

AGENDA

REGULAR COUNCIL MEETING

CITY OF GENEVA, NEW YORK

September 6, 2023

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

**AMENDED
September 7th, 2023**

EXECUTIVE SESSION STARTS AT 6:00PM

To discuss collective negotiations pursuant to article fourteen of the civil service law.

COUNCIL MEETING STARTS AT 7:00PM

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- I. CALL TO ORDER – Mayor, Steve Valentino
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC HEARINGS
 - A. Short-Term Rentals
- V. PROCLAMATION
 - A. Hispanic-Heritage Month
 - B. Lori Guinan
- VI. DRI UPDATE
- VII. FOUNDRY UPDATE
- VIII. CONSIDERATION OF MEETING MINUTES

This portion of the meeting is dedicated to correction of meeting minutes for the following Council session:

 - A. August 2, 2023 (Regular Council Meeting) (Page 3)
 - B. August 9, 2023 (Special Council Meeting) (Page 21)
- IX. PUBLIC COMMENT

This portion of the meeting is dedicated to receiving comments on any topics. The standard time limit for public comment is three (3) minutes.

X. 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.*

XI. 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 the City of Geneva's Draft Short Term Rental Code Amendment as a Type 1 Action Under SEQRA – Presented by David West #34-2023 (Page 31)
- B. Resolution Adopting a Negative Declaration of Environmental Significance for the City of Geneva's Draft Short Term Rental Code Amendment – Presented by David West #35-2023 (Page 32)
- C. First Reading of An Ordinance Amending Chapter 350 and Chapter 215 of the Geneva City Code – Presented by City Manager Hendrix (Page 61)

XII. 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 Setting a Public Hearing for the 2024 Budget – Presented by City Manager Hendrix #36-2023 (Page 75)
- B. Resolution Dissolving the Disability Awareness and Public Art Committees, Hiring Assistance Board, College Livability and Police Body Camera Task Forces – Presented by City Manager Hendrix #37-2023 (Page 77)
- C. Resolution Authorizing the City Manager to Sign an Ontario County Sheriff's Office SWAT Inter-Municipal Agreement – Presented by Chief Matthew Colton #38-2023 (Page 79)
- D. City Property Sale Process Overview and Discussion
- E. Deer Harvesting Discussion (Page 95)
- F. Events Overview Discussion (Page 96)
- G. Board/ Commission Appointments

XIII. 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

XIV. PUBLIC COMMENT
This portion of the meeting is dedicated to receiving comments on any topics. The standard time limit for public comment is three (3) minutes.

XV. ADJOURNMENT

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

REGULAR COUNCIL MEETING

August 2, 2023 – 7:00 PM

Public Safety Building
255 Exchange Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Regan, Clr. Camera, Clr. Salamendra (arrived at 7:05pm and left at 9:08pm), Clr. Burrall,
Clr. Pealer, Clr. Gaglianese, and Clr. Brimm
Excused: Clr. Noone

2. PUBLIC HEARING – Local Law to Reduce the Planning Board Membership

Mayor Valentino opened the public hearing at 7:06pm.

Charles King said I am a member of the Planning Board. You all campaigned on transparency. Let me paint a picture for you. The Planning Board's liaison hasn't attended a Planning Board meeting since October of 2021, two years ago. This February, the Planning Board's liaison gave a city council report where he spoke optimistically of the possible merger of the three odd-shaped OEO lots on Exchange Street and said there were a large number of developers interested. Not disclosed was the fact that this council member's employer, Massa Construction, owns the adjacent, isolated building at 607 Exchange Street, which will certainly benefit from a higher property value if the unoccupied stretch of Exchange is developed. That is a clear conflict of interest, and in keeping with Tenet 15 of your Ethics Code, that council member should not have talked up the proposed action. In March, we couldn't come up with a quorum and when asked why the City was pursuing the merger of the lots, staff told us that there was *a* developer (singular) that had expressed interest in putting up a 4-story apartment building. At our April meeting we had a bare quorum, but the public hadn't had access to a complete or correct document set for the project—the city's application to its own Planning Board had an error on it stating that the Comprehensive Plan did not apply, further, the agenda center was missing the site plan map—in addition to these oversights, the public had only been given 11 hours, 8am to 7pm on a Monday to review materials before a public hearing. And yet members of the Republican majority on the Board (Republicans have had a 6 vote super-majority on the Planning Board until very recently) argued that it didn't matter, that a

complete and correct packet wasn't necessary, and that we should just hold the hearing, with no one in attendance. A vocal Planning Board member in that debate, we later learned, had moved out of the city somewhere between 6 and 12 months prior, and was serving invalidly on a board that has a Residency requirement. I was the one NO vote on opening the public hearing and with a bare quorum and with only 4 yes votes, that put it off until May. This experience makes me worry that the suggestion to shrink this board is more of a "squelch dissent" maneuver than a government efficiency maneuver. The then-three democrats on the Planning Board requested that staff notify the OEO property's neighbors in a wide enough radius to include any properties whose views of the lake would be blocked by a 4-story building, and staff simply told us, no, they didn't have to, but that we could reach out to those property owners if we wanted to, which shows a basic lack of understanding about how quasi-judicial boards like the ZBA, PB, Assessment Review, etc., are supposed to work; we're not supposed to have ex parte (meaning third party) one-on-one conversations with interested players outside of our meetings. You may have seen my letter to the editor after that, an attempt to notify the public of the bare bones facts of what was going on; the paper did a cursory follow-up where staff advanced a "gaping hole" narrative, again a Tenet 15 problem, which undercut the informative bare minimum strategy I'd been attempting to follow. That's a one-sided argument; OEO site is not a "gaping hole" to those city residents who have views of the lake over the property. I'm not saying don't develop the OEO site, I'm saying don't do it in secrecy without at least bringing potentially affected neighbors into the conversation from the start. Staff "guaranteed" to us at one point that a 4-story development on the OEO site would not affect anyone's view of the lake, which is easily demonstrated to be false using photographs and comparing adjacent buildings. The city's repeated contention that there are "a large number," or 3-5, or 5-7 developers interested in the property is perhaps undercut by the fact that if you do a FLTimes search on "OEO", there's only one developer's name that comes up time and time again over the decades as expressing serious interest, and that's Massa Construction, again, our council liaison's employer. In May, the subdivision action passed 5-1, with me as the dissenting vote; I proposed that the odd-shaped three lots be divided into two sensibly-shaped lots instead, a half-acre lot and a third of an acre lot. Most lots on Exchange Street are one tenth of an acre. No one else on Exchange Street has as much as 100 linear feet of road frontage. We now have a single lot that is over 320 feet wide, almost an entire city block as one lot. A person who is in the minority party, like me, is likely to lose contentious votes; I understand this. But it also puts me in a position to be a bit of a whistle-blower, and I hope that I have not overstepped my bounds in bringing this example to your attention. I could paint you a similar picture for Lochland Road or Trinity Church, problematic proceedings which ended in Board members effectively resigning. We generally handle small projects well but wilt before large developers. I feel that the Planning Board has been under supported by both staff and Council, especially on larger projects.

I've given you a list of six requests to bolster this Board and Boards generally. These deal with training, transparency, and having voting alternates. Thank you.

Planning Board Specific

1. Allowing for at least two voting alternates who can step in where there is an absence (common) or a conflict of interest (uncommon but significant).

2. Allowing Planning Board to be filmed and saved on Youtube; so they aren't operating basically behind closed doors.

All Boards • TRAINING

3. Staff and legal to help boards, commissions and committees understand what personal conflicts of interest are.
4. Provide training on the city's simplified version of Robert's Rules, including "point of order" declarations for when it is and is not appropriate to interrupt one another.
5. Access to appropriate online NYCOM seminars, through their paywall (potentially board-specific access or municipality-specific access and not individual private paying subscriptions if at all possible).
6. Training on the Comprehensive Plan (particularly for the Planning Board on what social equity and "mid-range" goals are).

There being no one else appearing to speak, the mayor closed the public comment at 7:11pm.

3. PUBLIC HEARING – Renewal of the Cable Franchise Agreement between Spectrum Northeast LLC and the City of Geneva

Mayor Valentino opened the public hearing for the Cable Franchise Agreement at 7:12pm, with no comment offered at this time he closed public hearing at 7:12pm.

4. SUPERVISOR UPDATE

Supervisor Kennedy said that at the last government operations committee he brought up his interest in a renewed discussion about the Geneva offices the county operates, which he spoke more about later. He said that Jessica Mitchell, the director of Mental Health, provided him with information, in response to questions he asked about mental health and wanted to share in case council wasn't aware of these things. He was told that there is a monthly meeting with local police departments, which Sgt. Bucklin from GPD attends, regarding individuals in the community who might be at risk. Jessica also said there is police outreach to consult with specific individuals, regularly and as needed in between the monthly meetings. The Supervisor was also informed that Ontario County is the leading rural county using NYS MAP (mobile access program) which is accessed by a link on a laptop that goes to a Compressive Psychiatric Emergency Program at Clifton Springs Hospital. Director Mitchell said they've had ongoing discussion with the county administrator about a mobile crisis team but right now there is currently no funding or space available. Supervisor Kennedy asked Jessica about the Mental Health Office here, which is closed, and hopes next month there will be more discussion about the totality of the offices. Supervisor Kennedy stated he attended a session of FLCC Geneva sponsored by the Planning Department to discuss a Parks and Recreation Master Plan for the county. He asked council if anyone else attended this meeting, reminding them that there is currently no county park in the eastern end of the county, or in Geneva, and that he has and will continue to make an appeal for one. Another question he presented to council was, in regards to the merger with URM and Finger Lakes Health, if they have thought about the opportunities for URM to house some offices here in Geneva as he feels it could compliment downtown businesses if there is additional staff deployed here.

Supervisor Kennedy then opened the floor to council to ask him any questions about his report. Clr. Salamandra asked for him to clarify if there wasn't physical space for the mobile crisis response, to which Supervisor Kennedy said by not enough space he meant capacity for it at the moment with the telehealth services provided post-pandemic. Clr. Salamandra also requested the supervisor stress in meetings that the county is struggling with mental health and she feels that its not an acceptable answer, as she has heard a large demand from the community for mobile mental health responses.

5. DRI UPDATE

Joseph Venuti provided a DRI update, which was read by the clerk, and started by saying thank you, Mayor and City Councilors and good evening. A meeting with contractor's attorneys was held on July 14, 2023 to discuss their disputed work and potential legal claims. As a result, a revised project punch list has been submitted to the contractor on July 20, 2023. No significant work has been completed to date. The project remains at substantial completion as was prepared and submitted to Nardoizzi on February 8, 2023. The contract sum paid to date remains at \$9.23 Million.

6. FOUNDRY UPDATE

Michael Murphy provided the Foundry update, read by the clerk, which said the following: Remedial design plans are nearly complete for the last remaining block of residential properties, which includes ten properties located south of St. Peter's Church along Genesee and Geneva Streets. Designs will be issued in early August and meetings will be held with remaining property owners.

Remedial Construction:

- Additional property restoration items, including sod, fencing, concrete, and asphalt, were completed in the block of nine properties located along the south side of Lewis Street, east side of Geneva Street, and north of Tillman Street. Replacement plants and tree are anticipated to be planted during fall 2023.
- Sod was installed and watered in Genesee Park. The project is coordinating with the City DPW to reopen the park on or around August 7th.
- Excavation commenced in the block of eight properties located along the east side of Geneva Street south of Tillman Street, and along the south side of Tillman Street. Completion of excavation and substantial restoration is expected by Labor Day.
- Remediation of the last remaining block of residential properties, located along Genesee and Geneva Streets just south of St. Peter's Church, is expected to begin around Labor Day, with restoration substantially complete by the end of the calendar year.
- Excavation and substantial restoration of two additional parcels, located at 44 Tillman Street and 49 Clinton Street, is also anticipated to be completed this fall.

Remediation of the State Street staging area, located on the parcel just east of the railroad, is anticipated to be completed in early 2024. Demobilization from the additional project staging area on Lehigh Street will also be completed in 2024

7. CONSIDERATION OF MEETING MINUTES

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

MOVED THAT the minutes of the July 5th Council Meeting be approved

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

Abstain - Clr. Gaglianese

Absent - Clr. Noone

MOTION CARRIED

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

MOVED THAT the minutes of the July 10th Council Meeting be approved

MOTION CARRIED UNANIMOUSLY (8-1absent)

8. PUBLIC COMMENT

Mayor Valentino opened up the floor for public comment at 7:25.

Charles King said that looking at your plans to downsize boards and commissions, I'd like to point out that you do not have the authority to disband the Community Compact, an agreement brokered by the Federal Department of Justice after the death of Corey Jackson in 2011 which the police department entered into with various under-served groups in the community. There is a stipulation in the Compact that stakeholders can contact the DoJ if they want to refresh the compact, broaden the stakeholder groups, etc.

It's ironic to me that, during the past several years while many of you have used "police buy-in" as a litmus test for community-police relations, the Community Compact has had extensive police buy-in from the start, it just doesn't have leadership or organizational support from this Council.

We have a new police chief and people who are desperate to get a mental health component into the GPD's General Orders and training. Last November, the NY Department of Justice's report on data supplied by the GPD cited a 75% increase in police service calls between 2014 and 2020; the GPD attributed that increase largely to mental health issues. I appreciated very much hearing Chief Colton talk about the importance of accountability and open dialogue in his interviews. Community Compact, originally signed by Trickler, Alcock, and Horn is a useful tool for pursuing police-community relations; it makes provisions for funded conflict resolution mediators and juvenile first points of contact which might be broadened into mental health first points of contact as well, along with other positive projects the city should undertake.

As a member of the mental health support community, last summer I tried to apply to the Geneva Human Rights Commission with the hope of serving as their liaison to the Community Compact but they were so reluctant to having to interface with City Council on police issues, that they basically folded after my interview. I am willing to put organizational and leadership energy into the Community Compact, but all social justice boards have basically ended, so I'm not sure where to start. I'm not sure if you want me

involved, even though I've been consistently appreciative of the work that the police have done supporting my family through our mental health crises in 2018-19.

Perhaps Chief Colton and Manager Hendrix as inheritors of the Compact should announce a meeting for those interested in police-community relations who feel underserved to have an open meeting with them and perhaps a representative from the DoJ with the idea of re-forming the Community Compact.

With regards to other boards and commissions, you get paid somewhere between \$300 and \$800 a month to do this work. Looking at the agenda center, which posts minutes for around two thirds of boards and commissions (the missing ones are another transparency issue), there's only one board, committee, or commission listed that posts minutes where the liaison has attended as many as 50% of meetings since John Pruett's resignation. Several have 0% liaison attendance. I realize this is incomplete data, but I suggest that before you downsize committees, you pass a rule where if you don't attend your assigned board, commission, or committee for two consecutive meetings and you don't make sure the minutes are up on the Agenda Center within 30 days recording your attendance, you forfeit your salary until you attend another two meetings. If you actually believe in transparency, this would be a good first step rather than downsizing boards you've entirely neglected.

H. May first addressed that they would like to be referred to as they/them and that in future minutes taken for City Council anyone that doesn't state otherwise should be addressed as they/them. They then stated that council should reconsider the policy of no longer allowing public comment to be online. They pointed out that the ability to come to meetings is a privilege. They noticed that many people may face challenges that deter them from coming in person such as being immuno-compromised, not having access to a ride, or dealing with sidewalks that are not always accessible. They pointed out that they feel even walking there is a privilege as not everyone has the time to do so, such as parents or caregivers. They explained that other alternatives, such as sending letters to councilors for them to read on their behalf, don't always get shared and isn't something they've felt they can rely on. Furthermore, they feel that solely watching the meeting online isn't full participation, and everyone in Geneva should have a right to fully participate.

Judy Salotti spoke on their concerns with the floods in local neighborhoods and how they are increasing in frequency. They brought up how a family of 5 is now homeless, the Devaney-Bennett Funeral Home parking lot is collapsing, and how water main breaks seem to be increasing as well, which has caused additional flooding. They brought up the Corning flood of 1972, where 18 lives were lost, and how civil engineers warned them years before it occurred. Now, they want to know what City Council can do to be proactive instead of reactive. A disaster plan was suggested if one was not already in place and questioned what action plan the community can expect to see.

Mike Monaco said that the short-term rentals have been directly impacting him and he has concerns about this amendment to the City of Geneva Code chapter 350. He pointed out that there is a conflict in the article by 350-44-4 which states the short-term rental will need to wait 60 days and be issued a temporary permit yet further-on it says that everything will take place immediately. He expressed his concern about the fact these buildings don't need to be inspected, for things such as smoke or CO detectors, despite ones like his neighbors who have 3 floors of bedrooms. He suggested a buffer zone that could help

diminish the noise from these rentals as well as the trespassing issues. He also pointed out that since an Airbnb is an LLC registered business the city code states those businesses are required to have a parking spot for each person without using street parking, whereas a location like the one next to him only has one, which is why they are constantly driving or walking through his property.

There being no one else appearing to speak Mayor Valentino closed public comment at 7:46.

9. CITY MANAGER REPORT

The City Manager began her report by stating that Monday (July 31st, 2023) 3 new Management members were sworn in including the Police Chief, Planning and Economics Director, and City Clerk. A local law was voted on that will appear on the November ballot to stagger the terms of City Councilors. Engineers on the Marina Project are looking at the cost estimate while we are also looking to increase our grant funding from NYS. At the Planning Board meeting a site plan was going up to the IDA for discussion. As for storm repair, they are currently working on mitigating the impacts of flooding and have teams of outside engineers on site focusing on the most impacted neighborhoods. Goulds Pumps donated Sump Pumps to the local fire departments to help them assist with the flooding. Now the city is looking to move toward the prevention side of things.

10. SECOND READING OF AN ORDINANCE AMENDING THE CITY CODE TO ADD CHAPTER 256 ENTITLED "PEDDLING AND SOLICITING"

City Clerk Guinan presented the following ordinance for second reading:

Be it ordained by the City Council of the City of Geneva, NY that Chapter 256 entitled "Peddling and Soliciting" of the City of Geneva Municipal Code be amended as follows:

1. Article I, section 256-9 is hereby repealed and replaced with the following:

"section 256-9 Issuance of Licenses

All licenses shall be numbered in order of issuance and shall state clearly the kind of vehicle to be used, the kind of goods, wares and merchandise to be sold or service to be rendered, the number of the license, the date of issuance and expiration of the license, fee paid and the name and address of the licensee."

2. Article I, section 256-12 (A) is hereby repealed and replaced with:

"section 256-12 (A)

Fees for licenses issued under this Article shall be determined by the Geneva City Council during budget adoption."

This ordinance shall take effect immediately and in accordance with law.

**ACTION TAKEN by Clr. Brimm; seconded by Clr. Gaglianese
MOVED THAT this ordinance be approved for second reading
MOTION CARRIED UNANIMOUSLY (8-1absent)**

11. LOCAL LAW TO REDUCE THE PLANNING BOARD MEMBERSHIP

City Manager Hendrix presented the following resolution:

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

Section 13.3 subdivision 1 of the Geneva City Charter, approved by referendum, effective January 1, 1974, as amended thereafter, is hereby further amended to reduce the number of members of the City Planning Board from 9 to 7.

Section I - Purpose

The purpose of this amendment to the City Charter is to facilitate reaching a quorum at meetings of the City Planning Board.

Reducing the number of members of the City Planning Board from 9 to 7 would align the membership of the Board with General City Law Section 27 subdivision 1.

Section II - Membership of the City Planning Board

The first sentence of Section 13.3 subdivision 1 of the Geneva City Charter, shall henceforth read as follows:

The Planning Board shall consist of seven (7) members appointed by the City Council, each for a term of three (3) years.

Section III - Effectuation of Reduction of the membership

Reduction of the membership of the Geneva City Planning shall take effect as directed in General City Law Section 27 subdivision 7, i.e. upon the next two expirations of terms. No incumbent shall be removed from office except upon the expiration of his or her term, except as provided by the City Charter.

Section IV - Effective Date

This local law shall become effective immediately upon adoption by a vote of the City Council

Clr. Camera questioned if this has to be reduced from 9 to 7 members due to the state law, which the City Manager confirmed it does. Clr. Regan and Clr. Burrall both thanked Charles King for his comments and insight, with Clr. Regan suggesting that his requests should be added due to his knowledge and experience in the subject. Clr. Salamandra expressed worry that this reduction would give more power to developers and questioned that since it is law would we be able to modify by adding alternates, which the City Manager responded that it doesn't specifically say but she will check. Clr. Salamandra also suggested that all of council should be involved in discussions about interviews for planning board members and that she'd attempted to be involved with them in the past. Clr. Salamandra said she doesn't feel it is right to have such unequal political representation that Charles King had mentioned in his public comment. Clr. Burrall states the attention to political parties on some boards is a charter issue and they should work to eliminate the partisanship on boards. Clr. Gaglianese requested the City Manager look to give them background on whether people don't have time or they don't want to volunteer as much, in regards to why many boards are struggling to find people to make them up.

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

12. RESOLUTION RENEWING THE CABLE FRANCHISE AGREEMENT BETWEEN SPECTRUM NORTHEAST LLC AND THE CITY OF GENEVA

City Manager Hendrix presented the following resolution:

WHEREAS, an application has been duly made to the **City of Geneva**, (the "City") by **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications, Inc. ("Charter"), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of an agreement renewing Charter's cable television franchise in the City for a period of fifteen (15) years commencing with the date of approval by the Public Service Commission, and

WHEREAS, the franchise renewal agreement would bring Charter's cable television franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings, and

WHEREAS, a public hearing was held in the City of Geneva, New York on August 2, 2023 at 7:00 P.M. and notice of the hearing was published in the Finger Lakes Times on July 25, 2023 and

WHEREAS, the Geneva City Council finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

NOW THEREFORE IT IS HEREBY RESOLVED THAT the Geneva City Council approves the renewal of the cable television franchise previously granted to Spectrum Northeast, LLC for a period of fifteen (15) years commencing with the date of approval of said franchise by the New York State Public Service Commission and expiring fifteen (15) years hence and it is

FURTHER RESOLVED that the Geneva City Manager is hereby authorized to execute the agreement renewing Charter's cable television franchise in good form, a copy of which is attached to this resolution.

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

13. 2024 BUDGET PROCESS OUTLINE AND CAPITAL PLAN OVERVIEW

City Manager made a general reminder that her and the Comptroller are in talks about the budget. She will be presenting the budget on September 26th to City Council. She met with staff in May to set direction, including no tax increase while acknowledging that there are increasing expenses. Staff were instructed to decrease budgets by 12%. She will also be presenting a slightly different capitol improvement program through 2029. The goal is to stay at 6.5 million with bonds and bringing real costs. With aging infrastructure she says we will work on moving from reactive to proactive while maintaining current taxes. She said they have looked at what could be cut while also requesting departments to be clear on what it would mean no longer being able to provide for the public. She said they have looked into the GFOA (Government Finance Officers Association), which has awards for the best budget, and move toward that while using its standards. The work sessions will start each Wednesday in October.

14. RESOLUTION FOR THE 2023 NYS CONSOLIDATED FUNDING APPLICATION STORMWATER INFRASTRUCTURE ENGINEERING PLANNING GRANT APPLICATION SEQRA APPROVAL

City Manager Hendrix presented the following resolution:

WHEREAS, the Geneva City Council (Hereinafter referred to as “Council”) is proposing to submit a 2023 Consolidated Funding Application (CFA) for the for the Non-Agricultural Nonpoint Source Planning Grant (NPG) program under the Stormwater Retrofit sub-category to conduct a stormwater study; and

WHEREAS, this action constitutes “information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies” and “conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action” which under the New York State Environmental Quality Review (SEQR) Act are listed as Type II actions for which it has been determined there are no significant adverse effects on the environment; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Council does hereby classify the above-referenced action to be a Type II Action under 6 N.Y.C.R.R. Section 617.5 [c] [24] [27] of the State Environmental Quality Review (SEQR) Regulations; and

BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

BE IT FINALLY RESOLVED THAT, the Council in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

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

15. RESOLUTION OF SUPPORT & AUTHORIZATION FOR THE CITY OF GENEVA 2023 NYS
CONSOLIDATED FUNDING APPLICATION, NON-AGRICULTURAL NONPOINT SOURCE PLANNING
GRANT APPLICATION

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva, Ontario County, supports the submission of a 2023 Consolidated Funding Application (CFA) on behalf of the City, for the Non-Agricultural Nonpoint Source Planning Grant (NPG) program under the Stormwater Retrofit sub-category to conduct a stormwater study; and

WHEREAS, the New York State Department of Environmental Conservation (DEC), provides a competitive statewide reimbursement grant program to assist in the initial planning and preparation of an Engineering Report of a non-agricultural nonpoint source water quality improvement project; and

WHEREAS, if funding is received it will allow the City to prepare a planning report that will explore cost effective solutions to mitigate localized flooding and address inundation of the stormwater system, as well

as enable the City to seek further funding for construction through future Consolidated Funding Application rounds to continue the advancement of the water quality improvements;

NOW THEREFORE BE IT RESOLVED, the City Council, on behalf of the City, identifies the City Manager as the authorized representative for the project, able to execute necessary documents relative to and as required for this application; and

BE IT FURTHER RESOLVED, the City Council does hereby authorize and obligates local matching funds of the minimum 10% of the total grant funding awarded in the form of in-kind services or cash contribution hereby appropriated from the sewer fund; and

BE IT FURTHER RESOLVED, that the City of Geneva recognizes and fully supports the submission of the 2023 CFA for a Non-Agricultural Nonpoint Source Planning project to address stormwater issues.

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

16. DISCUSSION ON COMMITTEES, TASK FORCES AND BOARDS

The City Manager said that she compiled a review of committees, task forces, and boards that are no longer in operation or don't have enough members. She explained that the task forces were supposed to be short term solutions, dissolving once their initial task has been completed. Clr. Camera motioned to follow the City Managers recommendations for removal, as they can always be put back if needed. Clr. Regan questioned the community impact and was concerned that these boards could be doing important work, and creating positive interactions with the public. Mayor Valentino said that they could not be taken off yet but investigated further first. The City Manager suggested they be looked at to see the team effort, if they align with the charter, and that the layers to commissions bylaws should regularly be reviewed.

17. DISCUSSION ON CITY-OWNED PROPERTY

The City Manager started off by saying not all city-owned property can be treated equally but it should be discussed how we dispose of it. She said there is 206 acres of trails, parks, etc. and 11 acres of land with building potential/ possibilities. Clr. Burrall questioned how many parcels make up the 11 acres, and that some (such as on Middle St.) may be part of a plan. The City Manager clarified that there are 27 parcels within the 11 acres and they are only ones with no current plan. Clr. Gaglianese questioned that out of the 206 acres of parks if it would be a long process to turn a few acres of a park into a separate property that could be added to the tax role to create revenue. Clr. Camera said he doesn't want the property to be for sale, stating that he doesn't agree with the amount of large lot residential and we should recognize the various income classes. He also expressed that the city should be the ones take charge in developing the

city, rather than selling the land for developers to grow. Clr. Salamandra said she feels that local land lords get income property cheap by getting properties inexpensively then develop them with grants to produce unaffordable housing and she doesn't like that this continually happens. She also expressed that she doesn't agree with the talk of putting parts of parks up for sale as she feels its more important for people who need housing to get it rather than allowing others the opportunity to expand their yard. She agreed with Clr. Camera about asking the LDC to do more housing development. Clr. Gaglianese said he feels we should be more open to new development by allowing or appealing to developers to enhance infrastructure. He said he thinks there are concerns from local businesses and individuals about the school district being a deterrent. Clr. Pealer spoke next, saying he agrees with Clr. Gaglianese about needing to get out of our own way when it comes to development and that things such as accusations against current developers, are deterring future developers from feeling like they will be welcomed with their ideas.

18. RESOLUTION APPROVING PROPOSAL FOR ENGINEERING SERVICES MARSH CREEK WWTP-ATAD SYSTEM IMPROVEMENTS

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva (City), Ontario County, intends to construct improvements to the Marsh Creek WWTP, specifically the addition of a second Autothermal Thermophilic Aerobic Digestion System (ATAD) and related improvements (hereinafter referred to as the "Project"); and

WHEREAS, the City intends to fund all or part of the Project with zero-percent hardship financing through the New York State Environmental Facilities Corporation (NYSEFC) Clean Water State Revolving Fund (CWSRF) and a NYS Water Infrastructure Improvement Act (WIIA) grant in the amount of \$2,309,238; and

WHEREAS, the City solicited qualifications from engineering firms by issuing a Request for Qualifications (RFQ); and

WHEREAS, in response to the RFQ, the City received Three (3) Statements of Qualifications (SOQ) and, based on the City's evaluation and ranking of the SOQ's, the City selected MRB Group Engineering, Architecture and Surveying, DPC (MRB) as the most highly qualified respondent; and

WHEREAS, at the City's request MRB submitted a proposal for professional services (Proposal) dated July 18, 2023; and

WHEREAS, the City has reviewed and negotiated the Proposal including the scope of work and corresponding fees.

NOW THEREFORE BE IT RESOLVED, that City Council, on behalf of the City, approves the Proposal; and

BE IT FURTHER RESOLVED, that City Council directs the City Manager to request a formal Agreement for Professional Services (the "Agreement") from MRB, as referenced in the Proposal and authorizes the City Manager to execute the Agreement at her discretion.

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

19. RESOLUTION AMENDING THE 2023 GENERAL FUND BUDGET FOR DEMOLITION OF 46
HALLENBECK AVE

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva, utilizing the appropriate foreclosure process has transferred title for 46 Hallenbeck Ave due to back taxes and

WHEREAS, the City of Geneva Code department has deemed the structure uninhabitable and structurally unsafe and requires demolition and

WHEREAS, the cost of demolition is not covered in the current 2023 budget

NOW, THEREFORE, BE IT RESOLVED, that the Geneva City Council, hereby, and in due form, does amend the 2023 General Fund Budget as follows:

REVENUES:

Add

APPROPRIATION FROM GENERAL FUND BALANCE

NOT TO EXCEED \$50,000

EXPENSES:

Add

Engineering:

General Maintenance

NOT TO EXCEED \$50,000

The City Comptroller said that Codes has deemed this property beyond repair, and that it is not safe to remain standing, based on an extensive survey.

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

20. RESOLUTION ESTABLISHING A PUBLIC HEARING FOR AN AMENDMENT OF THE GENEVA CITY CODE CHAPTER 350, SHORT-TERM RENTALS

City Manager Hendrix presented the following resolution:

WHEREAS, the Geneva City Council has stated its intent to adopt an ordinance amending the City Zoning Regulations set forth in Chapter 350 of the City Code to add section 350-44 for the purpose of regulating short-term rentals in the City; and

WHEREAS, a copy of the proposed ordinance is attached to this resolution; and

WHEREAS, General City Law § 83 authorizes amendment of the City Zoning Regulations after notice and public hearing; and

WHEREAS, the proposed amendment of the City Zoning Regulations is determined to be in the best interest of the City of Geneva.

NOW, THEREFORE BE IT RESOLVED, that a public hearing for the proposed amendment of the City Zoning Regulations set forth in the attached ordinance be held at the regular Geneva City Council meeting on September 6, 2023.

Clr. Regan proposed looking at also applying some of these to the long-term rentals in the future.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1absent)

21. RESOLUTION IN SUPPORT OF THE SUBMISSION OF A GRANT APPLICATION BY THE SMITH CENTER FOR THE ARTS TO ONTARIO COUNTY FOR FEDERAL AMERICAN RESCUE PLAN FUNDS

Clr. Regan presented the following resolution:

WHEREAS, the Policies of Lakefront and Downtown Development adopted in 2009 by the City of Geneva, and the Full Occupancy Initiative adopted by the Business Improvement District in 2009 identify downtown Geneva as an opportunity for revitalization activities, and

WHEREAS, the Smith Opera House is one of oldest performing arts theaters in the United States and is recognized by the National Register of Historic Places and the Smith Center for the Arts is an active partner in the cultural, community, and economic life of Geneva,

WHEREAS the Ontario County Board of Supervisors have made available funding received through the Federal American Rescue Plan to fund projects that support the development and expansion of arts, cultural, and recreational opportunities from non-profits, private entities, and municipalities that have been negatively impacted by COVID-19.

NOW, THEREFORE, BE IT RESOLVED the Geneva City Council supports the submission of a grant application by the Smith Center for the Arts to Ontario County for Federal American Rescue Plan Funds.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1absent)

22. MAYOR AND COUNCIL REPORTS

Clr. Regan started by saying she encourages people to attend concerts by the lakefront. She said that Latasha James came through town and the democratic party met with her. Clr. Regan also attended the information session at Seneca Meadows, explaining why she feels it should close. At a neighborhood meeting Clr. Regan had discussed long term rentals and was told about noise issues with many of them and how neighbors are struggling with solutions as they don't wish to press charges. Another issue Clr. Regan discussed was the impact of the flooding and looking into better forms of communications as people aren't getting a response. At Clr. Regan's Green Committee meeting she said they discussed social media and communications as well as using the facility on Doran Ave. as a transfer station and working in conjunction with the town. Lastly, Clr. Regan acknowledged that she feels the BID has done great work on Saturdays to help with weeding.

Clr. Pealer responded to Clr. Salamandra's earlier comment about the unequal political distribution on boards, saying that the City Council is a super majority itself and that they appoint every board member so they should have faith in their ability to serve and be grateful for those volunteers. Clr. Pealer also said, in reference to Clr. Gaglianese's earlier concern about the school district, that he is also concerned it may deter development. Clr. Pealer discussed the recreation board, saying how he feels they are the most underfunded, and that he believes budget cuts will be especially difficult for them as most of their budget is labor. He proposed having a recreational forecast presentation to the community for future years in order to get more public support. Clr. Pealer introduced having a fundraiser for the disk golf course by the lakefront to raise money. He also confirmed there will be holiday window painting again this year. There will be open kick-ball from 11am-12:30pm on August 5th at Gulvin Park, August 12th at Brook St. Park, and August 19th at Ridgewood Park. He also invited people to come to St. Peter's Community Arts Academy Choir Concert at the Geneva Lakefront Gazebo on Thursday August 10th at 6pm, which will be free but have chicken barbeques starting at 5pm and a bake sale to raise money. Lastly, he said that August 20th there will be a Bike Rodeo at the Recreation Complex from 10am-12pm with obstacle courses and bike checks done by the Geneva Police Department.

Clr. Burrall began by saying thank you to the people who spoke in public comments, addressing them all and saying how he believes they each spoke about important issues. He also said thank you to Goulds Pumps for their donations of the sump pumps. He encouraged people to donate blood, and said that by taking those 45 minutes you could help up to 3 people. He said blood donations can be made August 4th from 12pm-5pm at Friendly Ford, August 17th from 1pm-6pm at the Hall Fire Dept., August 22nd from 1pm-7pm at Belhurst Castle, August 29th from 10am-3pm at GGH or 1pm-6pm at del Lago, or lastly on

September 2nd from 9am-2pm at Sampson. Clr. Burrall encouraged everyone to attending the upcoming Garlic Festival on August 5th and 6th at the Lakefront which they have roughly 67 vendors and 8-9 food trucks as well as live music. As a part of the Shade Tree Committee, he thanked many people for their work and said the 57 trees they have been growing on Doran Ave. are close to be ready for being replanted in their new homes to fully grow. He also said Mark Perry has been doing a lot to field public requests for trees and that they are working with Tim Higgins to plant the 7 larger trees at Glenwood Cemetery. Lastly Clr. Burrall reported that they sold \$460 worth of firewood in the last 2 months and after the \$60 in expenses they will have a profit of \$400.

Clr. Camera started by saying he has heard of numerous people complaining about the fireworks at McDonough Park, explaining they believe is it too much and that we should consider capping the number of times. He suggested fireworks be kept to special events only as that would diminish the amount people are hindered by things such as their pets getting upset. Clr. Camera said he also attended the SMI meeting about Seneca Meadows, stating he will continue to oppose it being expanded. As for the Marina Project Clr. Camera said he wants to see revenue and estimates now, because thoughtful projections will be helpful in determining if it is something to go forward with. He suggested a pool at the lakefront, which would allow a cleaner place to swim than the lake, while bringing revenue and people.

Clr. Brimm said he had no report as the Housing Board didn't meet this month. He requested more open lines of communications be made with residence and suggested possibly expanding the website.

Clr. Gaglianese agreed with Clr. Brimm and suggested there be more done to inform people about the flooding. He said that the Police Budget Advisory Board (PBAB) welcomed new members and there were updates with the hiring of a new Police Chief and budget.

Mayor Valentino read a letter from Lake's Edge Seneca development project. They said our company continues an unwavering dedication and excitement around the Lake's Edge Seneca development project and is thrilled to bring this endeavor to fruition. Despite unfortunate rumors circulating about the project's recent work stoppage, we want to reassure the City of Geneva that this interruption is only temporary. It is a necessary measure taken to address minor financing challenges caused by the failure of a previous lending partner to fulfill their obligations. However, we have swiftly and decisively reacted by replacing that financier with a stronger and more reliable partner. This change ensures that the project remains on track despite current economic difficulties. We want to emphasize that our company is committed to doing everything within our power to ensure the ultimate success of the Lake's Edge Seneca development and maximize its positive impact on the City of Geneva and its community. As a result, we have made a strategic decision to focus our immediate efforts on the residential phase of the development. By prioritizing this phase of the project, we aim to expedite the realization of tax benefits for the City of Geneva. We recognize and appreciate the continuous support shown by the community toward this project. It is with this support in mind that we are determined to deliver something exceptional to the area — a development that will bring lasting positive changes to Geneva. Your support is greatly valued, and we are committed to delivering a project that will enhance and positively impact the community of Geneva. Mayor Valentino also requested that opportunities to maximize budgets be included in them when they are submitted.

23. PUBLIC COMMENT

Shanelle France said they fear the proposal to simply remove committees, specifically the Disability Awareness Committee, which they believe shouldn't just be absorbed into the Human Rights Commission. They feel that even though disability rights are human rights, the missions for both are very different. They also wanted to let the record show that they would be happy to apply to be a part of the committee if it were to not be removed.

Judy Salotti said they appreciated the report on the floods but they believe people don't know about it and therefore don't think progress is being made. They said many people are now scared when it rains and suggested it be posted what is being done day to day, or monthly, such as pipes being cleaned so everyone can see the progress.

Julia Boil said they were impacted by the water and said thank you for the grant work that was done at Cemetery Creek as they believe there hasn't been any money put toward it since World War II.

Jessica Winum came to represent the Geneva Public Library, saying they have almost all new administration, and they plan on regularly coming to City Council Meetings. They also said that the library has programming, collections, and study rooms for meetings that are free for spaces for anyone to use, like someone who works from home. Jessica said that the library has also been working with Blueprint Geneva on sustainability programs. They also said the emails the city sends out are very good, and more people may benefit from those, as they feel the emails provide a lot of information. Lastly, they mentioned there will be a Rap Finale on August 18th from 2pm-4pm and there is summer reading going on.

Charles King said they do believe the planning board is a very powerful board. They also said that since the current liaison has been unable to come to meetings, they'd like to request a new or co. liaison. Charles said that the city manager came to the April meeting, which they appreciated, as they have seen more completed work since. They also requested being able to reach out in the future to have someone from City Council attend when there will be sensitive issues discussed as an advocate directly for the people for transparency.

24. ADJOURNMENT

**ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Brimm
MOVED THAT the meeting be adjourned at 9:54pm
MOTION CARRIED UNANIMOUSLY (7-2absent)**

Nicole Wright

City Clerk

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

SPECIAL COUNCIL MEETING

August 9, 2023 – 6:00 PM

City Hall – Second Floor Conference Room
47 Castle St.
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

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

2. AMENDMENT TO THE AGENDA

ACTION TAKEN by Mayor Valentino; seconded by Clr. Gaglianese

MOVED THAT a resolution for the marina grant application be added to the agenda

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

Nay – Clr. Camera

Absent – Clr. Brimm and Clr. Pealer

MOTION CARRIED

ACTION TAKEN by Clr. Gaglianese; seconded by Mayor Valentino

**MOVED THAT discussion on “Boards and Commissions” be added to the agenda to
appoint Jeremy Bush to the PBAB (Police Budget Advisory Board)**

MOTION CARRIED UNANIMOUSLY (7-2 absent)

3. RESOLUTION AUTHORIZING THE EXECUTION OF A LEGAL SERVICES' AGREEMENT RELATED TO
PFA'S LITIGATION SERVICES

City Manager Hendrix stated that this resolution, which is about clean drinking water, would allow us to contract with the Law Office of Robert King, PLLC and STAG LIUZZA, L.L.C. about legislation that's happening, and the team they've assembled who are working through PFA's for those who have contaminated waterways. The city qualifies to participate due to our population size and proximity to Seneca Lake. The city manager said our legal council has reviewed and updated this agreement and this will authorize her to execute the legal services agreement with the Law Offices of Robert King, PLLC and STAG LIUZZA, L.L.C.

The mayor opened it up for discussion, to which Clr. Regan asked for clarification if there would be anything due from the city if we don't receive any reward from the effort. The city manager stated there would not be as the city would be opting for the second option available, so we only incur expenses if we win the litigation. Clr. Camera questioned if they were fairly certain that the expenses then would not exceed the winnings of the litigation, and city manager explained that it would be a percentage of the total. Clr. Burrall then questioned what the actual expenses are which city manager clarified were to cover legal costs.

Mayor Valentino stated he has some major issues with this, pointing out that it says in option 2 they collect 25% of the gross amount recovered, but then adds 8.33% on top of that and another 10% on top of that if complexity of legal issues continues. He also pointed out that in the second paragraph under costs and expenses, it states that the attorney would have the right and authority without prior approval of the client to incur such litigation costs and expenses as they feel necessary, which is concerning to him. Under section 3 the mayor expressed his concerns with the last sentence, which states that attorneys should receive a compensation for services and reasonable fees based on all facts and circumstances of its representation, and he feels that should be removed from the agreement. In Section 7 (Termination of Representation) he also didn't like where it says the client acknowledges that they will be responsible for any fees or cost which occurred prior to discharge of extermination, as he feels there is exposure there.

City Manager Hendrix clarified that and that they already discussed some of those issues, such as the percentages in option 2, and plan to adjust accordingly. She also said this has a timeliness factor, possibly even within the next 10 days, which is why it's being brought forward to council. The mayor continued, saying this vote will be providing the city manager, with the help of the City's Attorneys, the authority to work through the agreement with this law firm.

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

4. RESOLUTION COMMITTING ADDITIONAL CITY FUNDS FOR THE NON-FEDERAL (LOCAL) MATCH REQUIRED FOR THE BIG GRANT APPLICATION FOR MARINA COST

City Comptroller Newcomb presented the resolution, to approve the commitment of additional City funds in the amount of \$59,146.90 for the BIG funding application to reflect the increase in cost from 2018 projections. Saying that, the City of Geneva was awarded BIG funding in Spring of 2019 towards the Seneca Lake Access Improvement (Marina) Project. In 2018 the eligible project costs were \$1,115,803 with a 41% match by the City of \$466,071. In 2023 the City of Geneva received a suggestion from NY Parks to submit for additional BIG funding. The costs have recently been revised to reflect the increase in cost from 2018 of \$141,601. The city match requirement would be \$59,146.90. She also clarified that the scope of the project eligible for BIG funding is mobilization, demo existing facilities, dredging, floating docks including anchorage, marine electrical/utilities and potentially a floating building for harbor master. She explained that we can't receive this match without the grant, but it needs to go with the grant application, as if would save us money if we get the grant.

Clr. Gaglianese asked why it seems as though there are grants at our fingertips yet he feels as though we're always late. The city manager replied that we have consultants working on it but currently no one on

staff that writes and tracks grants, although they've looked into adding a position for it in the past. She also clarified that they've known it was coming, just not quite how quickly and that it would require this fast of a turnaround.

Clr. Regan asked if both were to get approved, if this grant just matches half (so simply winning ~\$60,000) or if we'd have to put that much more in. The comptroller clarified that, in theory, instead of covering \$141,601 in cost we would only have to cover \$59,146.90. The city manager also added on to clarify that this is not bonded funding. Clr. Burrall questioned how the numbers add up because it doesn't show a 50/50 match, to which the comptroller replied that it is not a 50/50 but actually roughly a 41% match loosely based upon the scope of project.

Clr. Gaglianese questioned what the backlash would be if the marina were to not go through, such as the penalties we would have to pay, and required to be provided with the number of expenses spent so far. The city manager replied that she could get the number of expenses so far, explaining that those would be lost, the grants would be returned to the state, and that they're already working on estimated projections of revenues and costs for council to look at. The state did also reach out and say to apply for an additional big application because we would likely qualify for it.

Clr. Noone also wanted to know how much has been spent thus far because he feels the taxpayers should know how much has come out of the general fund to be spent and will need to be paid back if the project doesn't go forward.

Clr. Salamendra said she is adamantly opposed to the marina, as she believes it is poor spending of the people's money, and feels we shouldn't sign up to create new infrastructure when we have old infrastructure that is crumbling. She said that she would be against applying for it and instead simply scraping the project completely but recognizes that if the project were to move forward it would be more responsible to the save money that applying for this could provide. She believes there will be a large community pushback, as the people she's spoken to are opposed to this, and she advocates ending the marina project.

Clr. Camera feels as though the cart is before the horse in terms of this project, and that its going to be a huge maintenance cost for our DPW by putting in the marina. He agreed with Laura that if the community goes forward then we should go for the state money as he recognizes the benefit cost analysis but is conflicted as the community may not want to go through with this, much like himself, because he feels there is a better use for our resources.

The mayor said he didn't feel that the cost analysis shown to them previously had any negatives. He related it to a former discussion to have a Boat Museum where the Welcome Center is now and how there was a negative yearly cost impact so they decided not to move forward with it but the marina has not posed a negative impact to imply we should be halting it in the same way we did the museum.

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

MOVED THAT this resolution be approved

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

Nay – Clr. Camera

Absent – Clr. Brimm and Clr. Pealer

MOTION CARRIED

5. BOARDS AND COMMISSIONS

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

MOVED THAT Jeremy Bush be appointed to the PBAB (Police Budget Advisory Board)

MOTION CARRIED UNANIMOUSLY (7-2 absent)

6. ZONING WORK SESSION

Mayor Valentino began the conversation by pointing to Section 350-7.13, stating that he had a few issues under bullet C. for Keeping of Animals. He felt the first part was a bit confusing and asked for clarification from Neal about whose property it has to be 100 ft from. He also said he can't imagine needing the number 2, or having code that would allow people to have sheep, goats, cattle, etc., and proposed getting rid of it. Neal clarified that he didn't write this but it was possibly put in upon request.

Clr. Camera said he believed mixing so many different animals is difficult and it is too broad to include in one clause. He proposed separating smaller critters, such as chickens and ducks, and recrafting it by striking them and putting them in their own revision. He also brought up 15 head of cattle even following the code, 100 ft from a dwelling, would be a be a lot and separation could mitigate discrepancies such as that between the larger and smaller animals. Clr. Camera asked if it is currently illegal to own chickens in the city, since previous discussions on it had been tabled. The mayor clarified that there are circumstances where it is allowed such as in an industrial zone, like on State Street.

Clr. Salamendra said she believed it was said that if State Street (Geneva Peeps) was a success, others would then also be allowed to have chickens in the city. She said that some people are 20 years behind the times and science because she feels they aren't recognizing the numerous benefits, such as getting fresh eggs rather than ones from the factory. She said she supports allowing chickens and hopes others who have been opposed will listen to scientists who make it clear keeping of chickens is safe and healthy.

Clr. Regan said when she spoke with Jeff Henderson, the founder of Peeps, who wouldn't sign on at the start of the organization because he was appalled the city wouldn't agree to chickens if Peeps was a success. She also addressed she feels there are many misconceptions with chickens, explaining that it is roosters that are loud, chickens are quiet, and that they don't smell when taken care of. She feels there are enough regulations in the code, and if there needs to be more then that can be addressed. She also agreed with Clr. Camera's suggestion to remove geese, fowl cattle, horse, sheep, and goats from this section.

Clr. Gaglianese said, in reference to Clr. Salamendra's comment about scientists, he feels that there are pros and cons of keeping chickens on both sides from scientists. He also asked who determines whether State Street (Peeps) is considered a success or not. He pointed out that he has seen and received complaints about overgrowth, to which others replied it is the garden that is overgrown and doesn't have to do with the chickens. Lastly, he added that he feels if people really want chickens, then they could always move to the country.

Clr. Noone said he reviewed his emails from 2020 of people he surveyed about the chickens, and found only 5 said they were for it and the rest were against it. He also said that just because people can have chickens doesn't mean they should or can care for them, just like how many people who have cats or dogs shouldn't, and animal abuse could be a concern. Clr. Noone brought up his concern that there are chickens in the city already, and he feels the codes department is not doing their job to enforce it since it is currently happening despite not being allowed, so he questioned how they would be able to handle the additional work if chickens were permitted in the city. He proposed if we do allow chickens, we should look into what Canandaigua has, which he feels is more clearly outlined, and would require more ownership being taken from city management and codes. He said is definitely not in support of allowing chickens in the code, and is especially against the other animals listed such as cattle, horses, etc.

Mayor Valentino asked Clr. Noone to clarify what he means about codes not doing their job, to which Clr. Noone questioned if chickens aren't allowed in residential areas how are people are being allowed to have them. Mayor Valentino explained it isn't that they're being allowed to have them, but rather a capacity issue, and if codes was fully staffed enforcing everything would be more manageable. Clr. Burrall defended codes, saying he was under the impression they're a complaint driven organization, so he feels if they are not addressing the chickens in the city, it is because there are no complaints about them. He went on to say that the 100ft buffer space is a critical part to recognize in this code, as it eliminates most the properties, because there are very few in the city where a resident would want to have chickens that is also 100ft from any other dwelling. He also addressed Clr. Gaglianese's comment earlier about the grass on State St., saying the property is owned by Children's Hours Preschool and if the grass was over 6" then they would be in violation of the ordinance but the grass has not been that high.

Clr. Burrall asked for clarification on what other animals would fall under the title of fowl in the code, some answers included peacock, quail, and pheasants. He then said he felt okay with eliminating fowl and cattle, however, he feels horse owners are not going to keep horses in the city unless they can graze and there would only be a few lots where they could fit to do so. As far as ducks and geese he feels it requires a water source such as a pond, which he feels the city doesn't have so he has no problem with them. He said he doesn't see much of a demand for sheep or goats except in areas where it wouldn't be an issue, so he doesn't feel strongly either way.

Clr. Burrall elaborated more on Peeps, saying they currently have 59 chickens, he feels they barely make any noise, and the coop is only cleaned once a week so it smells no different than a litter box. He said while it is always important to ask people their opinions, we also have to also ask them to give a reason as to why they do or don't want chickens allowed in the city. He feels its easy for people to just answer yes or no, but he hasn't heard any actual reasons for people opposed to them. One line he expressed hoping to get rid of in the code is the line stating coops have to be cleaned every 24 hours and to sealed in airtight containers to be disposed because he feels it's unnecessary and difficult to enforce. Overall, he feels it is long overdue to allow chickens in code and believes the way it's written is airtight, especially with the 100ft regulation.

Clr. Camera proposed crafting this code to permit chickens, and leave the rest out, if everyone feels that would suffice. Clr. Salamendra agreed and stated she is also for removing the 100ft restriction, despite the votes not being there. Clr. Regan agreed with her, saying that we put up tons of stop signs, even though not everyone always completely stops, because we hope they will follow the rules, and this code is the same so we have to trust people and shouldn't dismiss the keeping of chickens in case a few

people don't care for them correctly like Clr. Noone suggested earlier. She said many of her emails have been very positive, and the few negative ones were based on smell or noise which aren't realistic issues.

Neal clarified that council does want to create guidelines to keep chickens, but right now they're just voicing that this is the direction they want staff to go in. Clr. Salamendra and Clr. Camera agreed with him, suggesting Neal write it up, and that right now council is providing the direction to remove geese, fowl, cattle, horses, sheep and goats.

Mayor Valentino said he has spoken with someone from Peeps and this person was concerned that since there is a lifespan to a chicken's egg laying, and at that point they are unable to be killed to be eaten, that they are simply living to produce eggs. The person he spoke with was concerned about this being inhumane to the chickens, breeding them for the eggs, before getting rid of them. Clr. Salamendra clarified that although one way to get rid of the chickens is to kill them, but there are other ways, so we shouldn't be making assumptions of what people will do with the chickens once they can no longer lay eggs. Clr. Burrall added that 100% of the chickens that were no longer able to lay eggs were sent to a farm on the other side of the lake to live out the rest of their lives, and none have been killed. He feels that chickens who are raised solely for chicken wings are treated more inhumanely in those slaughter houses than laying eggs.

Clr. Camera brought the 100ft regulation back up which he feels was drawn up arbitrarily, saying that it should be changed to 75ft instead, which wouldn't make much of a difference to neighbors but would increase the eligibility. Clr. Salamendra and Clr. Regan agreed they're also for reducing the it to the 75ft. Clr. Burrall said the last time the Town of Geneva did their zoning they slipped in chicken to residential areas, and suggested looking to see if they have a distance restriction, saying we don't have to copy what they're doing but it may be good to know.

Clr. Noone asked if there were complaints outside of the Peeps Co-Op for livestock in the city, and if implemented would codes be able to properly enforce. Neal stated he does currently receive complaints about chickens. Clr. Salamendra asked for clarification on what the complaints are. Neal explained that the complaints could simply be that someone has them in their backyard. Further, they try to look around to see if there is a chicken there but if it is in the back yard then they can't necessarily just go onto their property and therefore can't do anything. He also said that since they're not licensed if you do catch one you don't know who owns it. Overall, he said it is hard to enforce when they do get complaints on occasion. To answer Clr. Noone's second questions Neal said that if it was allowed through code that when there is a complaint, just like now, they have to respond, but they can't always solve the issue such as when they don't always know whose it is. Clr. Salamendra pointed out she feels it sounds like if there was a code, and there was a loose chicken it would be easier to find out whose it is, and there would be less complaints because there would no longer calls about concern that chickens aren't allowed.

Mayor Valentino stated that Canandaigua code could help as a reference and pointed out he loves the detail in the code for cats and dogs (77.19), asking if the current code for dogs and cats would be going away once this was adopted. The city manager clarified that dogs and cats fall under the general municipal code which is different so that wouldn't go away, but what is being adopted currently would completely erase and replace the current zoning under 350-7.13 or any other section they decide to revise and amend. Neal confirmed that the other code wouldn't go away but they would need to line up with this so that there aren't contradictions between the two. Neal also said there are times where one refers to the other, and Mayor Valentino said he feels it would be a good idea to point to the section on dogs or cats.

Clr. Regan began a new discussion by asking, in reference to Restaurants and Taverns (section 350-7.17), if there is any need to insert cannabis in with liquor distribution in regulation with NYS Liquor Authority. The city manager agreed, since the city did opt in for cannabis legislation, but explained when this was first being written it was not a consideration. The city manager also clarified there is regulatory authority coming out from the state, which we can start to pull from, and she has heard from two businesses who wish to come before council at some point and discuss their cannabis distribution plans. Neal suggested since we don't try to itemize what the liquor authority already controls, it just states the liquor authority, we could reference the state regulations in the same way for cannabis. The city manager stated what we could do is point to OCM (Office of Cannabis Management) since dispensary regulations are final and the only place they aren't is for restaurants, lounges, etc. which are still coming forward.

Clr. Regan said her second question in regards to restaurants is that there is a new law for composting in restaurants, so under section d would it be possible to insert composting and recycling with the waste management plan. She feels it will be required eventually anyways so if we make this change it will prevent this document from needing modifications as soon. Clr. Burrall asked if she was suggesting that composting be put in as something that "should" be done or "shall" be done. Clr. Regan explained she would want it to say shall since it is a law, she looked it up quickly, but feels it will only expand over time. Clr. Camera explained, while visiting Toronto, he went to a restaurant and spoke with the owner who told him that it is a law there that everyone (restaurants and individuals) must compost. Mayor Valentino suggested we point to the NYS law if it were to be written in.

Clr. Camera said he wanted to go back to Short-Term Rentals (section 350-7.18), specifically the parking, to ask for clarification about what compact spaces such as downtown and if they have to provide parking when it is so limited. Neal explained that if there is a municipal lot within 500ft it satisfies the parking spot requirements. Clr. Camera also questioned if locations such as Pulteney Park and South Main Street, which are similar to downtown where they don't always have driveways, should be sectioned off and said they'll be treated like downtown. Neal agreed, saying he has the same question, and explained these rentals do currently require one parking spot, per bedroom in the house, off of the street. Mayor Valentino said he would like to see the 500ft radius of the public parking lot to which Neal said he would guess most of the downtown buildings are within 500ft of one of the public lots. David West explained that there is a process to go to the planning board and go through a provision to have a development review and potentially get the parking requirement reduced or waived. He agreed that the parking requirement can be a lot more for a building with a short-term rental than the same building as a regular residence, but there is a process in place to have it waived, or potentially making exceptions for different zones. Clr. Camera asked if everyone was okay with providing the direction to factor in the rowhouse section South Main Street and Pulteney Street to be given special treatment due to the unique nature of the structures creating a parking situation and no one opposed.

Clr. Regan asked that right now since council choose to separate it out, is it just a discussion to work this into the ordinance, and then have it become a part of the zoning. The city manager clarified that the next version of the draft ordinance will have additional revisions, right now this is to provide direction to staff, and that's why she made sure to have the packets colored so it was visible what was changed. The mayor also clarified it will be embedded into this once it is passed and effective.

Clr. Camera went on to point out that the maximum occupancy is currently 10, more specifically its 2 people per bedroom up to 4 bedrooms plus 2 people, and he feels the extra two people should simply be removed, leaving the maximum occupancy at 8. Neal explained what could be done is to have it guided by bedroom size, only allowing a certain number of people based on square footage of the bedroom, so size of bedroom will legally dictate the number of people per building code therefore there will be two sort of guidelines. Clr. Camera said he has comfort knowing that when the property is inspected there won't be rooms counted for more people than there should be but he still wants to see it go from 10 to 8 maximum just so its crystal clear. Clr. Regan said that the occupancy limit is for 24 hours so that would mean they can't invite anyone over and Clr. Burrall agreed saying that the 10 wasn't how many people could spend the night, but just how many people can be over.

Clr. Camera said the limit would be good because part of what this is trying to achieve is limiting the number of parties. Clr. Salamendra agreed, saying even though she believes people should be able to go see their family, she's heard from neighbors that parties are a big problem and need to be shut down. She feels any language that can be used to diminish the disturbance of parties should be, such as saying if the police are involved it will count as a violation. She also brought up buffer zones, which a resident mentioned at the last meeting, saying she feels they should be established to eliminate the disturbances and confrontation. Clr. Camera agreed, saying the situation of this resident is dire, and this needs to be policed to get it stopped which is why he's asking for the reduction from 10 to 8. Clr. Regan said Airbnb is also responsible but Clr. Gaglianese pointed out they aren't all booked through Airbnb. The city manager agreed saying even if it is booked through Airbnb the way that they take and handle reports is different and she's unsure how they're followed up with. Clr. Salamendra said she would like to see longer penalties, like two months, which Clr. Camera agreed with her saying it should be clear so it is easily enforceable.

Clr. Burrall brought back up that there are several dozen units in the city without off street parking, so he doesn't get why there would be a parking requirement based on the type of occupancy if the demand could be exactly the same. He gave an example that a long-term rental could be a 5-bedroom row house and that same rowhouse, when rented as short-term, could have exactly the same demand for number of parking spaces but the short-term would be required to have 5 parking spots. He said between South Main St. and North Main St. there used to be 3 B&Bs with 3-4 bedrooms, where the owners used to use their driveway, but now have to let the guests use it so there is off street parking provided. Another issue being that these driveways are single width so there is inconvenience when one guest needs to move to allow another to leave is something else that he mentioned. The city manager explained a part of it is that there is a difference between residential verses business use, and it was likely done because the short-term rentals were initially looked at in comparison to hotels. Neal elaborated saying there is a heavier potential use and it's an attempt at site management.

Clr. Salamendra said she sympathizes with people who don't have off street parking but she feels its also important to recognize how many people try to park in their neighborhood and bring items into their home and can't because the Airbnb next door invited a bunch of people over and took up all of the parking. She also said she gets that these are businesses and they are money making properties but the resident who spoke last week told her that for his wife's business, which only requires one person at a time, they too had to make sure there was a parking spot which cost him money.

Clr. Camera said he feels the city manager and economic development team should legislate for the 90% of rentals because there will always be people with unique circumstances, and those can be handled

as they arise. He proposed permits be issued in these specialty situations, which are always bound to come up, rather than tailoring to them. He said by putting in a provision it allows people in those specific situations to come to city hall and figure out how to handle those differently. Neal replied that in the zoning code short-term rentals have to go to the planning board for a special use permit, while the current ones are grandfathered in. Clr. Noone said he feels there they shouldn't be grandfathered in to but the city manager clarified the provision says the grandfathering is short extension of time of ~30 days. Neal further explained that currently the short-term rental provision only refers to the rental permit and not a special use permit with the planning board so that will need to be added.

Clr. Camera said he is still really concerned about the large lot residential because he feels it is unfair to the rest of Geneva. Neal clarified for him that the large lot residential is currently labeled agricultural residential, between Route 14 and Slosson Lane, and is a 20,000 sq ft minimum now. Clr. Camera said he feels it is out of community character to create this large lot residential. He read an article, written by Jackie Augustine, in the newspaper that said:

Here is what we collectively agreed Geneva should be: Beautiful, Prosperous. Equitable. Connected. Sustainable. The plan reads, "This is the Geneva we want to leave to our children. With our richly textured history, uncommon lakeshore setting, civic pride, architectural heritage, and cultural diversity, we Genevans feel justifiably lucky. Our small city is a great place to raise a family and to be connected within a community of caring neighbors. We come together for community events, at high school commencements, for coffee downtown, along the lake, at church, in city council sessions, in the stands of our ballfields to cheer, and at the grocery store. We know and care for one another. We love Geneva. Though we are a small community, we are urban. And because we possess a collection of assets few other places in America have, we are unique.

Clr. Salamendra asked if the new economic developer has had a chance to look at the area proposed to be rezoned as large lot residential, to which David replied he has not had much time to spend over there. Clr. Regan said she thinks its important for people to realize this would not change Slosson Lane itself, which neighbors were concerned about, just the undeveloped lane between Route 14 and Slosson Lane, and that traffic is the only thing it would possibly change.

Clr. Regan asked to amend Section 350-19.2 under B. Membership and Terms where it still says 9 members and since that was just changed to 7 at the last meeting. She also pointed out it says the mayor appoints the planning board members and then it is approved by city council and City Manager Hendrix said it may be old language and she will check the charter to be sure.

Clr. Burrall said he had a question for Neal about what the current minimum residential lot size for large lot residential, because the change is reading at 20,000 sq ft. Neal explained that it is currently zoned as agricultural residential and has a 20,000 sq ft minimum. Clr. Burrall further clarified that this would mean there isn't a change to lot size, just the name of zoning. Neal agreed, saying he would have to check the uses, but the lot size wouldn't be changing.

Mayor Valentino suggested all councilors look to the clearly marked boxes on the sides of the pages to provide the best direction to staff and to be sure to answer the questions that have been asked of council.

7. ADJOURNMENT

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

MOVED THAT the meeting be adjourned at 7:55pm

MOTION CARRIED UNANIMOUSLY (7-2 absent)

Nicole Wright

City Clerk

RESOLUTION #34-2023

RESOLUTION CLASSIFYING THE CITY OF GENEVA'S DRAFT SHORT TERM RENTAL CODE AMENDMENT AS A TYPE 1 ACTION UNDER SEQRA, ACKNOWLEDGING THE COMPLETION OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT PART 1 FORMS AND AUTHORIZING GENEVA CITY COUNCIL AS LEAD AGENCY

WHEREAS, the City of Geneva began the process of amending the City's Zoning Code (Chapter 350) in March of 2019, under the direction of a Steering Committee designated by the Common Council, with the goal of bringing more clarity to the code and aligning the City's land use regulations with the vision and recommendations of previously completed plans and studies, including the City's Comprehensive Plan; and

WHEREAS, the Council wishes to pull out of that larger rewrite the section on Short Term Rentals to enact as a stand-alone ordinance; and

WHEREAS, the Council wishes require Special Use Permits and Operating License requirements for Short Term Rentals to safeguard the public health, safety and welfare by regulating and controlling the use, occupancy, oversight and maintenance of Short-Term Rental properties; and

WHEREAS, the Draft Code Amendment has been made available both online and at City Hall for public review as of September 1, 2023; and public comment on this Draft is anticipated by September 6, 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 Geneva City Council has completed Part 1 (EAF Part 1) of the required NY State Environmental Quality Review Act (SEQRA) forms providing all relevant information, verifying its completeness and accuracy;

WHEREAS, the City Council has determined that the proposed adoption qualifies as a Type 1 Action under SEQRA based on 6 CRR-NY 617.4 b-2.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, New York that the DRAFT Short Term Rental Code Amendment is classified as a Type 1 Action pursuant to SEQRA, authorizes the signing of the completed EAF Part 1 and further consents to act as Lead Agency.

RESOLUTION #35 -2023

RESOLUTION ADOPTING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE FOR THE CITY OF GENEVA'S DRAFT SHORT TERM RENTAL CODE AMENDMENT

WHEREAS, the City of Geneva declared Lead Agency in the review of the DRAFT SHORT TERM RENTAL CODE AMENDMENT; and

WHEREAS, the City Council has determined that the proposed adoption qualifies as a Type 1 Action under SEQRA based on 6 CRR-NY 617.4 b-2.; and

WHEREAS, the proposed DRAFT SHORT TERM RENTAL CODE AMENDMENT will not allow any change in use or new construction without further review/permitting subject to SEQR; and

WHEREAS, the DRAFT SHORT TERM RENTAL CODE AMENDMENT enacts stronger provisions on the currently extant Short-Term Rental market which will safeguard the public health, safety and welfare by regulating and controlling the use, occupancy, oversight and maintenance of Short-Term Rental properties; and

WHEREAS, the City Council of the City of Geneva has reviewed the Full EAF Part 1 New York State Environmental Quality Review Act ("SEQRA") form; and

WHEREAS, the Geneva City Council has completed Parts 2&3 (EAF Part 2&3) of the required NY State Environmental Quality Review Act (SEQRA) forms providing all relevant information, verifying its completeness and accuracy;

WHEREAS, the City Council has determined that the proposed adoption will have no or small environmental impact on every impact category in the Full Environmental Assessment Form Part 2 and elaborated on the reasoning behind Part 2 in Part 3.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, New York that the DRAFT Short Term Rental Code Amendment will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, the City Council issues a Negative Declaration of Environmental Significance under SEQR and directs the City Manager to affix their signature to the FEAF Part 3 form.

BE IT FURTHER RESOLVED by the City Council of the City of Geneva, New York that the City Clerk should file the Negative Declaration of Environmental Significance in the NYS Environmental Notice Bulletin as required by law.

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project :

Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐		
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐		
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐		
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐		
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐		
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐		
h. Other impacts: _____		☐	☐		

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☐ NO ☐ YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐ NO ☐ YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

1. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐		
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐		
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐		
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐		
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐		
f. Other impacts: _____ _____		☐	☐		

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐		
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐		
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐		
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐		

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☒ NO ☐ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____		☐	☐
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.
(See Part 1. D.2.j)

☒ NO☐ YES

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.
(See Part 1. D.2.k)

☒ NO☐ YES

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
(See Part 1. D.2.m., n., and o.)

☒ NO☐ YES

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐		
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐		
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐		
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐		
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐		
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐		
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐		
h. Other: _____ _____		☐	☐		

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐		
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐		
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐		
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐		
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐		
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐		
g. Other impacts: _____ _____		☐	☐		

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The purpose of this ordinance is to regulate the Short-Term Rental of dwelling units within the City of Geneva, NY and to establish comprehensive registration and licensing regulations to safeguard the public health, safety and welfare by regulating and controlling the use, occupancy, oversight and maintenance of Short-Term Rental properties. The City also recognizes that extensive Short-Term Rentals have the potential to compromise the residential character of the community and may cause disruption to the peace, quiet and enjoyment of neighboring residents. Accordingly, in order to respect the rights and interests of all residents of the City, this amendment seeks to thoroughly monitor and regulate those who offer their homes as Short-Term Rental properties in order to minimize any potential detrimental impact this commercial enterprise may have upon the residential character of predominantly owner-occupied neighborhoods.

The Code amendment only allows Short Term Rental through Special Use Permit and requires an operating license. Review and approval of a Special Use Permit is an action of the City of Geneva Planning Board, requiring SEQR review, that would evaluate any specific potential Short Term Rental location and review environmental impacts of allowing that use in that location.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

Draft Short Term Rental Code Amendments

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
City of Geneva Council _____ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Short Term Rental Code Amendment

Name of Lead Agency: City of Geneva

Name of Responsible Officer in Lead Agency: Amie Hendrix

Title of Responsible Officer: City Manager

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: David West

Address: 47 Castle St. Geneva, NY 14456

Telephone Number: 315.835.0436

E-mail: dwest@geneva.ny.us

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Short Term Rental Code Amendment		
Project Location (describe, and attach a general location map): City of Geneva (City Wide)		
Brief Description of Proposed Action (include purpose or need): The City of Geneva proposes and to establish comprehensive registration and licensing regulations to safeguard the public health, safety and welfare by regulating and controlling the use, occupancy, oversight and maintenance of Short-Term Rental properties through the requirement of Special Use Permits and Operating Licenses. To accomplish this end the City has prepared amendments to the City Code.		
Name of Applicant/Sponsor: City of Geneva	Telephone: E-Mail:	
Address: 47 Castle St.		
City/PO: Geneva	State: NY	Zip Code: 14456
Project Contact (if not same as sponsor; give name and title/role): David West, Director of Planning and Economic Development, City of Geneva	Telephone: 315.835.0436 E-Mail: dwest@geneva.ny.us	
Address: 47 Castle St.		
City/PO: Geneva	State: NY	Zip Code: 14456
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Enactment of Ordinance Amending City Code	N/A
b. City, Town or Village ☐ Yes ☒ No Planning Board or Commission		
c. City, Town or ☐ Yes ☒ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☒ No		
e. County agencies ☐ Yes ☒ No		
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☐ Yes ☒ No		
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No	
- If Yes, complete sections C, F and G. - If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No	
If Yes, identify the plan(s): Remediation Sites: V00116, Remediation Sites: V00643, Remediation Sites: 835015, Remediation Sites: C835027A, Remediation Sites: E835021, Remediation Sites: B00018, Remediation Sites: V00119, Remediation Sites: B00019	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No	
If Yes, identify the plan(s):	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	☒ Yes ☐ No
Applies City Wide - All zones _____	
b. Is the use permitted or allowed by a special or conditional use permit?	☒ Yes ☐ No
c. Is a zoning change requested as part of the proposed action?	☒ Yes ☐ No
If Yes, i. What is the proposed new zoning for the site? zoning amendment to regulate STR city wide _____	
C.4. Existing community services.	
a. In what school district is the project site located?	Geneva City School District _____
b. What police or other public protection forces serve the project site?	City of Geneva Police Department _____
c. Which fire protection and emergency medical services serve the project site?	Geneva Fire Department _____
d. What parks serve the project site?	All City parks - City wide _____

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____	
b. 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
c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No	
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated _____ • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	

f. Does the project include new residential uses? ☐ Yes ☐ No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☐ No If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____ _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? ☐ Yes ☐ No ix. Summarize site reclamation goals and plan: _____ _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☐ No ☐ Yes ☐ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____ vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____	☐ Yes ☐ No
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____ If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____ • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____	☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____ f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____ If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____ _____	☐ Yes ☐ No ☐ Yes ☐ No
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____ If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	☐ Yes ☐ No ☐ Yes ☐ No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No

l. Hours of operation. Answer all items which apply.

i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?	☐ Yes ☒ No
i. If Yes: explain:	
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?	☐ Yes ☒ No
If Yes,	
i. Identify Facilities:	
e. Does the project site contain an existing dam?	☐ Yes ☒ No
If Yes:	
i. Dimensions of the dam and impoundment:	
• Dam height:	feet
• Dam length:	feet
• Surface area:	acres
• Volume impounded:	gallons OR acre-feet
ii. Dam's existing hazard classification:	
iii. Provide date and summarize results of last inspection: 	
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?	☐ Yes ☒ No
If Yes:	
i. Has the facility been formally closed?	☐ Yes ☒ No
• If yes, cite sources/documentation:	
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: 	
iii. Describe any development constraints due to the prior solid waste activities: 	
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?	☐ Yes ☒ No
If Yes:	
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: 	
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?	☒ Yes ☐ No
If Yes:	
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:	
☐ Yes – Spills Incidents database	Provide DEC ID number(s):
☒ Yes – Environmental Site Remediation database	Provide DEC ID number(s): V00116, V00643, 835015, C83...
☐ Neither database	
ii. If site has been subject of RCRA corrective activities, describe control measures: 	
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): V00116, V00643, 835015, C835027A, 835002, E8350...	
☒ Yes ☐ No	
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): 	

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No													
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____													
E.2. Natural Resources On or Near Project Site													
a. What is the average depth to bedrock on the project site? _____ feet													
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;"></td> <td style="width: 10%; border-bottom: 1px solid black;"></td> <td style="width: 30%; text-align: right; border-bottom: 1px solid black;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right; border-bottom: 1px solid black;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right; border-bottom: 1px solid black;">%</td> </tr> </table>				%			%			%			
		%											
		%											
		%											
d. What is the average depth to the water table on the project site? Average: _____ feet													
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">☐ Well Drained:</td> <td style="width: 30%; border-bottom: 1px solid black;"></td> <td style="width: 40%; text-align: right; border-bottom: 1px solid black;">% of site</td> </tr> <tr> <td>☐ Moderately Well Drained:</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right; border-bottom: 1px solid black;">% of site</td> </tr> <tr> <td>☐ Poorly Drained</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right; border-bottom: 1px solid black;">% of site</td> </tr> </table>		☐ Well Drained:		% of site	☐ Moderately Well Drained:		% of site	☐ Poorly Drained		% of site			
☐ Well Drained:		% of site											
☐ Moderately Well Drained:		% of site											
☐ Poorly Drained		% of site											
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td style="width: 40%;">☐ 0-10%:</td> <td style="width: 30%; border-bottom: 1px solid black;"></td> <td style="width: 30%; text-align: right; border-bottom: 1px solid black;">% of site</td> </tr> <tr> <td>☐ 10-15%:</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right; border-bottom: 1px solid black;">% of site</td> </tr> <tr> <td>☐ 15% or greater:</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right; border-bottom: 1px solid black;">% of site</td> </tr> </table>		☐ 0-10%:		% of site	☐ 10-15%:		% of site	☐ 15% or greater:		% of site			
☐ 0-10%:		% of site											
☐ 10-15%:		% of site											
☐ 15% or greater:		% of site											
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No If Yes, describe: _____													
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name <u>898-473, 898-397</u></td> <td style="width: 50%;">Classification <u>C, B(T)</u></td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name <u>Federal Waters, NYS Wetland, Federal Waters, Fe...</u></td> <td>Approximate Size <u>NYS Wetland (in a...</u></td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2"><u>GV-5</u></td> </tr> </table>		• Streams:	Name <u>898-473, 898-397</u>	Classification <u>C, B(T)</u>	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name <u>Federal Waters, NYS Wetland, Federal Waters, Fe...</u>	Approximate Size <u>NYS Wetland (in a...</u>	• Wetland No. (if regulated by DEC)	<u>GV-5</u>	
• Streams:	Name <u>898-473, 898-397</u>	Classification <u>C, B(T)</u>											
• Lakes or Ponds:	Name _____	Classification _____											
• Wetlands:	Name <u>Federal Waters, NYS Wetland, Federal Waters, Fe...</u>	Approximate Size <u>NYS Wetland (in a...</u>											
• Wetland No. (if regulated by DEC)	<u>GV-5</u>												
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____													
i. Is the project site in a designated Floodway? ☐ Yes ☐ No													
j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No													
k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No If Yes: i. Name of aquifer: <u>Principal Aquifer</u>													

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☒ Yes ☐ No If Yes: i. Species and listing (endangered or threatened): _____ Lake Sturgeon _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☒ Yes ☐ No If Yes, provide county plus district name/number: <u>ONTAc01</u>	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. 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? If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: Eligible property: FIRST METHODIST CHURCH, Eligible property: STURTEVANT HALL, Eligible property: 760 Castle St, Eligible... iii. Brief description of attributes on which listing is based: _____	☒ Yes ☐ No
f. 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?	☒ Yes ☐ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	☐ Yes ☐ No
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	☐ Yes ☐ No
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666?	☐ Yes ☒ No ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

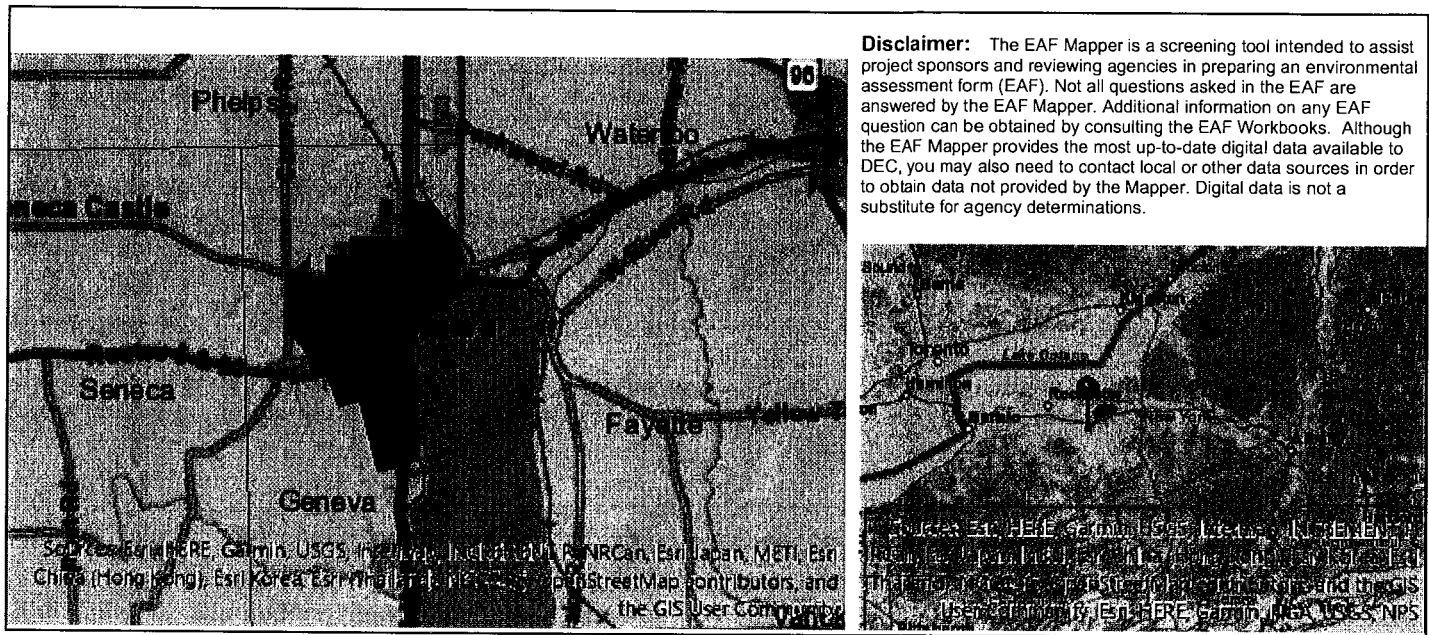
G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Amie Hendrix Date _____

Signature _____ Title City of Geneva City Manager

PRINT FORM



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediation Sites:V00116, Remediation Sites:V00643, Remediation Sites:835015, Remediation Sites:C835027A, Remediation Sites:E835021, Remediation Sites:B00018, Remediation Sites:V00119, Remediation Sites:B00019
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	V00116, V00643, 835015, C835027A, E835021, B00018, V00119, B00019
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	V00116, V00643, 835015, C835027A, 835002, E835021, 850008, B00018, V00119, B00019
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	898-473, 898-397

E.2.h.iv [Surface Water Features - Stream Classification]	C, B(T)
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):118.9
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	GV-5
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Lake Sturgeon
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	ONTAc01
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:FIRST METHODIST CHURCH, Eligible property:STURTEVANT HALL, Eligible property:760 Castle St, Eligible property:WRIGHT HOUSE, Eligible property:COLUMBIA BLOCK (HARRIS APTS), Eligible property:RESIDENCE, Eligible property:MC CORMICK HOUSE (HOBART & WILLIAM SMITH WOMENS RES)), Eligible property:RANCH HOUSE, Eligible property:HEDRICK HALL, Eligible property:(TEXACO GAS STATION), Eligible property:KERSHAW APTS, Eligible property:GENEVA WOMAN'S CLUB, Eligible property:LEHIGH VALLEY RR STATION, Eligible property:PERSONS AND SIGLAR BUILDING (THE MAIN PLACE), Eligible property:HOUSE, Eligible property:JORDAN HALL, Eligible property:3 story brick comm'l (Davoli), Eligible property:TRIPLEX HOUSE, Eligible property:Geneva Public Library, Eligible property:33 Sherrill Street, Geneva, NY 14456, Eligible property:Utility Storage Barn, Eligible property:House, Eligible property:Rectory of St. Stephen Church, Eligible property:St. Stephens Roman Catholic Church, Eligible property:DeSales High School, Eligible property:St. Francis De Sales-St. Stephen Elementary School, Eligible property:Apartments, Eligible property:Greek Revival Residence, Parrott Hall, South Main Street Historic District, Belhurst Castle, Geneva Hall and Trinity Hall, Hobart & William Smith College, Ashcroft, Nester House, Washington Street Cemetery, US Post Office--Geneva, Smith's Opera House/Geneva Theater, Geneva (34th Independent Company) Armory, First Baptist Church, Genesee Park Historic District, Farmers' and Merchants' Bank, Smith Observatory and Dr. William R. Brooke House, Geneva Downtown Commercial Historic District, St. Francis de Sales Parish
E.3.f. [Archeological Sites]	Yes

E.3.i. [Designated River Corridor]	No
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Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: September 6, 2023

Item Title: First Reading of Ordinance Amending the City of Geneva Code Chapter 215 and Chapter 350

Action Required:

Approval will amend the City Code Chapter 215 and 350, creating requirements that use of a dwelling for Short Term Rental include a Special Use Permit process with the Planning Board and a revocable Operating License from the Code Enforcement Office.

Change to allowed uses on more than 25 acres is classified as a Type 1 Action under SEQR. This requires the completion SEQR before adopting the code amendment.

1. Council will need to Declare Lead Agency (draft resolution attached) and adopt the FEAF Part 1.
2. Council will need to conduct the environmental review, carefully considering the proposal and information on the FEAF Part 1 to answer the questions on the FEAF Part 2&3 as the Lead Agency. Draft FEAF Parts 2&3 are attached.
3. Council must complete environmental review before moving to adopt the Code Amendment. A draft resolution for a Negative Declaration of Environmental Significance is attached.

Background:

Office of the City Manager

Amie Hendrix

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

(315) 789-2603 - FAX (315) 789-0604 – ahendrix@geneva.ny.us - www.cityofgeneva.ny.com

The attached ordinance has been updated by legal and staff to create a Short-Term Rental Ordinance for the City of Geneva. The attached ordinance attempts to take the varied direction of council members, other municipal ordinances, and current local and state regulations into account to develop an effective means to regulate short term rentals within the city.

The purpose of this ordinance is to regulate the Short-Term Rental of dwelling units within the City of Geneva, NY and to establish comprehensive registration and licensing regulations to safeguard the public health, safety and welfare by regulating and controlling the use, occupancy, oversight and maintenance of Short-Term Rental properties. The City also recognizes that extensive Short-Term Rentals have the potential to compromise the residential character of the community and may cause disruption to the peace, quiet and enjoyment of neighboring residents. Accordingly, in order to respect the rights and interests of all residents of the City, this Chapter seeks to thoroughly monitor and regulate those who offer their homes as Short-Term Rental properties in order to minimize any potential detrimental impact this commercial enterprise may have upon the residential character of predominantly owner-occupied neighborhoods.

Please note, this ordinance has removed the occupancy tax component due to the need to have additional discussion on the ability of the jurisdiction to impose such a tax without the need for home rule legislation. This additional measure will be reviewed in the future.

Financial Impact:

None.

ORDINANCE #8 - 2023
AN ORDINANCE AMENDING CHAPTER 350 AND CHAPTER 215 OF THE GENEVA
CITY CODE

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Be it ordained by the City Council of the City of Geneva, NY that Chapter 350 of the Geneva City Code be amended to add Section 350-26.44, entitled Short Term Rentals, and Chapter 215 be amended to add Section 215-44, entitled Short-term rental operator license, as follows:

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Be it further enacted that Schedule I Permitted Uses in the City Code Chapter 350 be edited to reflect the use Short-Term Rental allowed in all zones by Special Use Permit subject to requirements and processes described in Chapter 350-34 and Operator License requirements of Chapter 215-44.

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§ 350-344 SHORT-TERM RENTALS

350-26.44-1. Findings: The purpose of this enactment is to:

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- A. Maximize the availability of affordable housing options by ensuring that no long-term rental properties are converted into short-term rentals;

The purpose of this Chapter is to regulate the Short-Term Rental of dwelling units within the City of Geneva, NY and to establish comprehensive registration and licensing regulations to safeguard the public health, safety and welfare by regulating and controlling the use, occupancy, oversight and maintenance of Short-Term Rental properties. The City also recognizes that extensive Short-Term Rentals have the potential to compromise the residential character of the community and may cause disruption to the peace, quiet and enjoyment of neighboring residents. Accordingly, in order to respect the rights and interests of all residents of the City, this Chapter seeks to thoroughly monitor and regulate those who offer their homes as Short-Term Rental properties in order to minimize any potential detrimental impact this commercial enterprise may have upon the residential character of predominantly owner-occupied neighborhoods.

- B. Ensure that short-term rentals are taxed in the same way as traditional lodging providers to ensure a level playing field and maintain local service jobs;

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- C. Ensure that the city does not lose out on hotel tax revenue that could be invested in much needed services for permanent residents;

- D. Minimize public safety risks and the noise, trash and parking problems often associated with short-term rentals without creating additional work for the local police and public works departments;

- ~~E. Give citizens the option to utilize their properties to generate extra income from short-term rentals as long as all of the above-mentioned policy objectives are met.~~

350-26.44-2 Definitions

Dwelling Unit

~~As used in this chapter, the term "Dwelling Unit" shall mean a building or portion thereof providing complete kitchen and bathroom facilities for one family.~~

Short-Term Rental

As used in this chapter, the term "Short-Term Rental" shall mean a dwelling that is rented, in whole or in part, to any person or entity for a period of less than 30 consecutive nights and meets all of the regulations, requirements and standards contained in this Chapter, as amended. Short Term Rentals do not include Boarding Houses or Bed and Breakfast Inns.

Rental

As used in this chapter, the term "Rental" shall mean an agreement granting use or possession of a dwelling in whole or in part, to a person, group or entity in exchange for consideration. Use of a short-term rental by a record owner of a property shall not be considered to be a rental under this section.

350-26.44-3. Presumption of dwelling unit as short-term rental property

- A. The following shall create a presumption that all or a part of a dwelling unit is being used as a short-term rental:
1. All or a part of the property is offered for lease on a short-term rental website, including but not limited to Airbnb, Home Away and VRBO, for a rental period of 30 consecutive nights or less; and/or
 2. All or a part of the property is offered for lease for a period of 30 days or less through any form of advertising.
- B. The foregoing presumptions may be rebutted by evidence presented to the City of Geneva Code Enforcement Office that the premises is not operated as a short-term rental.

350-26.44-4. General Requirements.

A. General Requirements.

~~1. Short-term rentals in the City of Geneva are subject to City of Geneva Room Occupancy Tax, Article VII of Chapter 318 of the City of Geneva Code.~~

~~2. Short-term rentals in the City of Geneva are subject to Ontario County Room Occupancy Tax, currently in effect at the time of the adoption.~~

~~3.1. Any conditions imposed by the City Code Enforcement Office or the City Planning Board on through Special Use Permit and/or Site Plan Review.~~

~~4.2. The property must have sufficient off-street parking spaces as required by the City of Geneva Code Enforcement Office or the City Planning Board on Special Use Permit Review.~~

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~~5.3. Tenants and guests shall not park on any part of the lawn of the property only park on a suitably improved parking area and shall not park in the required front yard setback.~~

~~6.4. The maximum number of bedrooms that can be rented is limited to 4.~~

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~~7.5. The maximum occupancy for each short-term rental unit shall be the lesser of 10 people or the number of people allowed by bedroom capacity as determined by the international building code section PM 404.4.1. plus, two people.~~

~~8.6. Regardless of all other occupancy limitations, maximum occupancy is limited to may not exceed 10 people and occupancy limitations are in effect 24 hours a day.~~

~~7. Advertisements for the short-term rentals in the City of Geneva must conform to what is allowed under this section, the short-term rental permit issued for the short-term rental in question, and contain a statement advising potential occupants that short term rentals of the property are subject to Section 350-44 of the Geneva City Code.~~

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~~8. A Short-Term Rental may only be used for overnight accommodations and shall not be used for gatherings, including, but not limited to, cultural events, weddings, private events, special or sales events, bachelor or bachelorette parties or other similar party or activities, funerals, fundraisers, or similar group-type gatherings.~~

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9. Short-Term Rentals are not permitted in dwelling units that are subject to affordable housing covenants or are income-restricted under Federal, State or Local law.

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B. Short-Term Rental Permits-License Required.

4. The Operator of a Short-Term Rental unit must acquire a Short-Term Rental License as described in Chapter 215-44 of the City of Geneva Code within one (1) year from the issuance of a Special Use Permit or Site Plan Approval or said Permit or Approval becomes null and void. The owner shall obtain a revocable short-term rental permit prior to rental of a dwelling unit for short-term rental purposes.

- 2.1. Where the district regulations of this Chapter require a special use permit or site plan review, issuance of such permit approval shall be required prior to issuance of a revocable short-term rental permit license under this Chapter 215-44.

- 3.2. Owners of properties being currently operated as a short-term rental as defined in this section, shall apply for a permit license within sixty (60) days of the effective date of this section. A Temporary License permit shall be issued pending a decision on the application.

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350-44-5. Chapter 215-44 Short-term rental operator license

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215-44.1 Short-term rental permit License application procedures. Required.

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- A. In addition to the requirements contained in Chapter 350, the Operator of a Short-Term Rental unit must also possess a current and valid Short-Term Rental License, issued by the Code Enforcement Office, prior to operation as a Short-Term Rental.

44.2 Short-term rental license application, renewal, and fees

- A. An application for or renewal of a short-term rental permit license shall be submitted to the City Code Enforcement Office, signed by all persons and entities that have an ownership interest in the subject property, accompanied by payment of the permit fee in the amount determined as part of the annual chart of accounts of the City of Geneva. These fees may vary between owner-occupied and non-owner-occupied units.

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- B.A. The application shall be completed on a form provided by the City of Geneva, and shall include the following:

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1. A list of all of persons and entities that have an ownership interest in the premises to be used as a short-term rental, including names, addresses, telephone numbers (including mobile numbers) and e-mail addresses;
2. Completion of a signed and notarized affidavit by the property owners certifying the following:
 - a. The property is in compliance with New York State Code R314.3 Smoke Alarm and FC 915 for Carbon Monoxide Detector Locations.

b. ~~Exterior doors are operational and all passageways to exterior doors are clear and unobstructed.~~

e. ~~Electrical systems are serviceable with no visual defects or unsafe conditions.~~

d. ~~All fireplaces, fireplace inserts or other fuel burning heaters and furnaces are vented and properly installed.~~

b. ~~The number of parking spaces on the property meet the standards set forth below zoning requirements for a bed and breakfast use;~~

c. ~~There are no outstanding property taxes or tax liens associated with the dwelling unit, nor does the Owner owe any other outstanding taxes fees or assessments to the City, including taxes and fees owed in connection with any other Short-Term Rentals;~~

d. ~~The Dwelling Unit complies and will continue to comply with all standards contained in this Chapter, the City Zoning Ordinance and all other applicable laws, standards and regulations.~~

e. ~~The Owner has read, understands, and agrees to comply with all legal duties imposed by this Chapter and the City Zoning Ordinance.~~

f. ~~The Owner will not discriminate in guest use or rental of a Short-Term Rental, and will comply with all applicable anti-discrimination laws, including but not limited to: Title VII of the Civil Rights Act of 1968, the Fair Housing Act (FHA), and the Americans with Disabilities Act (ADA).~~

e.g. ~~Designation by the Owner of a registered local contact who shall be available twenty-four (24) hours per day, seven (7) days per week with the ability to respond to any complaint within forty-five (45) minutes for the purpose of responding to complaints regarding the condition, operation, or conduct of occupants of the~~

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short-term rental unit and taking immediate action to resolve any such complaints.

3. Affidavit certifications shall be valid during the term of the short-term rental permit, or until modifications requiring a building permit are made, or until the City Code Enforcement Officer has reason to believe an inspection is warranted.
4. A site plan, drawn to scale, showing the location of buildings and required parking and, if not served by a public sewer, the location of the septic system and leach field. An accurate, suitable plan need not be prepared by a professional.
5. A statement that the property is served by a public sewer.
6. Mobile Telephone numbers and email addresses of a contact person(s), who shall be responsible, and authorized, to act on the owner's behalf to promptly remedy any violation of these standards or the permit. The contact person may be the owner or an agent designated by the owner to serve as a contact person.

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G.B. The owner shall sign a consent authorizing the City Code Enforcement Office to enter upon the premises to conduct an inspection to verify compliance with the Zoning Code of the City Geneva, including this section; to verify compliance with applicable New York State laws, codes and regulations; to verify the number of sleeping rooms within the short-term rental, as authorized by this section; and to verify the number of parking spaces on the property meet the standards set forth in this section the City Code zoning requirements for a bed and breakfast use or any conditions associated with Special Use Permit or Site Plan Approval.

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C. Upon the filing of a complete permit application with the City Code Enforcement Office together with the permit fee, and all documents and information required by this section, the City Code Enforcement Office shall have thirty (30) days to review the application and then either issue the permip permit, including, or notify the applicant in writing that the application has been denied, along with the reason or reasons for denial.

D. In reviewing the application, the Code Enforcement Office shall have the right to inspect the Short-Term Rental property for purposes of ensuring compliance with this Code, and any other applicable codes, laws, or ordinances enforced by the Code Enforcement Office. If an inspection authorized herein is conducted, the Code Enforcement Office shall use the results of such inspection in determining whether to issue the License, with or without conditions, or to not issue the License.

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E. Short-Term Rental Permit-License Provisions.

1. A short-term rental permit shall be obtained prior to using the premises as a short-term rental.
2. A short-term rental permit shall be valid for two calendar years, and shall expire on December 31 of the second year it is in effect, and must be renewed upon expiration as long as the unit is used as a short-term rental.
3. The short-term rental permit is transferable to a new owner, so long as the owner registers with the City, updates the short-term rental permit, application, and agrees in writing to comply with the requirements of the short-term rental permit and these regulations.
4. If the conditions under which the short-term rental permit is issued are not maintained or these regulations are violated, the short-term rental permit may be revoked and the owner subject to the penalties of this Chapter and the penalties set forth below.

F. Short-term rental permits issued pursuant to this section shall state the following:

1. The names, addresses, and phone numbers of the subject property owner or property manager who lives within 30 minutes of the City of Geneva if subject property owners do not live within 30 minutes of the City of Geneva.
2. Identification of the number of and location of off-street parking spaces available and the amount required by the code.
3. A statement that the short-term rental permit may be revoked for violations.
4. A statement that guests must comply with the Noise Ordinance of the City of Geneva, as set forth in Chapter 232 of the City Code, which ordinance will be enforced by the City Police Department, the Ontario County Sheriff's Department, the New York State Police, or any law enforcement agency properly exercising jurisdiction over the premises or incident;
5. Any conditions imposed by the City Code Enforcement Office or the City Planning Board on Special Use Permit Review.
6. The permit expiration date, which shall be December 31st of the second year the permit is effective.

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G. The current short-term rental permit shall be prominently displayed inside and near the front entrance of the short-term rental.

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H. Application Denial. City Code Enforcement may decline an application for any of the following reasons:

1. The application is incomplete, the documentation required is not included with the application, or the full permit fee, in payment form acceptable for the City Clerk, is not included with the application.
2. A short-term rental permit issued to any of the owners was revoked within the two years prior to the date of the application.
3. City Code Enforcement determines upon review of application or permit inspection that the subject property is not in compliance with City code.
4. The site plan required to be submitted with the application does not comport with the requirements of this section.

215-44-2 Owner/Tenant Responsibilities

A. The Owner of a Short-Term Rental shall be responsible for any nuisance violations arising at a property during Short-Term Rental activities.

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B. The Owner of a Short-Term Rental shall fully comply with all applicable State and Local fire, building, health and safety laws, and all relevant local ordinances, including City parking standards.

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C. The Owner must conspicuously post the Short-Term Rental License in a protected mounting in the public corridor, hallway or lobby of the dwelling for which the license was issued. This posting shall be in a common entrance. If no common entrance exists, then posting shall be made at the entrance of each dwelling unit.

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D. It shall be the responsibility of the Owner to acquire and maintain a valid sales tax certificate as required by New York State Law. Except for those instances in which a Platform bears the responsibility for collecting and remitting taxes and fees applicable to Short-Term Rentals, the Owner shall timely remit all applicable local, state, federal taxes and fees, owed in connection with any Short-Term Rental. The failure of a Platform to collect and remit taxes and fees shall not relieve an Owner of the obligation to pay taxes and fees owed pursuant to this Chapter.

E. With respect to the dwelling unit which the tenant occupies, controls or uses, the Owner shall be responsible for the following standards:

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1. Occupancy limitations and the lawful use of a dwelling unit;

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2. Maintenance of the dwelling unit in a clean, safe and sanitary condition;

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3. Maintenance of plumbing, cooking and refrigeration equipment, appliances, fixtures and facilities contained in the dwelling unit in a clean and sanitary condition;

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4. Keeping exits in the dwelling unit free and clear of obstacles and debris.
 5. Disposal of garbage, refuse and debris in a sanitary manner and keeping the dwelling unit, lot, and neighboring lots free and clear from garbage, refuse and debris from the Short Term Rental.
 6. Keeping domestic animals and pets in an appropriate manner and under control, to the extent that domestic animals and pets are permitted on the premises by the Owner.
 7. All occupants and visitors to the Short-Term Rental unit shall comply with all relevant occupancy and parking codes. In addition, occupants and visitors shall park motor vehicles only on-site (if the property is designed to accommodate on-site parking) or off-site where parking adjacent to the property is allowed. Notice of the parking locations allowed and other requirements shall be conspicuously posted on the inside of the Short-Term Rental unit.
 8. Ensuring that all occupants of the dwelling unit refrain from making any disturbing, offensive or excessive noise at any time, including but not limited to respecting quiet hours between the hours of 10 p.m. and 7 a.m., which would annoy or disturb the peace, quiet or comfort of a reasonable person of normal sensibilities. Each Short-Term Rental unit shall be required to prominently display a notice in any yard, porch, patio, deck, and/or pool area where renters may gather outside that indicates that unreasonable noise is prohibited by the City Code Chapter 323 and listing quiet hours.
- F. Compliance with Other Laws. The Owner shall ensure that any Short-Term Rental fully complies with the provisions of this Chapter, the City Zoning Ordinance, and all other applicable laws.

350-44-6215-44-3. Compliance, Hearings, and Penalties.

- A. Owners of short-term rental units shall obey all applicable laws, ordinances, and regulations of the City of Geneva, Ontario County, New York States and the United States of America, and shall be subject to the enforcement proceedings contained in this section.
- B. Any Special Permit and/or License issued pursuant to this code is subject to continuing compliance with the conditions set forth herein, as well as any applicable laws, codes, regulations or ordinances.
- C. The Director or his designee shall be given access to the premises for the purpose of making inspection as deemed necessary from time to time to ensure compliance with these regulations and with applicable State and Local codes.
- D. Inspection Fee. Every property Owner shall pay a fee to be set by the City Council annually in their schedule of fees, to be assessed against the property, for each inspection in which violations of State or Local laws, codes, regulations and/or ordinances are found. Code Enforcement Office shall assess the fee, when, in the evaluation of the inspector, the status of the violation has not progressed or been satisfactorily completed. The fee shall not be applicable to inspections ordered

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after the commencement of a Court action, nor any initial inspection required pursuant to the application process above, but shall apply to subsequent re-inspections pursuant to the aforementioned sections.

E. In the event that the Code Enforcement Office determines that a violation exists, it shall inform the Owner by written correspondence, hand delivered or sent via first class mail to the address provided on the application, and provide a fixed period of time, not to exceed thirty (30) days, to remedy all existing violations or show cause for delay, which may only be granted once, by the Code Enforcement Office, for a time period not to exceed ninety (90) days.

F. Failure to remedy violations

1. Following the expiration of the time period set forth in Section "E" above, the Owner of the Short-Term Rental unit shall be guilty of a violation and such License will be immediately suspended for a period of sixty (60) days. Continued failure to remedy an initial violation following the sixty (60) day suspension shall be considered a second violation.

2. The Owner of the Short-Term Rental guilty of a second violation shall be further suspended for a period of one hundred twenty (120) days. Continued failure to remedy a second violation following the one hundred twenty (120) day suspension, shall be considered a third violation.

3. The Owner of the Short-Term Rental guilty of a third violation shall have their Short-Term Rental License immediately revoked for that Owner and location.

G. An Owner that has a License permit revoked may not apply or be granted another License for a period of two (2) years from the date of revocation, and no such License shall be reinstated unless the Owner has demonstrated that all violations have been corrected and that he/she/they is in full compliance with all applicable provisions of this chapter. Revocation and/or multiple violations may be grounds for the denial of a subsequent application under this Chapter.

H. Non-Permitted/Licensed Operation: No person shall operate a Short-Term Rental unit without a current Special Permit or Site Plan Approval as required in the applicable zone, and a License issued pursuant to this Chapter. In the event that the Code Enforcement Office determines that a violation of this subsection exists, it shall inform the Operator by written correspondence, hand delivered or sent via first class mail to the address of the property in question. The Operator will be given seventy-two (72) hours to cease operating the subject property as a Short-Term Rental unit. Should such unpermitted/unlicensed operation continue after seventy-two (72) hours, the Operator shall be in violation of this Chapter and be subject to the penalties listed below

A. The following process shall be followed in the event of a violation of this section or a permit issued under this section:

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1. — A complaining party or the City Code Enforcement Office upon a reasonable belief a violation set forth in section "A" has occurred, shall attempt to contact the contact person designated on the permit, describe the complaint, and indicate the desired remedy.

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2. — The contact person shall, within twelve hours of receiving the complaint, respond to the complaining party or to the City Code Enforcement Office and remedy as soon as reasonably possible any situation that is out of compliance with this section or with the short-term rental permit for the property.

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3. — If the response is not satisfactory to the complaining party or to the City Code Enforcement Office or if the contact person cannot be reached, the complaining party or the City Code Enforcement Office may file a written complaint, including the date, time and nature of the alleged violation as well as a statement that the complaining party or the City Code Enforcement Office either unsuccessfully attempted to contact the contact person or did contact the contact person but the complaint was not adequately resolved. Failure to attempt to contact the contact person will not excuse a violation.

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4. — A copy of the written complaint shall be delivered to the owner who shall file a response with the City Code Enforcement Office no later than ten (10) days of receipt of a copy of the complaint.

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5. — The City Code Enforcement Office shall issue a written determination concerning the Complaint within ten (10) days of receipt of the owner's response, setting forth a statement of violation or no violation, the reasons therefore, and

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a. — Imposing reasonable conditions to the existing short-term rental permit;

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b. — Suspending the short-term rental permit; or

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c. — Revoking the short-term rental permit.

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6. — Should a permit be revoked, none of the owners of the short-term rental property may obtain any short-term rental permit sooner than one year after the date of revocation.

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215-44-4350-44-7 Appeals

Decisions of the Code Enforcement Officer will be provided to the parties and may be appealed by the owner or by the complaining party, by filing a written appeal within thirty (30) days of receipt of the decision, to the City Zoning Board of Appeals. The Zoning Board of Appeals shall conduct a de novo review of the decision.

215-44-5 350-44-8 Penalty

Those determined to be operating a Short-Term Rental without a required permit or license or, — otherwise failing to comply with determinations of the City Code Enforcement Office; or the City Planning Board on Special Use Permit Review; or

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otherwise failing to comply with City Code § 2150-44 will be guilty of a violation, punishable by a fine to be set by City Council. For the purposes of City Code § 2150-44, each day a violation exists shall constitute a separate violation.

215-44-6 350-44.9 Effective Date

This Ordinance, amending the Geneva City Zoning-Code shall take effect immediately upon adoption by the City Council.

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**Geneva City Council
Agenda Item Briefing**

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: September 6, 2023

Item Title: Resolution Establishing a Public Hearing — Adoption of 2024 Budget

Action Required:

If approved this resolution sets a public hearing on the 2024 budget for Wednesday, October 7, 2023.

Background:

The City Manager will present the 2024 budget on September 26, 2023. This resolution sets a public hearing on the budget for community members to provide feedback to council prior to budget adoption, which will occur by October 31, 2023.

Financial Impact:

None.

Office of the City Manager

Amie Hendrix

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

(315) 789-2603 - FAX (315) 789-0604 – ahendrix@geneva.ny.us - www.cityofgenevany.com

RESOLUTION #36 – 2023

RESOLUTION ESTABLISHING A PUBLIC HEARING—ADOPTION OF 2024 BUDGET

WHEREAS, City Council will receive the City Manager's budget proposal for 2024 on September 26; and

WHEREAS, the City Charter calls for the scheduling of a Public Hearing to hear comment on the budget proposal in advance of budget adoption; and

WHEREAS, City Council anticipates adopting the 2024 budget at a special meeting on or before October 31, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Geneva City Council, hereby and in due form does set a Public Hearing on the City Manager's Budget proposal for 2023 for 7:00 p.m. on October 4, 2023.



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: September 6, 2023

Item Title: Resolution Dissolving the Disability Awareness and Public Art Committees, Hiring Assistance Board, College Livability and Police Body Camera Task Forces

Action Required:

If approved the following boards, commissions, and task forces will be dissolved:

- Disability Awareness Committee
- Hiring Assistance Board
- Public Art Committee
- College Livability Task Force
- Police Body Camera Policy Task Force

Background:

Staff reviewed the current committees, commissions, boards, and task forces and their relationships to the City of Geneva which council then discussed at the August 2 Meeting. When reviewing these entities, the committees, board, and task forces listed above have either completed their assigned mission and/or have not met for several years.

The work from all of the bodies has been important to the city and has moved the city forward in a variety of ways. With the work now completed or the body not meeting in at least two years, this resolution will remove these bodies that are inactive. If there is on-going work that these entities should be taking on this workload will be reallocated to existing boards, committees, or commissions, such as the Human Rights Commission or the Recreation Advisory Board. This will allow staff and community resources to be optimized through boards, committees, and commissions and potentially sub-committees of these entities.

If at any time Council believes that one of these entities should be re-established or a new committee could be established its within their power to do so.

On August 2, Community Compact was also discussed for dissolution. As staff work to better understand the creation and work of this committee, this is not be recommended for dissolution at this time.

Financial Impact:

None.

Office of the City Manager

Amie Hendrix

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

(315) 789-2603 - FAX (315) 789-0604 – ahendrix@geneva.ny.us - www.cityofgenevany.com

RESOLUTION #37 - 2023

RESOLUTION DISSOLVING THE DISABILITY AWARENESS AND PUBLIC ART COMMITTEES, HIRING ASSISTANCE BOARD, COLLEGE LIVEABILITY AND POLICE BODY CAMERA TASK FORCES

WHEREAS, the Disability Awareness Committee, Public Art Committee and Hiring Assistance Board, were established to provide advisement to City Council as committees and a board of council; and

WHEREAS, the College Livability Task Force and Police Body Camera Policy Task Force, were established as a temporary organization created to solve a challenge faced by the city; and

WHEREAS, the above-mentioned board, committees, and task forces have provided valuable insight to the city during their operations, achieving goals set out for each entity and advancing the work of the City of Geneva; and

WHEREAS, these bodies do not have currently active appointed members; and

WHEREAS, the City acknowledges the work of these bodies and their contributions to the city and is appreciative for their accomplishments; and

WHEREAS, any remaining work of each entity is either complete or can be transferred to other boards, committees, or commissions;

NOW, THEREFORE BE IT RESOLVED, that the Geneva City Council, hereby and in due form, does dissolve the Disability Awareness Committee, Hiring Assistance Board, Public Art Committee, College Livability Task Force, and Police Body Camera Task Force and transfers any outstanding responsibilities to current committees including but not limited to the Recreation Advisory Board and Human Rights Commission.



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Matthew Colton, Chief of Police

Meeting Date: September 6, 2023

Item Title: Resolution Authorizing the City Manager to sign an Ontario County Sheriff's Office SWAT Inter-Municipal Agreement

Action Required:

An affirmative vote by City Council is required.

Background:

Since 2019, the City of Geneva Police Department has been in partnership with the Ontario County SWAT team. This collaboration includes three active members from the Geneva Police Department who contribute significantly to the SWAT team's operations.

The City of Geneva is often the primary location for SWAT interventions. The inclusion of Geneva Police Department members on the team is invaluable, as their familiarity with the local jurisdiction and its residents greatly enhances the planning and execution of operations. This local knowledge enables the SWAT team to operate more effectively and efficiently, ensuring a safer environment for both team members and residents. The SWAT team employs specialized tactics to handle incidents that are beyond the scope of regular patrol officers, ensuring public safety in complex or dangerous situations.

The advantages of having Geneva Police Department officers on the SWAT team are manifold. These officers receive specialized training that they can then impart to their colleagues in the police department. This training encompasses a wide range of areas including enhanced firearms training, advanced search tactics, medical/first aid skills, officer safety awareness, non-lethal strategies (such as hostage negotiations and crisis intervention), leadership development, team building, and much more.

Moreover, assigning officers from the Geneva Police Department to the SWAT team provides them with an opportunity for professional growth and broadening their skill set. This not only benefits the individual officers but also gives the department a competitive edge in attracting and retaining police personnel.

Alternatives:

In the event that the City of Geneva fails to comply with the terms of the agreement, the SWAT team will not be certified and will be ineligible for grant funding. Despite this, the three members from the Geneva Police Department will continue to collaborate with the Ontario County Sheriff's Office SWAT team.

Financial Impact:

This agreement, which has been adhered to since 2019, will not result in any additional financial impact. It ensures that the Ontario County Sheriff's Office is certified by the State of New York and is eligible for up to \$75,000 per year in grant funding. These funds will be used to better serve the needs of all municipalities represented on the SWAT team, including the Ontario County Sheriff's Office, Geneva Police Department, and Canandaigua Police Department.

RESOLUTION #38 - 2023

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN ONTARIO COUNTY SHERIFF'S OFFICE SWAT INTER-MUNICIPAL AGREEMENT

WHEREAS, Section 119-O of the General Municipal Law permits corporations to enter into cooperative agreements for the provision of joint services; and

WHEREAS, the City of Geneva Police Department wishes to enter into a multi-jurisdictional Special Weapons and Tactics agreement with the Ontario County Sheriff's Office; and

WHEREAS, the City of Geneva Police Department has been in agreement with the Ontario County Sheriff's Office for since 2019; and

WHEREAS, the City of Geneva Police Department currently has three Police Officers on the Special Weapons and Tactics team;

WHEREAS, this agreement will certify the Ontario County Special Weapons and Tactics team in the State of New York; and

WHEREAS, this cooperation will enable the Ontario County Sheriff's Office to receive grants that will benefit the City of Geneva; and

WHEREAS, the City of Geneva Police Department highly recommends approving the Inter-Municipal Agreement with Ontario County and the Ontario County Sheriff's Office's Special Weapons and Tactics team;

NOW, THEREFORE BE IT RESOLVED that City Council and the City of Geneva approve the Inter-Municipal Agreement with Ontario County and the Ontario County Sheriff's Office's Special Weapons and Tactics team; and

FURTHER BE IT RESOLVED that the Chief of Police and the City Manager are authorized to execute the Special Weapons and Tactics team agreement with Ontario County and the Ontario County Sheriff's Office, as well as all other necessary documents.

ONTARIO COUNTY SPECIAL WEAPONS AND TACTICS TEAM

Inter-municipal Agreement

By and Between

**Ontario County Sheriff's Office and
City of Canandaigua and City of Geneva**

THIS INTER-MUNICIPAL AGREEMENT (this "Agreement") is made this ____ day of _____ 20__, by and between

THE COUNTY OF ONTARIO, a municipal corporation of the State of New York, having an office and place of business at Ontario County Municipal Building, 20 Ontario Street, Canandaigua, New York 14424 (hereinafter referred to as the "County") and the **ONTARIO COUNTY SHERIFF'S OFFICE** (hereinafter referred to as the "Sheriff's Office"),

And

THE CITY OF CANANDAIGUA, a municipal corporation of the State of New York, having an office and place of business at 2 North Main Street, Canandaigua, New York 14424 (hereinafter referred to as "Canandaigua") and the **CANANDAIGUA POLICE DEPARTMENT** (hereinafter referred to as "Canandaigua Police Department"),

And

THE CITY OF GENEVA, a municipal corporation of the State of New York, having an office and place of business at 47 Castle Street, Geneva, New York 14456 (hereinafter referred to as "Geneva") and the **CITY OF GENEVA POLICE DEPARTMENT** (hereinafter referred to as the "Geneva Police Department"). The County, the Sheriff's Office, Canandaigua, Canandaigua Police Department, Geneva, the Geneva Police Department are at time herein referred to individually as a "Party" and collectively as the "Parties."

WHEREAS, Section 119-o of the General Municipal Law permits municipal corporations to enter into agreements for the performance amongst themselves or one for the other of their respective functions, powers, and duties on a cooperative or contract basis for the provision of a joint service; and

WHEREAS, the Parties hereto have experienced within their jurisdictions a need for the response of a police tactical team to deal with certain criminal acts or threats including but not limited to barricaded suspects, hostage takers, or other persons committing violent acts to the public that may be more effectively dealt with through the use of a specially trained tactical team rather than standard police operations; and

WHEREAS, Section 119-n of the General Municipal Law authorizes Law Enforcement Officers to exercise certain police powers and authorities outside their geographical area of employment when performing a joint service with another municipality; and

WHEREAS, the Parties have determined that it is in the best interests of the respective communities and of mutual advantage to enter into this Agreement for the provision of inter-agency law enforcement services.

NOW THEREFORE, pursuant to the above considerations and the covenants and mutual benefits herein expressed, the Parties agree as follows:

I. PURPOSE

1. It is the intent of the Parties to secure through the mechanisms hereby created:
 - a. More efficient utilization of police services and resources;
 - b. An enhanced degree of cooperation between law enforcement agencies within the participating municipalities;
 - c. More timely and effective response to calls for specialized police assistance;
 - d. Adequate manpower levels of highly trained law enforcement officers to resolve crisis and high-risk situations.
2. This Agreement is strictly voluntary in nature and places no jurisdiction participating in it under any obligation to respond to a request for tactical services that it is unable to provide. All participating municipalities and their respective law enforcement agency will make every good faith effort to all SWAT Team (as defined below) members the opportunity to participate in operations and training.

II. THE SPECIAL WEAPONS AND TACTICS (SWAT) TEAM

1. The SPECIAL WEAPONS AND TACTICS TEAM (the "SWAT" or the "Team") is a specialized unit of law enforcement officers, maintained by the Sheriff's Office, who are trained and equipped to respond to and resolve crisis and high-risk situations such as hostage incidents, armed barricaded subjects, high-risk search and arrest warrant executions and other duties as assigned.
2. The SWAT Team is supervised by a single team commander and team leader acting under the overall direction of the County Sheriff. The selection process for team commander and team leaders is outlined in the Ontario County SWAT SOP. SWAT is comprised of deputy members from the Sheriff's Office ("Deputy Members") and officer members from the Canandaigua Police Department and Geneva Police Department ("Officer Members").
3. Officer Members assigned to SWAT will respond and participate in all SWAT operations (when able and practical) as directed by the Team commander, Team leader or their designee, regardless of what municipality the operation is being conducted in and regardless of what municipality the Officer Member is employed by.
4. SWAT may respond to handle and resolve crisis or high-risk incidents and conduct other operations anywhere within the County, including, the Cities of Canandaigua and Geneva, when requested, where full-time police departments maintain jurisdiction.

III. SWAT TEAM MEMBER QUALIFICATIONS

1. The Canandaigua and Geneva Police Chiefs (the "Police Chiefs") are authorized to designate respective certified law enforcement officers to serve on the SWAT TEAM subject to approval by the County Sheriff. The number of Officer Members to be assigned will be mutually agreed upon by the respective chiefs and the County Sheriff.
2. Officer Members assigned to SWAT are required to meet any and all entry-level and continuing qualification standards of SWAT as established by the Sheriff's Office under guidance of DCJS SWAT Team Standards
3. The Sheriff's Office reserves the right to deny any Officer Member from potential or pending assignment to SWAT and/or dismiss any Officer Member from SWAT. In the event of any denial or dismissal, the County Sheriff will provide a written explanation to the respective Police Chief
4. The Canandaigua and Geneva Police Chiefs agree to notify the County Sheriff about any significant personnel complaint, internal investigation or disciplinary action concerning any of its own officers assigned to the SWAT Team. In the event the Officer Member is suspended or otherwise removed from enforcement duties by their respective Police Chief, the Police Chief will immediately communicate such action to the County Sheriff and the Officer Member will automatically be suspended from SWAT pending resolution of the matter
5. Officer members assigned to the SWAT must sign a written waiver of any confidentiality rights which would prevent the Sheriff from being notified of the above circumstances. The County Sheriff shall keep such information communicated to him confidential (when such information is typically deemed confidential) and to use and disclose the information solely for the purpose of, and to the extent necessary to determine, whether the Officer Member should be temporarily or permanently removed from The SWAT Team. The County Sheriff will fully consult with the respective Police Chief prior to taking such action.

IV. SWAT TEAM MEMBER RESPONSIBILITIES

1. Deputy Sheriff Members and Officer Members assigned to the SWAT TEAM are required to participate in all SWAT activities
2. The Sheriff's Office will maintain SWAT training records and documentation concerning Officer Members and provide such records to their respective Police Chiefs upon request.
3. Officer Members will complete any reports or other documentation required by SWAT policies and procedures. Upon request, the County Sheriff will provide, for review by the respective Police Chiefs, any reports and other documentation relating to any SWAT operation or other activity in which Officer Members participate.

4. All SWAT Team Members from all respective agencies will follow policies, procedures and directives issued by the Sheriff's Office pertinent to SWAT operations. The County Sheriff will fully consult with the Police Chiefs on SWAT policies, procedures and training matters. The Police Chiefs will be given the opportunity to review, and comment on proposed changes in SWAT policies and procedures prior to their issuance.

V. **COMPENSATION**

1. The Sheriff's Office and the County shall have no obligation for payment of Officer Member wages or withholding for unemployment, workers compensation, or for any other payment or benefits to the Officer Members
2. Each Party understands and agrees that it is and shall in all respects be considered independent with each being solely responsible for compensation of its own officers including, but not limited to, all salaries, legal and contractual benefits, and other personnel costs together with equipment and supply costs.
3. Payment of costs associated with use of a private vendor or consultant for training or other non-routine training costs will be determined by the Sheriff and respective Police Chiefs on a case-by-case basis.

VI. **COMMAND, CONTROL & ADMINISTRATION**

1. All SWAT Team operations, including those within the City of Canandaigua and City of Geneva, will be under the tactical command of the SWAT commander, Team leader or their designee.
 - a. The Police Chiefs agree that Officer Members may be summoned to respond to a SWAT deployment directly by the SWAT commander or Team leader or their designee or other notification procedure utilized by the SWAT.
 - b. Police Chiefs may establish additional notification procedures internally within their respective agencies provided such procedures do not unduly delay the response of the Officer Members
 - c. On occasions when the Sheriff's Office has advance notice of a possible SWAT deployment, the County Sheriff, or his designee will provide advanced notice to the respective Police Chiefs.
 - d. In the event an Officer Member is needed in his or her territory, the respective Police Chief may recall the Officer Member. The Police Chief shall inform the County Sheriff or SWAT Commander of his/her intent to withdraw the Officer Member from the SWAT operation.
2. While participating in any SWAT operation, training or other activity, Officer Members will operate under the direct supervision, control and command of the SWAT commander, Team

leader or their designee. In the event an Officer Member is appointed to a supervisory position on The SWAT Team, Deputy Members will operate under the direct supervision, control and command of that Officer Member.

3. In any tactical operation within the City of Canandaigua or the City of Geneva, which requires designation of an incident commander, the respective Police Chief, or their designee, will serve as incident commander. In all other SWAT operations, the Sheriff's Office will designate an incident commander. Upon request, each Party may provide additional support personnel.
4. The incident commander shall have primary responsibility for the operation. The SWAT Commander is subordinate to the Incident Commander only in terms of when and if a tactical option will be initiated, not how the tactical operations will be performed. SWAT Team members will be under the supervisory control of the SWAT structure during incidents and training events.
5. During a SWAT operation, the County Sheriff, the Police Chiefs, and the command staff of each agency, will fully communicate all information and developments to each other and each will have access to all pertinent information regarding any operation. The County Sheriff and the Police Chiefs will fully consult and consider the views of the other as to any major decision concerning the conduct of the operation. Command decisions of the County Sheriff or his designee will be final with reference to the SWAT part of operations.

VII. **UNIFORMS & EQUIPMENT**

1. The respective Police Chiefs are obligated to provide and Officer Member assigned to the SWAT all uniforms and equipment required. The Sheriff's Office will consult and cooperate with all respective Police Departments in the purchase of such uniforms and equipment to ensure compatibility and cost efficiency.

VIII. **LINE OF DUTY DEATH OR INJURY**

1. The effect of the death, injury, or disability of any Officer Member who is killed, injured, or disabled outside their geographical area of employment while in the performance of the Agreement, shall be the same as if the Officer Member were killed, injured, or disabled while the Officer Member was functioning within their geographical area of employment, and such injury or death shall be considered to be in the line of duty.
2. In the event of an officer-involved shooting, accidental injury or other event or results requiring investigation or review the Ontario County Sheriff's Office and the State Attorney General's office will conduct any criminal investigation relative to suspects and/or police officer respectively. All Parties will cooperate and consult with each other in the conduct of such investigation or review. Each Party will make available to the other any information or resources necessary to conduct such investigation or review, within the confines of the law.
3. The County Sheriff and the respective Police Chiefs will fully communicate, consult, and cooperate with each other to ensure that a thorough, efficient, and effective investigation

or review is conducted and that unnecessary duplication is avoided. The results of such investigation shall be shared with each local government.

IX. **PRIVILEGES & IMMUNITIES**

1. To the extent permitted by law, all the powers, duties, rights, privileges, and immunities from liability which surround activities of Officer Member's when performing their functions within their respective geographical area of employment shall apply to Officer Member's activities as a member of the SWAT Team, regardless if the activities occurred outside the Officer Member's geographical area of employment.
2. Specifically, pursuant to Sections 119-n and 119-o of the General Municipal Law, law enforcement officers assisting other local government outside their normal geographical area of employment shall have all powers and authority of law enforcement officers in such other jurisdiction as provided by law, including the power of arrest.

X. **INSURANCE AND MUTUAL DEFENSE AND INDEMNIFICATION**

1. The Parties shall secure and maintain the required insurance identified in Schedule B, which is attached hereto and made a part hereof. Self-insurance at levels at or above those required in Schedule B shall be sufficient to satisfy this paragraph's insurance requirement. A Party shall reimburse the other for any funds expended by the other that would have been paid by Party's insurance carrier under any required insurance. Should a Party's required insurance be cancelled or lapse in any way, it shall submit the insurer's notice of cancellation or lapse to the others within two business days of receipt.
2. To the fullest extent permitted by law, each Party, (the "Indemnifying Party"), except to the extent that the other party is negligent, agrees to defend, indemnify and hold harmless the other Party (together with its respective officers, employees, agents, and independent contractors, the "Indemnified Party"), at the Indemnifying Party's own cost and at no cost to the Indemnified Party, from and against all claims, actions and suits, including appeals, for: (1) personal injury to, or death of, any person; or (2) loss or damage to property, arising out of, or resulting from, the negligent acts or omissions of the Indemnifying Party and/or any of its officers, employees, agents, or independent contractors under this Agreement. These indemnification provisions are for the protection of the Indemnified Party only and shall not establish, of themselves, any liability to third parties. The duty to defend shall be triggered upon the Indemnified Party's receipt of a Notice of Claim, service of process or other demand or claim. The provisions of this section shall survive the expiration or earlier termination of this Agreement.

XI. **MISCELLANEOUS**

1. This agreement shall not be effective until approved by a majority vote, as required by Section 119-o of the General Municipal Law, of the governing body of each Party.
2. This agreement and its attachments constitute the entire Agreement between the Parties with respect to the subject matter hereof and shall supersede all previous negotiations,

commitments and writings. It shall not be changed or modified except by an instrument in writing signed by a duly authorized representative of each of the Parties.

3. If any provision of this Agreement is determined to be invalid or unenforceable, that shall not affect the validity or enforceability of the remaining portions of this Agreement. Any such invalid or unenforceable provision shall be modified so as to give effect to the original intent of the Parties to the maximum extent possible.
4. The date of commencement shall be determined by the date that the last of the required signatures is affixed to this Agreement. This Agreement shall be in effect for five years from the date of commencement.
5. Any party may terminate any rights and obligations under this Agreement at any time by giving thirty days written notice of its intent to withdraw from this Agreement. It is specifically understood and agreed by and among the Parties that the withdrawal of any one or more parties does not nullify this Agreement nor require its redrafting or re-execution.

IN WITNESS WHEREOF, the Parties have executed this Agreement the date and year above written

[Signature blocks on the following pages]

COUNTY OF ONTARIO

ONTARIO COUNTY SHERIFF

_____, County Administrator

_____, Sheriff

Date

Date

STATE OF _____)

COUNTY OF _____):ss.;

On the ____ day of _____, in the year 20__ before me personally appeared _____, known to me to be the person who executed the within instrument, who being duly sworn by me did depose and say that _____ resides at _____ in the Town/City of _____, County of _____, State of _____; that _____ is _____ of the _____, the Municipality described in said instrument; that, by authority of the Legislative Body of said Municipality, _____ is authorized to execute the foregoing instrument on behalf of the Municipality for the purposes set forth therein; and that, pursuant to that authority, _____ executed the foregoing instrument in the name of and on behalf of said Municipality, as the act and deed of said Municipality.

Notary Public

STATE OF _____)

COUNTY OF _____):ss.;

On the ____ day of _____, in the year 20__ before me personally appeared _____, known to me to be the person who executed the within instrument, who being duly sworn by me did depose and say that _____ resides at _____ in the Town/City of _____, County of _____, State of _____; that _____ is _____ of the _____, the Municipality described in said instrument; that, by authority of the Legislative Body of said Municipality, _____ is authorized to execute the foregoing instrument on behalf of the Municipality for the purposes set forth therein; and that, pursuant to that authority, _____ executed the foregoing instrument in the name of and on behalf of said Municipality, as the act and deed of said Municipality.

Notary Public

CITY OF CANANDAIGUA

CANANDAIGUA POLICE DEPARTMENT

_____, City Manager

_____, Chief of Police

Date

Date

STATE OF _____)

COUNTY OF _____):ss.;

On the ____ day of _____, in the year 20____ before me personally appeared _____, known to me to be the person who executed the within instrument, who being duly sworn by me did depose and say that _____ resides at _____ in the Town/City of _____, County of _____, State of _____; that _____ is _____ of the _____, the Municipality described in said instrument; that, by authority of the Legislative Body of said Municipality, _____ is authorized to execute the foregoing instrument on behalf of the Municipality for the purposes set forth therein; and that, pursuant to that authority, _____ executed the foregoing instrument in the name of and on behalf of said Municipality, as the act and deed of said Municipality.

Notary Public

STATE OF _____)

COUNTY OF _____):ss.;

On the ____ day of _____, in the year 20____ before me personally appeared _____, known to me to be the person who executed the within instrument, who being duly sworn by me did depose and say that _____ resides at _____ in the Town/City of _____, County of _____, State of _____; that _____ is _____ of the _____, the Municipality described in said instrument; that, by authority of the Legislative Body of said Municipality, _____ is authorized to execute the foregoing instrument on behalf of the Municipality for the purposes set forth therein; and that, pursuant to that authority, _____ executed the foregoing instrument in the name of and on behalf of said Municipality, as the act and deed of said Municipality.

Notary Public

CITY OF GENEVA

GENEVA POLICE DEPARTMENT

_____, City Manager

_____, Chief of Police

Date

Date

STATE OF _____)

COUNTY OF _____):ss.;

On the ____ day of _____, in the year 20__ before me personally appeared _____, known to me to be the person who executed the within instrument, who being duly sworn by me did depose and say that _____ resides at _____ in the Town/City of _____, County of _____, State of _____; that _____ is _____ of the _____, the Municipality described in said instrument; that, by authority of the Legislative Body of said Municipality, _____ is authorized to execute the foregoing instrument on behalf of the Municipality for the purposes set forth therein; and that, pursuant to that authority, _____ executed the foregoing instrument in the name of and on behalf of said Municipality, as the act and deed of said Municipality.

Notary Public

STATE OF _____)

COUNTY OF _____):ss.;

On the ____ day of _____, in the year 20__ before me personally appeared _____, known to me to be the person who executed the within instrument, who being duly sworn by me did depose and say that _____ resides at _____ in the Town/City of _____, County of _____, State of _____; that _____ is _____ of the _____, the Municipality described in said instrument; that, by authority of the Legislative Body of said Municipality, _____ is authorized to execute the foregoing instrument on behalf of the Municipality for the purposes set forth therein; and that, pursuant to that authority, _____ executed the foregoing instrument in the name of and on behalf of said Municipality, as the act and deed of said Municipality.

Notary Public

Schedule "B"

This "Schedule B" to the Ontario County Special Weapons and Tactics Team Inter-municipal Agreement (the "Agreement") consists of (1) proof of Workers' Compensation insurance, (2) proof of Disability insurance, (3) proof of liability insurance and (4) these Schedule "B" Instructions. Proof of insurance is usually in the form of an insurance ACORD Certificate that shall be provided by all Parties to the Agreement.

ANY change in or waiver of insurance requirements must be approved by all Parties. A written explanation of change or waiver shall be provided if any such change or waiver is approved by the Parties.

Workers' Compensation and Disability Insurance:

Each Party shall provide the other Parties with proof of Workers' Compensation and Disability insurance in compliance with New York State law. If the Party is not required to have these types of insurance, such Party must provide a form CE-200, which can be filled out on the State's website at www.web.state.ny.us.

Liability Insurance

The type and limits of liability insurance required by each Party are contained in Column G of the attached insurance matrix.

Once the category of liability insurance is chosen, each Party shall provide an ACORD Insurance Certificate, or other proof of complaint self-insurance acceptable to the other Parties. If providing an ACORD Insurance Certificate, the same must indicate compliance with the requirements and further contains ALL of the following:

- a. All insurance certificates must be on a New York approved ACORD form. ACORD Insurance Certificates must be executed by an insurance company and/or agency or broker, which is licensed by the Insurance Department of the State of New York.
- b. The proper ACORD form must contain (i) the name of the agent producing the form (ii) a policy number, (iii) policy effective date and expiration date, and (iv) the name of the Party, which must match the Party name on the Agreement.
- c. Insurance shall be written on an occurrence coverage form. Insurance shall include coverage for bodily injury and property damage liability.
- d. All GENERAL AND AUTO LIABILITY insurance certificates must name every other Party as an "additional insured." Additional insured status must include products and completed operations.
- e. "Certificate Holder" shall be made out to:

(i) For Ontario County and the Ontario County Sheriff's Office, the "County of Ontario, 20 Ontario Street St., Canandaigua, NY 14424";

(ii) For the City of Canandaigua and Canandaigua Police Department,
_____;

(iii) For the City of Geneva and City of Geneva Police Department,
_____;

- f. Coverage must comply with all specifications of the Agreement.
- g. The Description of Operations must say "Performance of services provided as per Ontario County Special Weapons and Tactics Team Inter-municipal Agreement."

Notice of Non-renewal, Change, or Cancellation

Each Party shall provide to all other Parties at least thirty (30) days prior written notice of any non-renewal, change, or cancellation of the policy or policies required herein.

Proof of Insurance

All insurance forms are only good for one year and the Parties must provide new certificates or proof of compliant self-insurance when they expire.

Limitation of Liability

The policy limits required by this Schedule B shall in no way operate or be considered as a limitation of any Party's liability.

Waiver of Subrogation

Each Party hereby grants to all other Parties a waiver of any right to subrogation which any insurer of said Party may acquire against any other Party by virtue of the payment of any loss under such insurance. The Parties agree to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not any Party has received from any other Party a waiver of subrogation endorsement from the insurer.

Primary Coverage

Each Party's insurance shall be primary and the additional insured's insurance shall be excess and shall not contribute with it.

Vendor Classification	A Construction & Maintenance	B Purchase or Lease of Merchandise or Equipment	C Consultant Services	D Professional Services	E Property Leased to Others or Use of Facilities or Grounds	F Transportation Services	G All Purposes Public Entity Contracts
Commercial							
General Liability							
Each Occurrence	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL
Fire Damage	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
General Aggregate	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
Product Comp/Op	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
Personal & Adv. Injury			\$ 1,000,000.00	\$ 1,000,000.00			
Auto Liability							
Owned	\$1,000,000 CSL	***	***	***	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL
Hired	\$ 1,000,000.00				\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
Non-Owned	\$ 1,000,000.00				\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
Workers Compensation & Employers Liability	See Below	See Below	See Below	See Below	See Below	See Below	
Disability Benefits	See Below	See Below	See Below	See Below	See Below	See Below	
Professional Liability				\$1,000,000			
Ontario County to be Named Add'l Insd On	GL-AL		GL	GL-AL	GL-AL	GL-AL	GL-AL

Note: Workers Compensation & Disability Benefits required by sections 57 and 220 Subd. 8 of the Workers Compensation Law must be completed and returned with the Insurance ACORD- <http://www.web.state.ny.us/content/main/forms/AllForms.jsp>

(***) If a vehicle is used in the execution of the contract, the Consultant/Professional shall provide evidence of Auto Liability Coverage of \$1,000,000 Combined Single Limit



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager and Councilmember Burrall

Meeting Date: September 6, 2023

Item Title: Discussion on Deer Harvesting

Action Required:

This is a discussion only item.

Background:

Due to the quantity of deer in certain areas of the City, Councilmember Burrall would like to enact a deer harvesting program. This would need to be done with approval from the DEC and in the form of a local law which outlines the problems associated with the deer population, the locations where harvesting can be conducted, and the type of weaponry to be utilized in harvesting. There may be a cost to research this (a minimum would be staff time and maximum may involve a study). The key areas we need more information on are defining the type of hunting and defining the area or areas where hunting would be feasible and safe. From the study, the City's hunting and firearms ordinances would need to be updated and an application and/or permitting procedure created and approved by the NYSDEC.

This session is for councilors to discuss this request to provide staff with direction.

Financial Impact:

None at this time.

Office of the City Manager

Amie Hendrix

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**Geneva City Council
Agenda Item Briefing**

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: September 6, 2023

Item Title: Planning for 2024 Events

Action Required:

This is a discussion only item.

Background:

In 2023, the City took a firm stand to ensure that all non-City sponsored events were held to an equitable standard of event management. All events held on City property participated in the event process which includes an event application, logistics meetings with city staff, event approval, and payment of refundable security deposits and non-refundable event fees.

All events, including city sponsored events, must complete the applications and participate in the logistics meetings to ensure the safety of the attendees. Non-City sponsored events, are also responsible for paying event fees. While the event fees do not cover the cost of the events, they are imposed to ensure compliance with the events regulations, provide funds for replacement and repair costs due to the event activities, and provide minimal support for future events.

From May to August 2023:

- 41 events were held in the City of Geneva, bringing over 30,525 visitors to the City. This number does not include the Farmers Market or Lakefront Concert Series and is calculated in partnership with the event organizers and the data collected at the Welcome Center.
- The largest event held was on July 8th and was the Ironman Triathlon. This event brought 11,000 visitors. The total amount paid to the City for this event was \$1,775.
- On average, each event hosted ~2,000 participants and paid ~\$565 to the City in event fees.

In preparing for the 2024 event season, the city sponsored events are as follows:

- Martin Luther King Day Jr. March
- Earth Day Event @ Rec Center

Office of the City Manager

Amie Hendrix

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- Memorial Day Parade
- The Annual Firefighter's Parade
- Summer Concert Series at the Lakefront
- Touch-A-Truck
- Halloween Costume Parade
- The Mayor's Tree Lighting
- All Neighborhood Events such as the Annual Pumpkin Roll, Etc.
- School graduations, parades, etc.

The event fees will be waived for these City-sponsored events and staff will help in coordinating these efforts. Any expenses associated with these events will be approved by staff and will be withdrawn from the events budget, with in the Planning and Economic Development Department. Staff may work in coordination with community partners to support these events.

Any event that is not considered a City-sponsored event, will be required to pay the fees that will be proposed as part of the 2024 Budget fee schedule. Below is the overview of the 2023 event fees.

For this meeting, council is asked to provide any further direction to staff regarding additional City-sponsored events and/or if council would like to develop a waiver process at which non-City sponsored events can be considered for event waivers at future council meetings.

2023 Event Fees

Refundable Deposit Fee: \$300

Application Fees by Event Type:

EVENT TYPE	APPLICATION FEE	APPLICATION DEADLINE	DESCRIPTION
Festival	\$200	4 months prior to event.	A festival has one or more of the following: (1) Entertainment & Alcohol; (2) Vendors selling food products or wares; (3) carnival games/amusement rides; (4) Attendance over 2000 people.
Moving Athletic (Race/Walk)	\$100	3 months prior to the event	Includes races, runs, walks, or other athletic competitions that take place on streets, sidewalks, or trails. Walks will take place on sidewalks or trails unless the GPD determines that the size the event requires the use of streets. Applicants that have both a race and festival will fall under the festival category. Races with over 2,000 people will fall under the festival category.
Parade/Motorcade	\$100	3 months prior to the event	A parade is a public procession or march on the street.
Other *City of Geneva does not accept applications for weddings.	TBD	3 months prior to the event	If the event does not fit under one of the categories above, it may be classified as "other." Staff will make the determination. Examples: Openings, Dedications, Rallies, Demonstrations, Film Shoots.

EQUIPMENT	FEE
Large reviewing stand (stage, 16x16)	\$50 flat fee
Small low-level riser (8x12)	\$25 flat fee
Podium	\$10 flat fee
Barricades (metal or wooden)	\$5 per unit
Cones (small & large)	\$.75 each or \$100 for full trailer
Fencing (self-install & dig safe required)	\$300 flat fee
Trash Barrels	\$2.50 each
Water Connection	\$75 first day, \$25 each additional day
Electric Connection	\$75 first day, \$25 each additional day
Utility Ramps (cord protection)	\$5 each
Boat Launch Closure	\$100 per day
Extended Lot Closure	\$100 per day/per location
Sand	\$300 per truck load or invoice
Water testing	\$300
Fireworks	\$100 (Regulated by GFD)
Street Banner Hanging	\$50 per banner
On-site GFD Support	Subject to fees determined by GFD
On-site GPD Support	Subject to fees determined by GPD)
No Parking Signs	No Fee

Financial Impact:

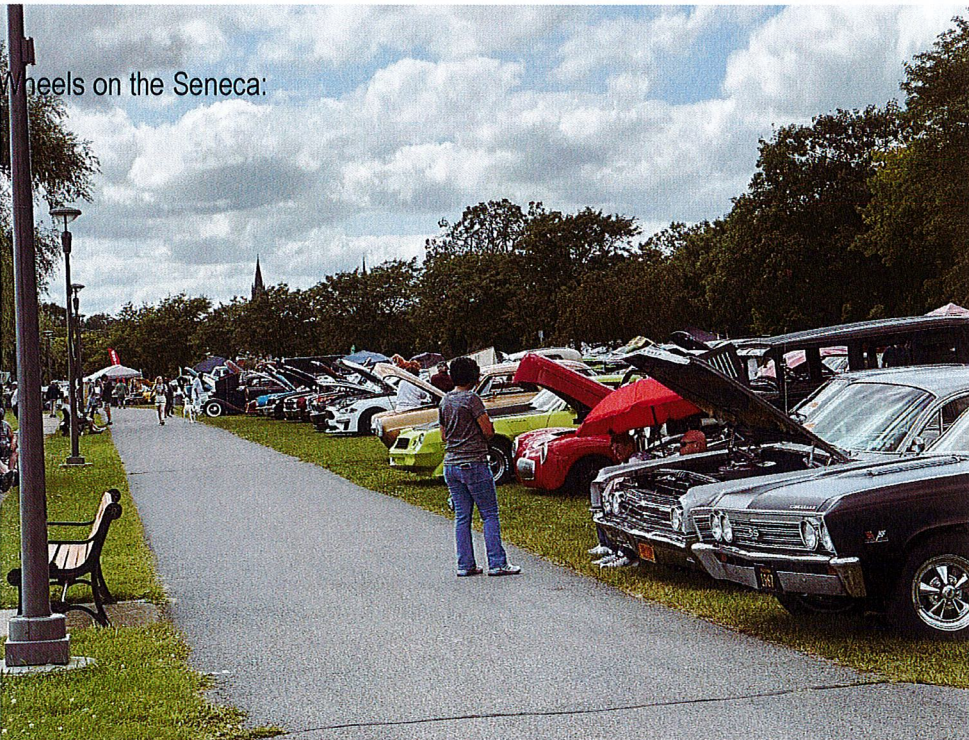
None at this time.

Ironman:





Garlic Fest:



Wheels on the Seneca:

Concert Series:

