Guinan

City Clerk



Geneva City Council
Agenda Item Briefing

To: Geneva City Council
From: Amie Hendrix, City Manager
Meeting Date: March 1, 2023
Item Title: Resolutions and Local Law to Stagger Terms of Office of Geneva City Councilors and the Mayor

Action Required:

Resolution One: An Affirmative vote by City Council determines that proposed Local Law 1-2023, amending Section 2.1 of the Geneva City Charter to establish staggered terms of office of members of the Geneva City Council and the Geneva City Mayor, is classified as an Unlisted Action pursuant to SEQRA, consents to act as Lead Agency per SEQRA regulations, and determines that no coordinated review with other potentially involved agencies is applicable or required.

Resolution Two: An affirmative vote by City Council determines that that Local Law 1 - 2023 amending Section 2.1 of the Geneva City Charter, to establish staggered terms of office of the members of the Geneva City Council and the Geneva City Mayor, an Unlisted Action pursuant to SEQRA, will result in no adverse environmental impacts.

Local Law: An affirmative vote by a majority of City Council is required to place the decision of staggering terms on ballot which 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 will establish staggered terms of office Geneva City Councilors and the Mayor.

Background:

Adoption of this resolution will allow council to recommend a public vote during the November 2023 election to amend the City Charter, which if adopted will 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:

Minimal financial impact.

Office of the City Manager

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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
City of Geneva			
Name of Action or Project: Resolution to Stagger Terms of Office of Geneva City Council			
Project Location (describe, and attach a location map): City of Geneva, New York			
Brief Description of Proposed Action: City of Geneva intends to amend the Geneva City Charter to stagger terms of office of Geneva city councilors and the mayor through Local Law 1-2023.			
Name of Applicant or Sponsor: City of Geneva		Telephone: 315-828-6550	
		E-Mail: ahendrix@geneva.ny.us	
Address: 47 Castle Street			
City/PO: Geneva		State: NY	Zip Code: 14456
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☐
			YES ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO ☐
			YES ☐
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☐	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☐	☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☐	☐

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☐	☐

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☐	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project: Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

City of Geneva NY

3/1/2023

Name of Lead Agency

Date

Steven Valentino

Mayor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

RESOLUTION # 8 - 2023

RESOLUTION CLASSIFYING LOCAL LAW 1-2023 STAGGERING TERMS OF OFFICE OF GENEVA CITY COUNCILORS AND THE MAYOR AS AN UNLISTED ACTION UNDER SEQRA AND AUTHORIZING GENEVA CITY COUNCIL AS LEAD AGENCY

WHEREAS, the City of Geneva intends to amend the Geneva City Charter to stagger terms of office of Geneva city councilors and the mayor through Local Law 1-2023; and

WHEREAS, the City Council of the City of Geneva has expressed its interest and intention to undertake an environmental assessment of the proposed adoption under the auspices of the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the City Council has determined that the proposed adoption qualifies as an Unlisted Action under SEQRA.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, New York determines that proposed Local Law 1-2023, amending Section 2.1 of the Geneva City Charter to establish staggered terms of office of members of the Geneva City Council and the Geneva City Mayor, is classified as an Unlisted Action pursuant to SEQRA, consents to act as Lead Agency per SEQRA regulations, and determines that no coordinated review with other potentially involved agencies is applicable or required.

RESOLUTION # 9 - 2023

RESOLUTION DECLARING THAT THE LOCAL LAW AMENDING THE GENEVA CITY CHARTER TO STAGGER TERMS OF OFFICE OF GENEVA CITY COUNCILORS AND THE MAYOR, AND UNLISTED ACTION UNDER SEQRA, WILL NOT RESULT IN ANY ADVERSE ENVIRONMENTAL IMPACT

WHEREAS, the City of Geneva intends to amend the Geneva City Charter to stagger terms of office of Geneva city councilors and the mayor through Local Law 1-2023; and

WHEREAS, the City Council of the City of Geneva, as Lead Agency, has determined that Local Law 1-2023 qualifies as an Unlisted Action under SEQRA; and

WHEREAS, the City Council has determined that the action will not result in any adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, New York that Local Law 1 - 2023 amending Section 2.1 of the Geneva City Charter, to establish staggered terms of office of the members of the Geneva City Council and the Geneva City Mayor, an Unlisted Action pursuant to SEQRA, will result in no adverse environmental impacts.

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 and City Councilors representing City Wards 2, 4, and 6 shall be elected at the 2023 general election to terms of two years.

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

The City Councilor at large candidate receiving the largest total of votes in the 2023 general election shall serve a term of four years.

The City Councilor at large candidate receiving the second largest total of votes in the 2023 general election shall serve a term of two 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.



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Joseph Venuti, Director of Public Works

Meeting Date: March 1, 2023

Item Title: Second 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 - jvenute@geneva.ny.us - www.cityofgeneva.ny.com

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 to 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.



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Joseph Venuti, Director of Public Works

Meeting Date: March 1, 2023

Item Title: Second 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 ..."



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Joseph Venuti, Director of Public Works

Meeting Date: March 1, 2023

Item Title: Second 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 means 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.



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: March 1, 2023

Item Title: Resolution Requiring Residency of no more than a 30-mile Radius for Police and Fire Chiefs

Action Required:

An affirmative vote from the City Council will enact a resolution which requires residency of a radius of no more than 30 miles for the police and fire chiefs; removing resolution 43-2009. This resolution authorizes the City Manager to establish and carry out this practice and could include the ability for the City Manager to provide additional benefits, such as vacation time as part of negotiations with the selected candidate should they reside in the City

Background:

Based on Council's discussion on 2/15/2023 this resolution allows the flexibility for the Fire and Police Chief to live within a radius of no-more than 30 miles of the City of Geneva. This resolution provides a radius of up to 30 miles and the chart on the following page, shows this radius along with alternative radius options.

Members of council shared a desire for the Police and Fire Chief to live within the City and this resolution provides the City Manager the ability to provide additional benefits, such as additional vacation time, to candidates that establish residency within the City. Any additional compensation would need an approval from Council through the annual budget process.

Financial Impact:

None.

Office of the City Manager

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

RESOLUTION # 10 - 2023

**RESOLUTION REQUIRING RESIDENCY OF NO MORE THAN A 30-MILES
FOR POLICE AND FIRE CHIEFS**

WHEREAS, the Geneva City Council recognizes the importance of highly functioning public safety agencies; and

WHEREAS, the Police and Fire Departments play a critical role in the day-to-day health, safety, and welfare of our community; and

WHEREAS, ready access to critical public safety issues is a key to rapid, efficient response; and

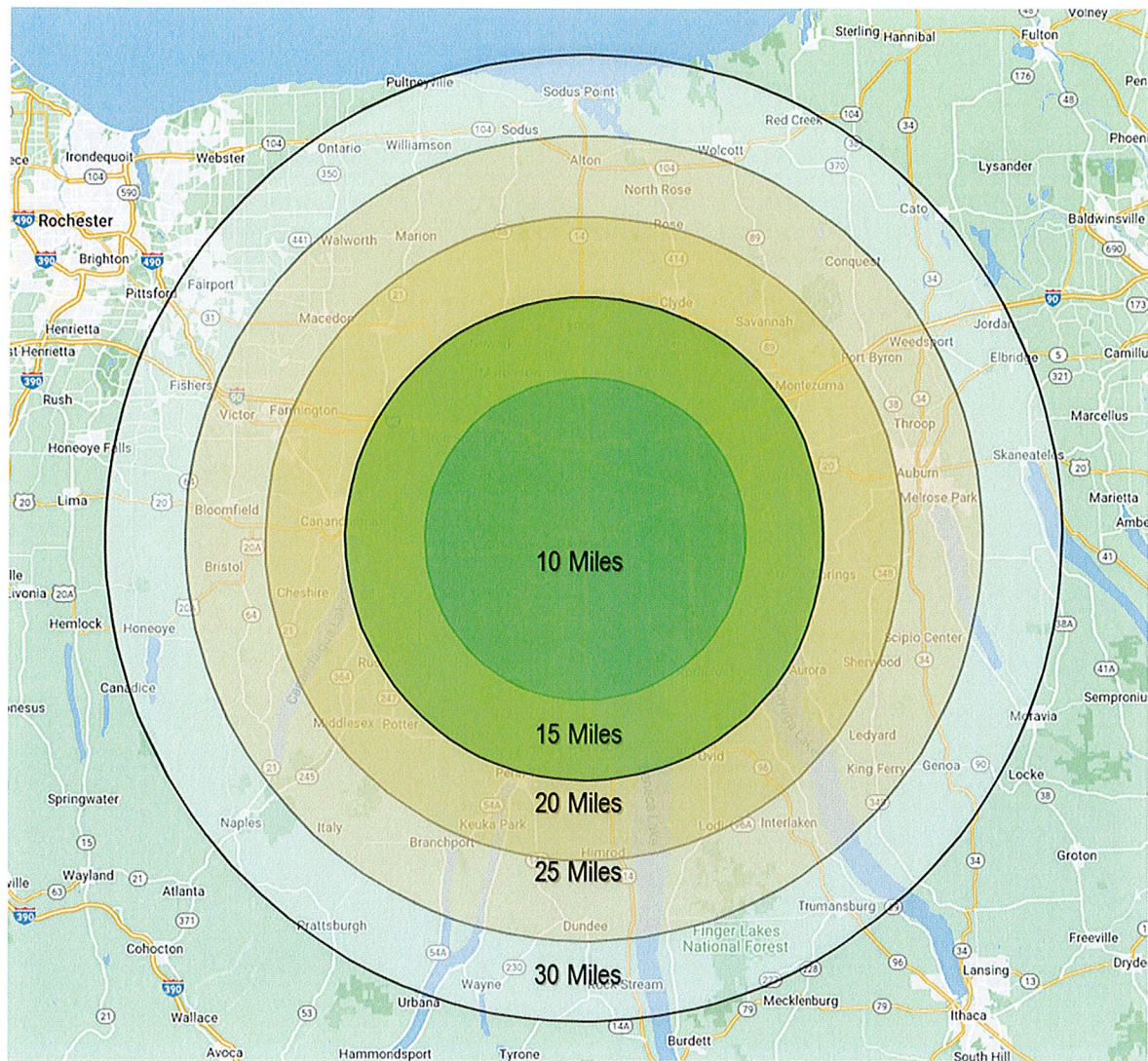
WHEREAS, there is a need for strong leaders of these departments and there is an understanding that the current residency requirement established in Resolution 43-2009 may limit the ability to recruit and retain future Fire and Police Chiefs; and

WHEREAS, having the Fire and Police Chief reside within the city may be desirable but it is often difficult for prospective employees to become City residents due to a housing crisis within the City of Geneva; and

WHEREAS, the Police and Fire Chiefs connection to the communities they serve is an expectation of these leadership positions and can be established even if the incumbent is not a resident of the City.

NOW, THEREFORE, BE IT RESOLVED that the Geneva City Council, duly assembled and authorized, does hereby and in due form set forth that the Fire Chief and Police Chief for the City of Geneva will be required to establish residency within radius of no more than 30 miles of the City limits within 90 days of the date of appointment, replacing Resolution #43-2009, and

THEREFORE BE IT FURTHER RESOLVED that the City Manager, as appointing authority for these positions, is authorized to establish and carry out policies and practices which may include additional benefits for those that select to reside within the City.



Short Term Rentals in Geneva, NY

Goals, Options, & Policy Considerations



Short-term Rentals ("STRs")

- a dwelling unit that is rented in whole or in part to guests on a short-term basis (often defined as **less than 30 consecutive days**).
- Airbnb, VRBO, Homeaway, etc.
- Entire unit, private rooms, accessory units
- Hosted vs. unhosted

Regulatory Elements to Consider:

- **License Requirements**
- **Rental Taxation Collection**
- **Unhosted (Entire Unit) Rentals:**
 - primary residency requirement
 - limits on number of days per year
 - seasonal limits
 - unit limits
- **Hosted Rentals:**
 - private rooms
 - accessory apartments
- **Special rules for Occasional Rentals (14 days or less)**
- **Enforcement & Administration**

License/Permit Requirements

Some communities stop here (e.g., **Town of Geneva, NY**) .

For most, this is only the starting point.



Requirements for **basic health and safety** standards (ingress/egress, smoke detectors, etc.)



Annual **inspections** (or every few years)



Notice to neighbors



Provision of **local contact** information in case of disturbance



Fee to cover administrative and enforcement costs

Modifying the Room Occupancy Tax

Article VII Room Occupancy Tax L.L. No. 1-2007

A legal review would need to occur to choose this option as taxation is part of home rule legislation.



The intent of this article shall be to promote tourism and enhance the general economy of the City of Geneva.



A building or portion of it which is regularly used and kept open as such for the lodging of guests; the terms "tourist home," "inn," "bed-and-breakfast," "hotel" or "motel," "motor court" or similar hotel- or motel-type of accommodations, by whatever name designated.



On and after the first day of January, 2008, there is hereby imposed and there shall be paid a tax of 3% upon the rent for every occupancy of a room or rooms in a tourist home, inn, hotel or motel in this City, except that the tax shall not be imposed upon a permanent resident.

Unhosted (Entire Unit) STRs

- Most municipalities are concerned about this type of STR because they are most likely to negatively impact the housing market by **reducing** the number of **units** available **to local residents** and driving up housing costs.
- They are the **most frequent source of complaints** related to noise and other nuisances.
- Left unregulated, investors may choose to rent units on the STR market rather than to long-term tenants because of their **profitability** (2-3x more per month in rental revenue).



Costs for City of Geneva STR

- According to Airdna, a 3BR, 2 Bath house in Geneva can make around \$3,500 – \$4,500 month
- According to Census data, median monthly rents for a 2BR in Geneva are around \$1,000/month. But anecdotally, on Craigslist and from talking to others, it is not uncommon to find a 2BR for closer to \$1,200/month.
- Either way, STRs can earn about 2-3 times what a long-term rental earn in this market.



Entire Unit STRs

- Options for regulating Entire Unit STRs:
 1. **Primary residence** requirement
 2. Limits on **# of days** per year for rent
 3. Limit on **time of year** (seasonal restrictions)
 4. Limit on **# of units** per host

Entire Unit STRs – Primary Residences

- Option: **Allow entire unit STRs only for primary residences** (e.g., **Burlington; Denver**)
 - **Pros**: limited impact on long-term housing market; allows residents to supplement their income; limits speculative investment, especially by non-residents.
 - **Cons**: may limit ability for renters to earn money from short-term rentals if limited to owner-occupants; administrative burden of verifying residency status.
- Considerations:
 - Limit to **owner-occupied** residences (around 26% of households) or renters too?
 - Allow hosts to rent an **accessory apartment** in their primary residence on an **unlimited** basis?

Entire Unit STRs – Day Limit

- Option #1: Allow hosts a **limited number of days** to rent out a **property** (e.g., **Town of Ithaca** lakefront properties; **North Elba, NY**)
 - **Pros**: limits incentive to purchase properties exclusively for short-term rentals; could be helpful in the university context with many looking to sublet in the summer and winter breaks; does not differentiate between owners and renters.
 - **Cons**: requires significant monitoring and enforcement efforts; could limit income potential for primary residents with an accessory unit or who are absent for longer periods (e.g., snowbirds).
- Option #2: Allow limited days **and** a primary residence requirement (e.g., **Cayuga Heights**; **Town of Ithaca** (non-lakefront property); **San Francisco**; **Washington, D.C.**)
 - **Pros**: places very strong limits on STR investment potential and negative consequences related to nuisances, etc.
 - **Cons**: same as above but with even more significant monitoring and enforcement efforts; could lead to underutilization of housing for which STRs are the only viable use (accessory units, etc.).

Entire Unit STRs – Seasonal Limit

- Option: Allow hosts to rent properties during a defined time period when vacancies are higher (e.g., May 15 – August 15).
 - **Pros**: limits incentive to purchase properties exclusively for long-term rentals; allows for students or student rental owners to rent out vacant units during summer break; adds to the capacity for vacation lodging during peak travel times; easier to monitor than number of days limits.
 - **Cons**: limits hosts ability to rent during certain popular travel times (winter break, Homecoming, move-in weekend, etc.).

Entire Unit STRs – Unit Limit

- Option: Allow each owner/host **one unit** (unhosted; entire home) without any residency requirement (e.g., **Seattle**)
 - **Pros**: simple and allows for greater income-earning for property owners; discourages large-scale investment speculation; does not differentiate between renters and property owners.
 - **Cons**: allows homes to be used exclusively for short-term rentals, which could remove long-term housing from the market and impact affordability.



Hosted Rentals

- Option: allow year-round rentals of hosted units – including **private rooms & accessory apartments** (e.g. **New York, Burlington, Town of Ithaca, North Elba, NY**)
 - **Pros**: limited impact on long-term housing market; **presence** of host can **mitigate negative neighborhood impacts** related to noise, trash, etc.
 - **Cons**: could lead to **overcrowding**, parking problems, etc. if too permissible; possibly harder to regulate health & safety concerns; still need to monitor compliance with occupancy rules.

Occasional Rentals (≤ 14 days)

- Option #1: Define short-term rentals as less than 30 consecutive days but more than 14 days/year and **don't regulate for limited number of days** (14 days or less) (e.g., **State of Vermont**).
 - Pros: minimal (or no) impact on housing market; opportunity for additional resident income; increases lodging at peak times; low enforcement and administrative burden.
 - Cons: missed revenue; doesn't address guest safety concerns or neighborhood nuisance problems.
- Option #2: Provide for a **temporary rental permit** with simplified permitting process (e.g., no physical inspection) and low fees for limited number of days (e.g., **Cayuga Heights**).
 - Pros: minimal (or no) impact on housing market; allows for some additional resident income and increased lodging at peak times; may be able to address some health, safety, and nuisance concerns; possibility to collect additional lodging taxes.
 - Cons: additional enforcement and administrative burden.

Additional options & considerations

- Prohibit short-term rentals in certain **neighborhoods** (**New Orleans**)
- Limit short-term rentals to certain **zones** (**Lake George, NY – commercial only**)
- **Density restrictions** – only x number of STRs per neighborhood; or, prohibited within x feet of an existing STR (**Austin**).
- **Occupancy limits** (e.g., six unrelated adults in **Austin**); alignment with existing regulations
- **Use limitations** – no group activities (parties, concerts, sponsored events) between 10pm – 7am
- **Minimum night** requirements (e.g., 5-night min in summer in **Queensbury, NY**)
- **Grandfathering** prior STR businesses (**Seattle**)

Compliance & Administration

- **Compliance monitoring** is essential in enforcing a STR regulation.
- Most municipalities choose to work with an outside vendor with proprietary **software** for monitoring STRs, collecting taxes, and streamlining STR permits.
- Three primary vendors
 - GovOS
 - Granicus (Host Compliance)
 - Harmari
- STR permit fees are typically structured to cover monitoring & administrative fees
- Designing a policy that **pays for itself**:
 - Additional Revenue through fees and additional room tax compliance
 - To meet costs related to increased inspections, administration, third party software

Review of Common Options



LICENSE



PRIMARY
RESIDENCY



LIMIT ON
DAYS/ TIME
OF YEAR



UNIT LIMITS



UNLIMITED
HOSTED
STAYS



OCCASIONAL
RENTALS



FEE & TAX
COLLECTION

What are the Goals of Council?

- Preserve housing affordability in the long-term rental and home ownership markets.
- Limit negative effects on neighbors from noise, parking, and other nuisances.
- Protect health and safety of guests.
- Ensure even playing field for formal lodging industry and compliance with City's hotel occupancy taxes.
- Increase lodging supply during peak demand periods.
- Allow residents the ability to generate additional income from their properties.
- Beatification and continuity of neighborhoods.

Impact of Any Goal:

Ensure feasibility of administration and enforcement of any new regulation.



To: Clr. Camera and Clr. Gaglianese
From: Lori Guinan, City Clerk
Date: March 1, 2023
Subject: Appointments for council meeting

The Zoning Board of Appeals would like to reappoint Robert Meyer, Antonio Gomez and Jeff Greco.

The Nester Hose Fire Department would like to reappoint Donald McGuigan as Commissioner.

Office of the City Clerk
Lori Guinan

CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456
(315) 789-2603 - FAX (315) 789-0604 - lguinan@geneva.ny.us - www.cityofgenevany.com