

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

REGULAR COUNCIL MEETING

October 2, 2024 – 7:00 PM
City Hall – 2nd Floor Council Room
47 Castle Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. EXECUTIVE SESSION

ACTION TAKEN by Clr. Petropoulos; seconded by Clr. Moracco
MOVED THAT council move to executive session at 6:00 to discuss
negotiations pursuant to article fourteen of the civil service law
MOTION CARRIED UNANIMOUSLY (6-3 absent)

ACTION TAKEN by Clr. Brennan; seconded by Clr. Moracco
MOVED THAT council exit executive session at 6:57pm
MOTION CARRIED UNANIMOUSLY (8-1 absent)

2. ROLL CALL

Present: Clr. Brennan, Clr. Lavin, Clr. Pealer, Clr. Grimaldi, Clr. Petropoulos, Clr. Moracco, Clr. Whitfield

Absent: Clr. Gillotte

3. PUBLIC HEARING – 2025 Budget

Mayor Valentino opened the public hearing at 7:03pm.

Cassie Snyder introduced herself as a Ward 2 resident, and shared two ideas she had after the initial 2025 Budget presentation. Ms. Snyder shared that 68% of a person's income goes into the economy where they live, including paying for housing, property and sales tax. Ms. Snyder suggests incentivizing staff to live in the City of Geneva. Ms. Snyder, who sits on the flood task force, shared that the success of any program is public education. To that end she recommends that the Community Engagement Coordinator position be added to the 2025 budget, as that staff person could spread the word and work of this task force and many other endeavors.

Cyril Smith offered his remarks on the 2025 Budget next. He explained why he believes that the City should adopt a baseline budget, noting that the only thing that changed this year was the assessment increase, and that there is no requirement for the City to expand services. Mr.

Smith explained that the 21% proposed tax increase is 10 times the rate of inflation. He expressed concern about breaking the tax cap to accomplish the budget as presented. Mr. Smith stated his support of the resolution to reduce the proposed budget by \$2 million. He further expressed his support of a 3.5% levy increase. Mr. Smith shared his belief that the City's taxes will put the City out of business for any sort of economic development.

With no one else requesting to speak, Mayor Valentino closed the public hearing at 7:15pm.

4. PUBLIC HEARING - Amending Levels of Real Property Tax Exemptions for Senior Citizens

Mayor Valentino opened the public hearing at 7:16pm. With no comment offered at this time, he closed the public hearing at 7:17pm.

5. PROCLAMATIONS

- A. Extra Mile Day
- B. Fire Prevention Week
- C. Smith Opera House

6. PRESENTATION - Overtime Overview and Reporting – Lt. Bielowicz, Chief Parrotta, Director Venuti

City Manager Hendrix provided a brief introduction, before handing the presentation over to the departments.

Police Lt. Bielowicz explained that the major drivers of Officer overtime include court, call outs, HWS colleges, special events for the school district, traffic, hold overs, and shift shortages. He further explained that command overtime comes directly from being short two positions while waiting on Civil Service lists to be established.

Fire Chief Parrotta shared that the major drivers of Fire Department overtime include four-hour call back time, shift coverage, emergency incidents, training, special events, apparatus maintenance (which saves the City money by handling in house), community outreach, mandatory in service training, and standby for anticipated events and emergencies, including weather related events.

Director Venuti explained that drivers of overtime costs for DPW, Buildings and Grounds, Water Treatment and Waste Water Treatment are all outlined via collective bargaining and include scheduled shut down work, mandatory maintenance and testing which also must occur on weekends and holidays, Cemetery burials and cremations, parks, plowing, deicing, extreme weather, Water and Waste Water Treatment alarms, and building service failures to name a few. City Manager Hendrix explained that some reimbursement is available for overtime generated by City staff, to include STOP DWI, HWS, some events, Drug Enforcement Task Force, Henkel, and FEMA due to two designated disasters.

Overtime is determined by plant Operators and Supervisors, the Fire Chief, Deputy Fire Chief, and Assistant Chief, Chief of Police, Lieutenants, and Sergeants. Discussion followed around comp time accruals and payouts.

Councilor Lavin thanked Lt. Bielowicz, Director Venuti, and Chief Parrotta for presenting and wondered what kind of reporting there is after an overtime event, noting that these reports don't come to Council. Director Venuti explained internal tracking and approvals. Councilor Lavin then expressed concerns about Police Officers making more than the City Manager, and

wondered if more staff is needed to defray overtime costs, or if the Sheriff or State Police should be more integrated to reduce overtime. Director Venuti explained that the City pays more for additional staff, since there are fringe benefits involved as well.

City Manager Hendrix shared that she has regular conversations with departments, and overtime is communicated regularly. Mayor Valentino explained that all departments reviewing overtime tonight have asked for more labor, which the City can't always provide.

7. DISCUSSION - 2025 Budget

City Manager Hendrix and Comptroller Blowers reviewed slides related to the reassessment, tax rate, full market value, and exemptions. Taxable versus untaxable parcels were reviewed as well. Budget slides were reviewed next to include facts and data related to General Fund revenue (sales tax, property tax, fees, and grants), and expenses (operations, salary, pensions, debt, utilities, contracts, supplies, water plant and line repair, and waste water treatment repairs). City Manager Hendrix explored City debt, explaining the issuance of bonds for building and infrastructure improvements. Fund balance was reviewed next, noting that the City must maintain 12-15% of the total budget in fund balance. Water and Sewer reserves are set at 30%, and the City's working capital/liquid assets fall between \$17 million - \$19 million. Comptroller Blowers explained surplus and liquidity for daily operations. He then reviewed financial trends for the group, and further explored tax levy and tax rate, the City's recommended operating budget and the impact this budget has on homeowners in several different scenarios.

Councilor Lavin opened the discussion by noting that the City will take \$2 million more from tax payers this year, and take away from Economic Development. He suggested taking a breather year and said he believes the City lost money by sitting on money that could have been invested. Comptroller Blowers clarified that the City put liquid funds in CD's and the money market, noting that in 2022 interest rates were quite low, impacting the return on these investments. He further explained that some monies can't be comingled, and that funds do need to be easily accessible, for example capital funds. Councilor Pealer stated that he's alarmed with this budget, noted that all five budgets he's worked on have always lifted the tax cap. He explained that he's more comfortable with increases of 4%, in line with past budgets and encourages management and staff to bring a more reasonable budget. Councilor Brennan agreed, as there's more to cost of living than budget increases, reviewing other signs of economic ill health. He explained that taxation is an impediment to growing the City, forcing more Genevans to leave, the opposite of growth. He noted that school taxes are high, and that the City needs to go down a different road. Councilor Whitfield shared that he hears from people that the budget is preposterous for the middle class, and believes that the City is only for rich people to live in, noting that there is no growth in pushing people out of Geneva.

Mayor Valentino addressed the group, acknowledging that Council is faced with challenging decisions. The City Manager and staff prepared a thoughtful budget, which is now City Council's budget to change. He noted that Council can pick and choose what to change, and that it's a positive change to see an increase in property values, this moves the City in a positive direction. Mayor Valentino went on to say he believes it's misleading to say the tax rate will stop development. He reviewed decision making in the 1990's, investments that have made Geneva a great place to live, and believes that a pause now is not the best move. He went on to explain that saying no to capital improvements, equipment, and 1.5 FTE's is kicking the can down the road, as costs don't go down, putting these items off will only cost more in the long run. The budget is an investment in the City.

Councilor Lavin stated that he's not comfortable with City Council making decisions about reductions, and believes the City Manager should be doing this. He suggested that the mayor was talking about costs and cutting, while he is talking about collaboration and growth, suggesting that the budget is a 23% tax increase. He lamented property tax bills on South Main Street. Discussion followed, and Mayor Valentino reminded Councilor Lavin that the City Manager and staff can come back with recommendations, but City Council has to make the budget decisions. Councilor Petropoulos was glad to hear lots of good points tonight, and agreed that Council needs to look at things, noting that the school taxes increased and encouraged attendance at School Board meetings. He further expressed hope that people are reasonable and can make reasonable decisions, and that he trusts management and staff. Councilor Pealer reiterated that he'd like to see a modest increase, below the tax cap, would like to see what that looks like, and wants to hear creative solutions.

City Manager Hendrix explained that in creating the budget she took information provided by City Council and the community, she took a look at structure, the future, maintaining staffing, and prepared the budget that was asked for. She reminded Council of their directive not to band-aid infrastructure and equipment, and to make additions to vegetation management and BID. At that point the City Manager turns the budget over to council. She explained that if Council asks for a \$2 million reduction she will give the reductions to Council. She reminded Council that they have new investments, and places to look at increasing and decreasing. Councilor Lavin stated that Council can ask the City Manager, as an expert, to bring the budget back with cuts, and further stated that there is \$19 million in surplus funds floating around right now, \$1 million of which should be put against the cuts he's asking for. The City Manager clarified that there is not a \$19 million surplus.

Comptroller Blowers clarified that there is currently \$4.2 million in the general fund that can be used at Council discretion. He reminded the group that those funds need to be available, and some are in short term investments.

8. DISCUSSION - Establishment of a Finance Committee

Councilor Lavin opened the discussion by stating that this is what happens when no professional is overseeing the City's money, noting that a finance committee wouldn't have sat on untapped money for two years. He recommends outside experts and Council on a committee. Councilor Pealer recalled the suggestion of a finance committee already coming to the floor once, having been voted down, and wondered why it's back on the floor. Clarification was made that this is a discussion, not a resolution at this time. Councilor Pealer recommended monthly or quarterly work sessions for finances, rather than diverting authority bestowed on City Council to private citizens. He went on to address non weighted votes.

City Attorney How reviewed what would be involved in changing the City Charter including a public hearing process, and local law, the language of which should be settled upon before there is a public hearing on the matter. He suggested that Councilmembers consider what power the committee would have, would it be advisory, what would the formal process be for items that don't make it out of committee to City Council. He recommends that first, City Council get consensus, then staff and legal can put meat on the bones.

Councilor Moracco wondered if the public would be able to attend work sessions, which they can, as they would be meetings. Councilor Petropoulos likes the idea of an ad hoc committee, rather than changing the charter, believes work sessions are a good compromise. Councilor Lavin shared his belief that work sessions don't begin to solve his immediate concerns, and that

the charter is easily changed. He doesn't envision a committee having a binding role, but sees the value of having experts on the Committee, suggesting that Council needs to find out how much interest income was lost, putting it at \$2 million.

Mayor Valentino commented that the numbers offered are speculation, and Council doesn't know what was lost without any factual information, and cautioned against making statements that aren't true and factual, pointing out that nobody has given a number for what was missed. He went on to explain that the investment opportunities the City is taking advantage of now are new opportunities for municipalities, something that many have not started yet.

City Manager Hendrix explained that in reaction to changes in municipal finance law the City brought in an outside entity to really look at liquidity, a common move for municipalities, to help identify opportunities.

Councilor Lavin shared that the finance committee's first action will be to look at why money was sitting in an account earning no interest for two years, which is a loss. Councilor Brennan shared that ironically, this discussion shows that a finance committee would be helpful, and could provide information to make decisions, expressing that he feels Council may be a little out of touch, and hasn't had many special sessions. Councilor Grimaldi expressed concerns around putting power in people to control what comes before City Council, exploring the idea of a committee killing an idea they don't like that Council should see. Councilor Brennan clarified that he doesn't believe the committee should be made up of private people, and that the intent is to be informed, not to make staff decisions.

Mayor Valentino reminded Councilmembers that legal advised not putting this item on an agenda until Council gets together to see if they're ready to move forward, and that people who don't have municipal finance experience need to be brought up to speed. Mayor Valentino also noted that it would be nice if the City's financial institution had the City's financial best interests in mind.

Councilor Pealer stated that never has adding to bureaucracy solved anything.

9. SUPERVISOR UPDATE

Supervisor Kennedy provided an update on the Landfill, following up on workshops that took place on the future of the landfill, currently set to close in 2028. He noted that Councilor Brennan attended the forum in Geneva, one of three held over the summer, with overall participation of around 100 county residents. A decision is expected to be made by the end of this year on the landfill's future.

Updates from the NYSAC Fall Conference, attended by Supervisor Kennedy include Mental Health hospitalization costs and challenges, and responses to domestic violence, as there were 495 domestic violence homicides in New York State last year. The Ontario County Sheriff's Office is looking at immediate and comprehensive responses to domestic violence calls.

An electronic waste recycling event will be held at the landfill on October 12th, call 585-393-3090 to reserve your spot. The Ontario County Cooperative Extension's fall fest will be held on October 19th at 4H Camp Bristol Hills. Ontario County Soil and Water is holding a Storm Water Management Techniques workshop on October 22nd at noon. County Planning and Economic Development continue to hold housing workshops throughout the County, similar to the one held in Geneva in June.

Supervisor Kennedy shared that Ontario County held its budget workshop on September 19th, and explained that process, including exploring committee structure and the Ways and Means

Committee's role in developing the County's budget, and Supervisors responsibility to read minutes ahead of meetings.

Councilor Brennan wondered how many standing committees the Board of Supervisors has, there are six, operating on a three-week cycle. Councilor Lavin shared with the group that he had just reached out to the County Administrator who advises that the County has had a cash management policy since 1987.

10. CONSIDERATION OF MEETING MINUTES

ACTION TAKEN by Clr. Petropoulos; seconded by Mayor Valentino
MOVED THAT the minutes of the September 5, 2024 Council Meeting be
approved
MOTION CARRIED UNANIMOUSLY (8-1 absent)

11. PUBLIC COMMENT

Judy Salotti greeted Councilmembers and Mayor Valentino. She recalled the article in the Finger Lakes Times about the toxic algal blooms, noting the pea soup water, dead fish, and odor. She explained that fishermen who have fished the finger lakes for years have expressed concern for the lake, as the fish just aren't there anymore, and that they have no place to lay their eggs as grasses and weeds disappear. She reminded Councilmembers that even if people don't fish or have property on the lake, the condition of the lake is impacting the local economy through major fishing tournaments no longer being held in the finger lakes, impacting tourism, shopping, and lodging. She pointed out that our water supply comes from Seneca Lake, and wondered how toxic algal blooms impact our drinking water, and also wondered how the toxic spraying of the lake impacts the water supply as well. Ms. Salotti recalled the hydrilla plant, an invasive plant that arrived in Florida in the 1950's causing disruptions in water flow, drainage in irrigation canals, decreases in dissolved oxygen in the water resulting in fish kill, and crowding out native water plants. The hydrilla is now in the finger lakes as well. Ms. Salotti expressed concerns about using herbicides in lakes that are municipal water supplies. In closing Ms. Salotti asked is hydrilla the problem? Is the lake being sprayed with herbicides the problem? What is the long-term effect of herbicides on the lake? She calls for communication, education, and transparency to solve this problem before it's too late.

12. CITY MANAGER REPORT

City Manager Hendrix provided the following report:

City Grants: Welcome to our Grants Coordinator who began on Monday, September 23, Jennifer Sutton. Jennifer is working with our city staff members to prepare an overview on grants as previously requested by council.

Investment Update: With the implementation of our new investment policy, we have invested \$10.85 M in funds with LNB for 6-18 month investment period and an additional \$4.25M with Customers Bank of Rye Brook, NY. We are looking at continuing to expand our portfolio with additional investments in the future.

Lake Tunnel Enhancement Project: Crews continue working on the Lakefront Trail Tunnel under Rtes. 5&20 near Solar Village. This is part of the DRI program. The project includes site demolition of

pavements, installations of drainage features, placement of architectural enhancements, repairs and renovations to the tunnel, and landscape features. Work is expected to take several weeks. Pedestrian and bicycle traffic will be detoured when necessary to the multi-use trail and cycle paths along Rtes. 5&20. Users are encouraged to cross Rtes. 5&20 at Castle Street utilizing the signalized intersection.

Mulching and Grooming Trails in Parks: Buildings and grounds annually places mulch in all parks in the spring and fall of each season. They also groom the trails at these times. As the grass mowing season begins to wind down you will find B&G in the parks providing annual fall maintenance.

Televising Lines: As part of our annual maintenance program, the City has contractors televise sanitary and storm sewer lines for various reasons. We televise lines to diagnose repairs, to perform cleaning services, and prior to slip lining a line. In some cases, these lines are televised multiple times within a few years as each item could call for additional televising. This is not due to loss of video; all videos are maintained not only locally but by the contractors as well.

Planning and Economic Development Strategy: This strategy has been officially launched and is available through the PED office. It is still a draft document and feedback is welcomed.

Storm Water Task Force: The storm task force met again last month and will have a report for council in November. The team has looked at communications to residents during weather events, infrastructure improvements, and wellness and safety items. The Fire Department storm trailer has arrived and is being outfitted with submersible pumps.

Former OEO Site Request for Qualifications: We have heard from at least three developers interested in the OEO RFQ released last month. The deadline to submit qualifications is October 21, 2024. For more information contact David West.

Upcoming Events

October 14th: 9am-12pm at Recreation Complex – Touch-a-Truck Event

October 31st: Trick or Treating in the City

13. RESOLUTION – Adoption of Amended Levels of Real Property Tax Exemptions for Senior Citizens Under Real Property Tax Law Section 467

Director City Manager Hendrix presented the following resolution:

WHEREAS, section 467 of the New York State Real Property Tax Law provides for the establishment by taxing municipalities of certain real property tax exemptions for persons over the age of sixty-five; and

WHEREAS, section 467 of the New York State Real Property Tax Law further provides that the governing board of a municipality may establish and amend such real property tax exemptions by adopting, after a public hearing, a local law, ordinance or resolution to such effect; and

WHEREAS, section 318-31 of the Code of the City of Geneva entitled “Exemption for Senior Citizens states that:

Real property owned by one or more persons, each of whom is 65 years of age or over, shall be exempt from taxation by the City of Geneva to the extent of 50% of the assessed valuation thereof; subject to the following conditions:

A. Application; income; exemption.

1. The owner or all of the owners must file an application annually in the Assessor's Office on or before the appropriate taxable status date or at such other time as may hereafter be fixed by law. The income of the owner or the combined income of the owners of the property must not exceed the sum of \$18,000 for the calendar year immediately preceding the date of making application for exemption. Where title is vested in either the husband or wife, their combined income may not exceed the sum. Such income shall include social security and retirement benefits, interest, dividends, rental income, salary or earnings and income from self-employment, but shall not include gifts or inheritance.
 2. A sliding scale exemption pursuant to § 467, Subdivision 1(b)(1), of the New York State Real Property Tax Law shall be provided to certain persons 65 years of age or over.
- B. Title to the property must be vested in the owner or all of the owners of the property for at least 24 consecutive months prior to the date of making application for exemption
- C. The property must be used exclusively for residential purposes, be occupied in whole or in part by the owners and constitute the legal residence of the owners.

WHEREAS, the City Council of the City of Geneva desires to update and amend the levels of the exemption granted to eligible persons, in accordance with subdivisions one and three of section 467 of the Real Property Law; It is hereby

RESOLVED, by the Geneva City Council that that City of Geneva ordinance 318- 31 A1 be modified as follows at the levels enumerated below (*new language shown in italics, omitted language shown with strikethrough*):

- A. Application; income; exemption
1. The owner or all of the owners must file an application annually in the Assessor's Office on or before the appropriate taxable status date or at such other time as may hereafter be fixed by law. The *gross* income of the owner or the combined *gross* income of the owners of the property must not exceed the sum of \$26,399.99 for the calendar year immediately preceding the date of making application for exemption. Where title is vested in either the husband or wife, their combined income may not exceed the sum. Such income shall include social security and retirement benefits, interest, dividends, rental income, salary or earnings and income from self-employment, *individual retirement account distributions* but shall not include gifts or inheritance.

Be it further RESOLVED that, the new sliding scale shall be as follows:

\$ -	to	\$18,000.00	50%
\$18,000.01	to	\$18,999.99	45%
\$19,999.00	to	\$19,999.99	40%
\$20,000.00	to	\$20,999.99	35%

\$21,000.00	to	\$21,899.99	30%
\$21,900.00	to	\$22,799.99	25%
\$22,800.00	to	\$23,699.99	20%
\$23,700.00	to	\$24,599.99	15%
\$24,600.00	to	\$25,499.99	10%
\$25,500.00	to	\$26,399.99	5%
\$26,400.00	and over		0%

City Manager Hendrix explained that the amended exemption levels now align with County levels. Councilor Brennan wondered how many are anticipated to be affected by the updated exemption. City Manager Hendrix expects 30-50 residents to take advantage of the new exemptions, based on County participation. Councilor Grimaldi provided a brief description of the process.

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

14. RESOLUTION – Authorizing the Execution of Sale Documents for City Owned Property Located at 30 Castle St.

City Attorney Hou presented the following resolution:

WHEREAS, the City of Geneva owns real property located at 30 Castle Street (104.43-2-3) in the City; and

WHEREAS, by Resolution # 17-2023, the Geneva City Council previously determined that said property no longer served a public purpose, and, after public hearing, authorized the sale of said property to a private party, Castle Peacock, LLC; and

WHEREAS, the City Attorney has prepared documents necessary to effectuate the sale of 30 Castle Street;

NOW, THEREFORE, BE IT RESOLVED by the Geneva City Council that the City Manager is hereby authorized to execute documents reasonably necessary to complete the sale of 30 Castle Street (104.43-2-3) to Castle Peacock, LLC, subject to the approval of the City Attorney.

City Attorney Hou explained that 18 months ago a public hearing was held for the sale of this property, which then gained City Council approval. However, the 600 square foot parcel has not gotten to closing. Due to the passage of time the resolution to approve the sale is before Council again. Discussion followed related to the location of the parcel.

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

15. RESOLUTION – Surplus Equipment, Police Department

Lt. Bielowicz presented the following resolution:

WHEREAS, The City of Geneva maintains an inventory of equipment and supplies for the provision of certain municipal services; and

WHEREAS, The attached schedule of equipment no longer contributes value to the City's operations; and

WHEREAS, The equipment in the attached schedule may be sold to derive any final value to the City; now, therefore be it

RESOLVED, That the Geneva City Council, hereby and in due form does direct the City Manager to dispose of the equipment in the attached schedule. The proceeds of any sale shall be applied to the Equipment Amortization Fund.

Police Department Surplus Equipment October 2024

- Duty Belts (5)
- Belt Keeper Sets (10)
- Leather handcuff case (11)
- Leather Magazine Case (6)
- Nylon Handcuff Pouch (3)
- (Nylon Magazine Pouch (1)
- Leather Rubber Glove Pouch (8)
- Nylon Rubber Glove Pouch (3)
- Leather Baton Holster (1)
- Leather Flashing Holster (1)
- Nylon Flashlight Holster (1)
- Nylon OC Spray Holster (1)
- Leather Handcuff Belt Keepers (2)
- Spare Side And Shoulder Velcro Straps (17)
- Misc Spare Belt Keepers (32)
- Honeywell Pentax Takumar Lens
- Polaroid Spectra AF Camera
- Polaroid Close-Up Stand Model 7500
- Sirchie Police Camera
- Canon AE-1 Camera With Case
- Maufrotto Camera Tripod
- Konica Autoreflex TC Camera
- Polaroid 100 EE Special Camera
- Yashica J7 Camera
- (2) Canon T50 Cameras With Case
- (2) Pro Guard Vehicle Gun Locks
- (1) mPower Emergency Light Bar 52"
- (2) nForce Emergency Light Bars 54"

- Computer Dock for Patrol Vehicle Havis DS Dell 422
- Computer Dock for Patrol Vehicle Havis DS Dell 405-3
- 2018 Ford Explorer PIU (1FM5K8AR8JGA84097) with 142,232 miles
- 2016 Ford Explorer PIU (1FM5K8AR2GGB67050) with 140,486 miles
- 2017 Ford Explorer PIU (1FM5K8AR6HGA89325) with 122,288 miles
- 2018 Ford Explorer PIU with (1FM5K8AR6JGA84096) 115,151 miles

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

16. RESOLUTION – Assessor Shared Services

City Manager Hendrix Presented the following resolution:

WHEREAS, the City of Geneva and the City of Canandaigua have successfully shared an assessor and an Information Technology Department since 2015 with award-winning shared service intermunicipal agreements; and

WHEREAS, the shared service intermunicipal agreement for Information Technology requires renewal and the City of Geneva and the City of Canandaigua desire to continue; and

WHEREAS, the City Managers' for both municipalities have also been discussing expanding the shared assessor agreement to include sharing of an entire Assessment Department;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva that the City Council hereby authorizes the City Manager to execute Inter-Municipal Cooperation Agreements, substantially in the same form as attached hereto, between the City of Canandaigua and the City of Geneva to continue to share an Information Technology Department and expand to also share an Assessment Department.

City Manager Hendrix explained that there is currently a very successful shared services agreement with IT staff and the Assessor between the City of Geneva and the City of Canandaigua. Councilor Pealer wondered what happened to the previous Assessor Clerk, City Manager Hendrix explained that she resigned in May, and that this is not a new position, only the shared services aspect is new. An addendum to the budget related to this position was discussed.

17. RESOLUTION – Establishing a Public Hearing to Override Tax Cap

City Manager Hendrix presented the following resolution:

WHEREAS, revenues necessary to fund investments include property tax revenues that may exceed a statutory cap set by the State of New York; and

WHEREAS, override of the property tax cap will require adoption of a local law, and holding of a corresponding public hearing.

NOW, THEREFORE BE IT RESOLVED, that the Geneva City Council, hereby and in due form, does establish a public hearing to receive comment on the property tax cap and use of the override mechanism, and directs the City Manager to schedule the hearing for October 16, 2023 at 6:00 p.m.

ACTION TAKEN by Mayor Valentino; being that there was no second, the motion was not before this Council

18. RESOLUTION – Setting a Public Hearing for the Sale of City-Owned Property Located at 41 Lake Street

City Attorney Hou presented the following resolution:

WHEREAS, the City of Geneva owns real property located at 41 Lake Street in the City; and

WHEREAS, the Geneva City Council previously determined that said property no longer served a public purpose, is surplus property, and could be conveyed to a private party; and

WHEREAS, City Council entered into a lease with an option to purchase the property with Downtown Winery, LLC, dated August 1, 2012; and

WHEREAS, Downtown Winery, LLC now wishes to exercise its option to purchase the property in accordance with the terms provided in the parties' lease; and

WHEREAS, City Council desires to hold a public hearing with regard to the proposed sale of the property to Downtown Winery, LLC;

NOW, THEREFORE, BE IT RESOLVED by the Geneva City Council that a Public Hearing shall be had on the 16th day of October, 2024, at 6:00PM, for the purpose of considering the sale of 41 Lake Street to Downtown Winery, LLC, in accordance with its option to purchase said property;

RESOLVED, that the City Clerk advertise for said Public Hearing in a manner consistent with law; and be it further

City Attorney Hou explained that this property was leased in 2012, and that the lease agreement has an option to purchase. The lease holder is exercising that right now, and the City has a contractual obligation to sell.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

19. RESOLUTION – Flexible Work Arrangement Policy

ROLL CALL VOTE:

Aye -	Clr. Brennan, Clr. Lavin, Clr. Whitfield
Nay -	Clr. Pealer, Clr. Grimaldi, Clr. Petropoulos, Clr. Moracco, Mayor Valentino

MOTION DEFEATED

21. BOARD AND COMMISSION APPOINTMENTS

ACTION TAKEN by Clr Pealer; seconded by Clr. Petropoulos

MOVED THAT Paul D'Amico be appointed to the Police Budget Advisory Board

ROLL CALL VOTE: **Aye -** **Clr. Pealer, Clr. Grimaldi, Clr. Petropoulos, Clr. Moracco, Mayor Valentino**

Nay - Clr. Brennan, Clr. Lavin, Clr. Whitfield

MOTION CARRIED

22. MAYOR AND COUNCIL REPORTS

Councilor Brennan shared that Tom Burrall donated \$275 in firewood sales this month. The Shade Tree Committee is business as usual, and reached out recently to Drew Rojak, HWS Buildings and Grounds Superintendent who is happy to accept all large trees that the Shade Tree Committee can provide. The Historic Districts Commission did not meet in September.

Councilor Lavin expressed concerns related to a constituent of Ward 1 who made an offer on a City-owned parcel on South Main Street, who's request was rejected during executive session. He expressed concerns about the parcel not going back on the tax role, and wondered how the property team can reject an offer that would put land back on the tax role. Councilor Grimaldi explained that since the parcel hasn't been declared surplus, it's not open to bid. City Manager Hendrix explained the process that occurs when offers are made on property that has not been declared surplus, to include discussion with City Council in executive session, noting that if City Council wants further discussion as a result of executive session discussions, the proposal is moved forward. When City Council isn't interested in moving forward, a letter is sent to the inquiring individual. Councilor Lavin advised that the resident deserves an answer directly from Council of rejection, so they can be informed. Mayor Valentino said that Councilor Lavin's point was well taken.

Councilor Pealer shared that the Planning Board didn't meet, and finds it troubling that nothing is going on with Planning, nothing going on in Geneva. He wants to see development, and shared that Canandaigua held a developer round table with the City and Town and LDC where developers spoke truthfully about how they assess properties from the standpoint of development. Councilor Pealer also shared that he sat in on a Watershed meeting recently where the message around lake health was zebra/quagga mussels absorbing nutrients in the lake ecosystem, as an invasive species that we can't get rid of. He also recalled when the lake had E. coli, and now has toxic bacteria.

Councilor Grimaldi shared that Geneva Housing Authority is the recipient of a \$4.5 million grant to fix heating systems in their units. They currently boast a 95% occupancy rate, are continuing to update a few units at a time, and passed their budget.

Councilor Petropoulos commented on the smell of the lake recently, and recalled the smell of the East River when he was growing up. He also shared that he's joined the Seneca Lake Pure Waters Association, and recently spoke with Assemblyman Gallahan about what the DEC has in

mind, noting that we all drink water from the lake and shouldn't vilify anyone. The LDC endorsed the Economic Development Strategic Plan at their last meeting, and discussed revenue generation since the City isn't in a position to fund at this time. Councilor Petropoulos shared some quality-of-life concerns in Ward 5 related to the Foundary remediation, State Street, and flooding in railway culverts. He also shared that there are some street lamps out on Castle Street and at Lake and Exchange Streets. Councilor Petropoulos invited everyone to the dedication of the Battle Within Bench at Lakefront Park on Veteran's Day at 10am. The Free Masons built the bench, and the LDC donated the cement slab it sits on.

Councilor Morocco shared resident concerns about yard clean up, noting that code violations have been called in with no follow up. City Manager Hendrix explained that the code enforcement process can take months or years. Councilor Morocco said that he'll be discussing with Assemblyman Gallahan to see if the state can change their laws. Mayor Valentino suggested that the City's well-educated staff are a good place to begin a code enforcement conversation as well.

Councilor Whitfield expressed that it's imperative for people to vote, and make wise decisions about who they vote for, citing tonight as an example while looking at budget issues, and with all due respect observed that anyone approving of the budget presented isn't for the people. He shared his belief that the upper class will decide the budget, while the lower class suffers from the decision. Councilor Whitfield shared updates from Recreation to include the Halloween Parade on October 27, annual Touch a Truck event at the Rec Center on October 14 from 9-noon. Councilor Whitfield also shared that oppressed people feel they shouldn't vote at all, they feel that their vote won't matter, and that people are being pushed out of Geneva, as this budget isn't for the poor.

Mayor Valentino welcomed Comptroller Blowers back, and thanked everyone for the September 11th Remembrance Ceremony and its great turnout.

23. ADJOURNMENT

**ACTION TAKEN by Clr. Pealer; seconded by Clr. Petropoulos
MOVED THAT the meeting be adjourned at 10:19pm
MOTION CARRIED UNANIMOUSLY**

Nicole Tillotson
City Clerk