

AGENDA

REGULAR COUNCIL MEETING

CITY OF GENEVA, NEW YORK

JANUARY 8, 2025

**City Hall
2nd Floor Conference Room
47 Castle Street
Geneva NY 14456**

COUNCIL MEETING STARTS AT 7:00PM

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- I. CALL TO ORDER – Mayor, Steve Valentino
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC HEARINGS
 - A. Sale of City Owned Property
 - B. Sharing Results of the MAP Grant Program
 - C. Reducing the Planning Board from Nine to Five Members
 - D. Reducing the Zoning Board of Appeals from Seven to Five Members
- V. PROCLAMATIONS
 - A. Martin Luther King, Jr. Day
- VI. PRESENTATION
 - A. Short Term Rental Update – *City Manager Hendrix (p. 4)*
 - B. Update on Traffic Review – *Chief Eveland & Director Venuti (p.4)*
 - C. Police Budget Advisory Board Overview – *Chair Noone*
- VII. SUPERVISOR UPDATE

VIII. CONSIDERATION OF MEETING MINUTES

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

- A. November 20, 2024 (Special Council Meeting) (p.5)
- B. December 3, 2024 (Special Council Meeting) (p. 8)
- C. December 4, 2024 (Regular Council Meeting) (p.9)
- D. December 17, 2024 (Special Council Meeting) (p. 24)

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 Comptroller 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 – Authorizing the Sale of City Owned Property – City Manager Hendrix (p.28)
- B. Second Reading – Zoning Update Expansion of CB-5 - Director West (p.30)
- C. Resolution – SEQR for Zoning Map Amendment, Expansion of CB-5 – Director West (p.33)
- D. Local Law – Reducing the Number of Planning Board Members from Nine to Five Clerk Tillotson (p.66)
- E. Local Law – Reducing the Number of Zoning Board of Appeals Members from Seven to Five – Clerk Tillotson (p.70)

XII. NEW BUSINES

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

- A. Resolution – Establishing Regular Council Meeting Nights – City Manager Hendrix (p.74)
- B. Resolution – Designating Official Depositories for the City - City Manager Hendrix (p. 76)
- C. Resolution – Designating Official Newspaper of Record – City Manager Hendrix (p. 78)
- D. Resolution – Declaring Certain DPW Equipment Surplus – Director Venuti (p.80)
- E. Resolution – 2025 Municipal Cooperative Agreement – City Manager Hendrix (p.82)
- F. Resolution – Set Public Hearing for CBDG Assisting Liquid Orchard, Inc. – Director West (p.108)
- G. Resolution – Set Public Hearing for CDBG BEST Program Grant Application – Director West (p.110)

XIII. BOARD AND COMMISSION APPOINTMENTS

XIV. 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

XV. ADJOURNMENT



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: January 8, 2025

Item Title: STAFF PRESENTATION ITEMS

Action Required: No action, presentation of information only on two topic areas.

Background Information:

Short Term Rental Overview: In June of 2024, short term rental regulations were adopted by City Council. These regulations require the owners to identify the operator, acquire a three-year permit for each dwelling unit, maintain certain code requirements which may include a property inspection, and pay a permit fee of \$250 per bedroom.

This presentation item will include information about our permitting process, an overview of the current rentals occurring in the City of Geneva, and a brief overview of the new legislation adopted by the Governor's Office regarding occupancy taxes for short term rentals.

Traffic/Parking Overview: At a previous council meeting the topic of parking ordinance review was discussed. While the council did not direct staff to do a full review of parking or traffic control ordinances at this time, continued conversations regarding certain areas throughout the City have continued. As a result, Chief Eveland and Director Venuti have reviewed the traffic control devices and traffic on South Main Street. This presentation item will provide an overview of their findings and recommendations for future improvements.

Office of the City Manager

Amie M. Hendrix

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THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

SPECIAL COUNCIL MEETING

November 20, 2024 – 5:30 PM

City Hall – 2nd Floor Council Room

47 Castle Street

Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Brennan, Clr. Lavin, Clr. Pealer, Clr. Grimaldi (arrived at 5:33), Clr. Petropoulos, Clr. Moracco, Clr. Whitfield (arrived at 5:37), Mayor Valentino

Absent: Clr. Gillotte

2. DISCUSSION – Economic Development Plan

Director of Planning and Economic Development, David West presented the draft Economic Development Strategy Plan to Council, noting that over 200 residents participated in the process via surveys, meetings, and engagement with business and not for profit leaders. Director West explained that the plan gives a quarter by quarter, year by year work plan for 5-10 years with tasks for staff, the IDA, LDC, and BID. He also shared that the LDC, IDA, and BID have all endorsed the plan. He further explained that the plan is a draft and adjustments can be made, noting that the plan is a living document. Director West then reviewed short-, medium-, and long-term recommendations for all partners.

Mayor Valentino thanked Director West, partners and the community's work on the plan, and wondered how to make modifications. Director West explained that it's a living document, changes can be made at any time. He suggested an annual review to keep on a steady path towards long term goals, keeping everyone rowing in the same direction. Discussion followed around establishing some level of priority across organizations. Councilor Pealer commended the plan and efforts that went into developing it, noting that he appreciates the element of hope, optimism, and prosperity. Discussion followed around measurement of goals. Councilor Brennan expressed the timeliness of this plan which will grow income, and grow Geneva, recognizing the quotative, measurable goals, noting that he'd like to move forward using this as a working document rather than picking it apart. Director West explained that endorsement would indicate general support, and license to move forward. City Manager Hendrix added that some components of the plan will be built into the Strategic Thinking with Staff meeting on December 3rd. Councilor Lavin applauded the work, and framework, noting the urgency of some financial wins, and the development needed to grow the tax base. Discussion followed around an annual forum held with real estate professionals and developers, collaboration with Ontario County, and a similar forum the City and Town of Canandaigua hosted recently. Councilor Petropoulos finds hope in the plan, noting that Hobart interns are working on marketing. He noted the need to reduce poverty and add employment opportunities in the City. Orders of priority were discussed, Director West explained that the consultant ordered priorities based on feedback, however, priority can be reordered. Councilor Whitfield complemented the well-structured plan, and expressed support for quotative goals around jobs and housing. Mayor Valentino wondered about 125 gross

new jobs, discussion followed around job retention and job growth, as well as communication with businesses ahead of job losses. More discussion followed around the order of priority. Councilor Whitfield observed that some project recommendations are already being worked on, pointing to an arcade that will be opening this week on Castle Street. Discussion then followed around the City's IDA collaborating with County IDA. Councilor Whitfield asked for information about MAAP grant structure and how information is spread to the community when funding is available. It was decided that next round there will be even more robust sharing of information on how to apply, including asking participating businesses to help get the word out.

3. DISCUSSION – Storm Task Force Report

City Manager Hendrix reviewed the structure of the Storm Task Force, which was broken up into three committees. She reviewed overall recommendations including ongoing storm and sanitary sewer system maintenance, digitalization of City storm and sanitary systems and system inspection records, Ordinance updates, a sump pump ordinance, municipal and business engagement and collaboration, educational items, community engagement, audible alarm system, ongoing support for emergency response trailer, and daylighting of Castle Creek. Costs and considerations were also reviewed, noting that some are already part of the annual budget process, and some proposed solutions may include incentives for homeowners. City Manager Hendrix thanked staff and resident task force members for their work.

Councilor Petropoulos applauded the good ideas, and wondered about daylighting Castle Creek and if emptying sump pumps into the storm sewer is ok, which it is not. Discussion followed around sump pumps, and stopping water before it gets downtown. Junior Engineer Kevin Reed explained that the sanitary and storm systems are separate, that a sump pump ordinance would focus on the storm system, and the data showing the sanitary system being overwhelmed during events due to sump pumps as well. Councilor Pealer raised concerns about unfunded mandates, noting that homes were built in full compliance, and now feels that rugs are being pulled out from under homeowners. Discussion followed around storm and sanitary sewers during storms, the Town flooding into the City, and getting other municipalities involved. Mayor Valentino thanked the task force for their time and effort, keying in on mapping and digitizing, using modeling to identify areas to address. Bryson Cochran shared that would help prioritize what needs to be done right away, then the City could work from the bottom up on solutions, once emergent items are addressed. Discussion followed. The three task force committees will reconvene to generate priorities and bring them back to Council.

4. DISCUSSION – Committee Structure

Councilor Lavin opened the discussion by voicing concerns about best practices and how he believes council deviates. He explained that with committees there would be more meetings, but monthly meetings won't be five-to-six-hour slug fests. He lamented getting the agenda packet only a few days before council meetings, the need to raise issues and fully vet them, not having access to information to make decisions, and suggested that around \$1 million was lost under the former cash handler noting that he still wants to know who's responsible and how to keep it from happening again. Councilor Lavin then reiterated that agenda items need to be vetted by committee before coming to the full council to avoid four-hour meetings, recommending two councilmembers plus the mayor on each committee.

Councilor Pealer called a point of order, as Councilor Lavin continues to bring up committees with no support, and called on the mayor to wrap up the discussion. Councilor Lavin interjected noting that for too long the town has been using the City's assets to make it harder to create housing in the city. Mayor Valentino noted that Councilor Lavin was not bringing facts forward. He explained that the water and sewer agreements with the Town stand after expiration, and that they have not exceeded the capacity allowed by the agreement. He explained further that the city will come to a decision regarding the next agreement with facts, which will be available once the Headworks study is completed. Mayor Valentino explained that the study will help understand further impacts of development, and aid in intelligent decision making with data to back it up. After some discussion, Councilor Pealer stated his disagreement with committee structure, and disappointment in having the

same discussion again. He then raised concerns about a deficit in information, and suggested restructured agendas with associated staff reports including more history and opinion. He went on to explain that he doesn't see this as a committee problem, rather an information problem, asking that staff provide more support to council's decision making. City Manager Hendrix shared that staff are required to provide briefings for agenda items, and attend if they have an item on the agenda, and looked for confirmation that Councilor Pealer is looking for an expanded briefing. Councilor Brennan shared his thoughts on council asking for more information, while denying the City Manager something she asked for to provide that additional communication piece. He then explained that he doesn't have any problem with committees, noting that they're free and easy to do. Councilor Petropoulos shared that he feels that the Community Engagement Coordinator is different, and voiced support for short term ad-hoc committees without charter changes provided that they're fair and impartial and include only staff and council, not outside non-elected people affecting city decision making. Councilor Lavin then suggested that it takes 4, 6, 8, 10 weeks to get an ad-hoc committee together, and made reference to County standing committee structure, and Planning and Zoning Boards not being elected, and in a position of decision making, suggesting that the city's process is opaque, slow, and it takes years to do anything. Councilor Pealer stated that he disagreed with Councilor Lavin's patently false statements, noting that council has been efficient in decision making, and encouraging Councilor Lavin to get on board with the rest of council. Mayor Valentino reminded council to focus on discussing committee structure. Councilor Petropoulos explained the 21-member County Board of Supervisors legislative body, where each supervisor sits on two committees, noting that he doesn't think Geneva's City Council has enough members to pivot to this type of structure. He also noted that for all the years Geneva has been a city, council has been efficient.

5. EXECUTIVE SESSION

ACTION TAKEN by Clr. Petropoulos; seconded by Clr. Pealer
MOVED THAT council move to executive session at 7:34pm to discuss
negotiations pursuant to article fourteen of the civil service law
MOTION CARRIED UNANIMOUSLY (8-1 absent)

ACTION TAKEN by Clr. Petropoulos; seconded by Clr. Brennan
MOVED THAT council exit to executive session at 8:14pm
MOTION CARRIED UNANIMOUSLY (8-1 absent)

6. ADJOURNMENT

ACTION TAKEN by Clr. Pealer; seconded by Clr. Moracco
MOVED THAT the meeting be adjourned at 8:15pm
MOTION CARRIED UNANIMOUSLY (8-1 absent)

Nicole Tilletson
City Clerk

THE GENEVA CITY COUNCIL
JOURNAL OF PROCEEDINGS
SPECIAL COUNCIL MEETING

December 3, 2024 – 5:30 PM
Geneva Fire Department – Hydrant Hose Meeting Room
79 Geneva Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Brennan, Clr. Lavin, Clr. Grimaldi, Clr. Gillotte, Clr. Petropoulos, Clr. Moracco, Clr. Whitfield
(arrived at 5:31)

Absent: Clr. Pealer

2. DISCUSSION – Strategic Thinking for 2025 and beyond with Staff

City Manager Hendrix led a Strategic Thinking session with Councilmembers and Staff to assist in work project planning for 2025 and beyond.

3. ADJOURNMENT

The meeting was adjourned at 7:39pm

Nicole Tilletson

City Clerk

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

REGULAR COUNCIL MEETING

December 4, 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. Gillotte

MOVED THAT council move to executive session at 6:00 to discuss collective negotiations pursuant to article fourteen of civil service law

MOTION CARRIED UNANIMOUSLY (7-2 absent)

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

MOVED THAT council exit executive session at 6:40pm

MOTION CARRIED UNANIMOUSLY (8-1 absent)

2. ROLL CALL

Present: Clr. Whitfield, Clr. Moracco, Clr. Petropoulos, Clr. Gillotte, Clr. Grimaldi, Clr. Pealer
(arrived at 6:04), Clr. Lavin

Absent: Clr. Brennan

3. AMENDMENT TO THE AGENDA

ACTION TAKEN by Mayor Valentino; seconded by Clr. Petropoulos

MOVED THAT the agenda be amended to add a resolution establishing a public hearing for sale of city owned property, and a resolution in support of continued and increased state aid for local governments

MOTION CARRIED UNANIMOUSLY (8-1 absent)

4. PUBLIC HEARING - Amending Sewer Rental Rates

Mayor Valentino opened the public hearing at 7:01pm. With no comment offered at this time, he closed the public hearing at 7:01pm.

5. PUBLIC HEARING - Zoning Map Amendment

Mayor Valentino opened the public hearing at 7:02pm.

Clerk Tillotson read comments provided by resident Jannette Gayle via email:

Dear City Councilors,

I'm writing to you regarding the proposed zoning changes that are on the agenda at tonight's meeting. Specifically, I am concerned about the proposed change for buildings on the east side (lake side) of Exchange Street to be permitted up to 5 stories (of course subject to a developer actually wanting to build to max height). Given our wonderful natural -- and therefore lower elevation -- lakefront, adding buildings of this height on the east side of Exchange will significantly impact the character of the transition to the lake, and, of course, from certain places, the view to the lake. I think there are some areas where 5-story buildings would have less of an impact, so I am not opposed to this zoning change in its totality, but I am opposed to changing it in the places where it would be most impactful to Genevans (namely, in my opinion, east of Exchange).

As someone who owns a building on South Main St. with a view that would be impacted by some of these changes, I am of course writing from a space of personal investment. The current zoning would allow a 3-story building; the revision to zoning that you are being asked to approve would allow a 5-story. Given that many of the buildings in this area are apartment buildings, this would impact a significant number of Genevans and change the character of those properties. When the Planning Board was approving combining parcels at the OEO site, Charles King did significant research about the impact of a larger building at that site. I urge you to reach out and speak to him if he has not contacted you.

To be clear, I'm not opposed to building on that part of Exchange, I am in favor of it. I think it would be wonderful to bring those spaces back into productive use. I just don't think that we need to change the zoning to allow buildings taller than what are currently neighboring that space. I think that we can develop those areas while having a minimal impact on the existing other parts of the city. The zoning was written as it currently is for a reason: to allow for development while maintaining the infrastructure character. I know that there are some larger buildings in downtown, like the Seneca Apartments building, which are already above 5-stories. I think you would likely agree with me that that building is aesthetically very out of character for most of downtown. I do not think we should use the existence of other outlier properties to encourage us to zone higher.

I do have a suggestion that I would like you to consider. I think that best building practice would be to add new projects without decreasing the value of existing properties. Decreasing the value of the South Main Street buildings will lower those buildings' assessments and therefore their taxes. If we can build in a way that doesn't do that, it is better for everyone.

I encourage you to revise the zoning resolution to remove all parcels east of Exchange Street. Thank you for your time and attention.

Best,

Janette Gayle

With no one else requesting to speak, Mayor Valentino closed the public hearing at 7:05pm.

6. PUBLIC HEARING - Restore NY Round 9

Mayor Valentino opened the public hearing at 7:05pm. With no comment offered at this time, he closed the public hearing at 7:05pm.

7. PROCLAMATIONS - Thomas Cunningham 50 Year Member of Hydrant Hose Company

8. DISCUSSION - Water and Sewer Rates

City Manager Hendrix reviewed water and waste water agreements with the Towns of Waterloo and Geneva. Currently the City is operating in good faith with expired agreements. She explained that expansion costs are shared with partner municipalities, and further explained that the Headworks and Rate Studies coming up will help craft new agreements. The City Manager also shared that Ontario County will host a strategic infrastructure meeting on the east side of the county in the near future. City Manager Hendrix then asked Council what they'd like to incorporate into these discussions.

Councilor Lavin stated that the timeline for the RFP to get the study puts action into 2027. He stated that these resources are a great asset and gives the city a reason to discuss development issues. He then explained that the Town of Geneva charges for sewer based on assessment, not water use leading wealthier people and businesses to pay more, and average residents to pay less for the services. He then stated that the Town of Seneca pumps sewage to the Town of Geneva, then to the City. He wondered what the Town of Seneca pays the Town of Geneva, and called the arrangement a package of inequity. Councilor Lavin then explained that the City can't wait three years to tell the Town of Geneva that we want to know who our customers are so we can bill them. He then noted that we should be talking about fire consolidation, and suggested that there could be litigation. He then stated that 139 homes are planned for a development on Carter Road, and should be addressed more quickly, not after a three-year study. City Manager Hendrix clarified that per the provided briefing the study is not three years out, it will occur in 2025. Councilor Lavin expressed concern that the study measures how much the city can do, not how much it should do. City Manager Hendrix clarified that Councilor Lavin was referring to the capacity study, not the rate study which is being done now. She further clarified that a new agreement will come before council in 2025.

Councilor Pealer thanked City Manager Hendrix for the good background and voiced concern that new agreements have specific verbiage about new construction and water retention, and expressed interest in exploring a higher debt share in the new agreement, as a theme for negotiations. City Manager Hendrix agreed, noting the water retention strategy also recommended by the Storm Task Force. Discussion followed around water retention.

Councilor Gillotte noted a lot of discussion around value for city services, and wondered if there is a constant revenue share. City Manager Hendrix clarified that is the purpose of the rate study, noting certain limitations on the sale of the city's product, as the city can't earn revenue from other municipalities. Discussion followed around shared costs including shared debt for improvements and expansion. Councilor Grimaldi wondered why not annex the project into the city.

Mayor Valentino reminded Council that when the current agreement came into play there was a lot of heated back and forth between the city and town, and reminded everyone that the city cannot charge the town more than it charges city residents. He recalled a judgement leading to

sharing of equity. The Mayor further explained that the city is in a good position to be as heavy handed as possible, while keeping it legal, advising to keep legal expenses down this time. He reminded Council that as surrounding communities grow, their residents come to the City to shop and dine, and that the alternative is an imposed water sewer district where everything would be out of the city's hands.

City Manager Hendrix reviewed direction from council to include equity among partners, heavy handed as the resource is the city's, while working with partners; work on water retention; debt sharing; and moving as quickly as possible.

9. SUPERVISOR UPDATE

Supervisor Kennedy recognized Councilor Brennan for attending two county standing committee meetings recently. He also thanked Councilor Petropoulos for the wonderful bench dedication event on Veteran's Day. Supervisor Kennedy shared that the Humane Society reports 16% of their calls last month were for the City of Geneva, which had 19 calls. He also shared that Ontario County Economic Development has been awarded a \$2 million grant for rental property improvements, and reminded everyone that the landfill vote will be taking place tomorrow, December 5th. Discussion followed.

10. CONSIDERATION OF MEETING MINUTES

ACTION TAKEN by Clr. Pealer; seconded by Clr. Gillotte
MOVED THAT the minutes of the November 6, 2024, November 16, 2024, and
November 20, 2024 Council meetings be approved
MOTION CARRIED UNANIMOUSLY (8-1 absent)

11. PUBLIC COMMENT

Judy Salotti, a member of the Storm Task Force, thanked Council for addressing the issue. She shared information she recently learned related to sump pumps, and the need to educate residents on their proper use. She recommended creating a brochure instructing residents on how to prepare before, respond during, and what to do after a storm incident, and encouraged everyone to be part of the solution.

12. CITY MANAGER REPORT

City Manager Hendrix provided the following report:

Council and Department Head Strategic Thinking Session

On December 3, 2024, Council and Staff met to discuss strategies for moving forward in 2025 and beyond. The members of the City Leadership team confirmed, pending final wordsmithing, the five areas of focus as set by council earlier this year:

- Fiscal and Organizational Stewardship: The responsible management of resources to achieve specific goals and ensuring long-term financial health for the City of Geneva.

- **Economic Development:** The city processes improve the economic and social well-being of City of Geneva residents through programs, policies, and activities.
- **Intergovernmental Relations:** The management of interactions and relationships between the different levels of government, businesses, and community partners.
- **Communications:** The processes of sharing information about government actions with the public while collecting information from the public to enhance policies, practices and services.
- **Quality of Life:** The provision of access to essential services, amenities, and opportunities, such as recreation services, infrastructure, and neighborhood engagement.
- **Population Performance Metrics for the City of Geneva:** Quantifiable data points that reflect the health and well-being of our community. These metrics can be used to evaluate the efficiency of all providers of a community, beyond those provided by government, and can also be utilized to identify disparities based on socioeconomic status, race, and ethnicity.

The council and department leaders also reviewed 2024 and 2025 department work programs as well as the available resources provided in the 2025 budget.

A second meeting will be held in Q1 of 2025 to further discuss the Planning, Do, Check, Act processes used by staff, Results Based Accountability metric inclusion, and to continue to build the City leadership team of staff and council.

A similar strategic thinking retreat will be held in April 2025 to begin the project planning for 2026.

Storm Task Force Report

The storm task force report was presented earlier this month, and the team has begun to rank the priorities outlined in the report. The ranking will be provided to council at the next council meeting. The storm task force report will be available on the City Manager's page.

Shared Services: Town and City Resource Recovery Park

I have met with the Town Supervisor to discuss our continued partnership related to the Vermiculture trench as well as the USDA grant shared by the Town and City. The Town currently operates a transfer station for town residents together we have developed a proposal to share resources and create a resource recovery park in the City to be used by City and Town residents. This pilot program would allow City residents the ability to drop off all waste in one location and would reopen the trenches. Staffing would be provided by a town employee that would be paid for by grant funding that we have received jointly with the town to increase sustainability in the region. This project will look to commence in January/February 2025 with the support of both municipalities.

Community Emergency Management Plan

Ontario County has created a Community Survey that they are sending out to AS MANY residents as possible. Please fill out the survey at the link below, all responses

will be continuously tracked and compiled, and will help tremendously with both the Community Emergency Management Plan (CEMP) updates/rewrite, and will our County partners a “temperature” on how people in Ontario County feels about their level of preparedness and where we need to do better as a whole community. PLEASE share this link to ANYONE you’d like (family, friends, neighbors, etc.) that live in Ontario County so we can get as many responses back as we possibly can. Link:

[Ontario County Community Survey \(2024\)](#)

Shade Tree Committee Re-Appointments

Jay Freer, Tom Burrall, James Engel are confirmed for City Manager appointment to the Shade Tree Committee for terms through 12/31/2027.

13. ORDINANCE – Second Reading of an Ordinance Amending Section 341 of the Geneva Municipal Code – Water and Sewer Rates

Comptroller Blowers presented the following resolution:

WHEREAS, the City’s Comprehensive Plan charges us with financing necessary infrastructure and service delivery in a fiscally responsible manner; and

WHEREAS, a robust water treatment and distribution system is critical to attracting and retaining residents and industry; and

WHEREAS, in order to maintain the highest level of service possible for the best value, City Council needs to adjust water rates from time to time to reflect changes in costs of treatment and distribution.

NOW, THEREFORE BE IT RESOLVED, that the Geneva City Council, hereby and in due form, does amend Section 341-17 and 341-18 to affect the changes to water rates for residents and non-residents, as is outlined on the schedule below. This change to become effective upon two readings of this Ordinance.

Water Rate Table

2025 Water Rate Table			
Size of Meter in Inches (In)	Water Allowance in Gallons	Minimum Charge	Per Gallon Over Min.
5/8	4,000	\$33.29	\$0.00603
3/4	8,000	\$66.57	\$0.00621
1	15,000	\$124.85	\$0.00639
1.5	34,000	\$282.96	\$0.00659
2	60,000	\$499.34	\$0.00678
3	120,000	\$998.69	\$0.00698
4	184,000	\$1,531.31	\$0.00720
6	371,000	\$3,087.60	\$0.00741
8	634,000	\$5,276.38	\$0.00763
Size of Meter in Inches (Out)	Water Allowance in Gallons	Minimum Charge	Per Gallon Over Min.
5/8	4,000	\$57.84	\$0.01000
3/4	8,000	\$115.68	\$0.01000
1	15,000	\$234.33	\$0.01050
1.5	90,000	\$531.15	\$0.01050
2	105,000	\$937.33	\$0.01102
3	120,000	\$1,874.63	\$0.01102
4	210,000	\$2,446.76	\$0.01102
6	419,000	\$4,933.40	\$0.01102
8	715,000	\$8,430.66	\$0.01102

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

MOVED THAT this ordinance be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

14. LOCAL LAW- Establishing Sewer Rates

Comptroller Blowers presented the following resolution:

Be it enacted by the City Council of the City of Geneva as follows:

Section I. The purpose of this law is to establish sewer rates for the use of public sewers as set forth in Article #14 of the General Municipal Law.

Section II. Article #14 of General Municipal Law is hereby amended to establish sewer rates based on metered water consumption. The rates established are as follows:

Sewer Rate Table

2025 Sewer Rate Table			
Size of Meter in Inches (In)	Water Allowance in Gallons	Minimum Charge	Per Gallon Over Min.
5/8	4,000	\$60.19	\$0.01003
3/4	8,000	\$120.37	\$0.01032
1	15,000	\$225.71	\$0.01064
1.5	34,000	\$511.59	\$0.01095
2	60,000	\$902.81	\$0.01129
3	120,000	\$1,805.62	\$0.01162
4	184,000	\$2,768.64	\$0.01198
6	371,000	\$5,582.40	\$0.01233
8	634,000	\$9,539.74	\$0.01270

Size of Meter in Inches (Out)	Water Allowance in Gallons	Minimum Charge	Per Gallon Over Min.
5/8	4,000	\$99.92	\$0.01044
3/4	8,000	\$199.82	\$0.01077
1	15,000	\$374.67	\$0.01108
1.5	34,000	\$849.25	\$0.01142
2	60,000	\$1,498.67	\$0.01175
3	120,000	\$2,997.35	\$0.01211
4	184,000	\$4,595.92	\$0.01247
6	371,000	\$9,266.79	\$0.01284
8	634,000	\$15,835.97	\$0.01324

NOW, THEREFORE BE IT RESOLVED, that the Geneva City Council, hereby and in due form, does amend Chapter 341-19B and 341-21C of the Geneva Municipal Code to reflect changes in the sewer rate table, as illustrated above.

This local law shall take effect immediately upon filing with the Secretary of State.

ACTION TAKEN by Ctr Pealer; seconded by Ctr. Gillotte

MOVED THAT this Local Law be approved

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

Nay - Clr. Whitfield

MOTION CARRIED

15. ORDINANCE – First Reading of an Ordinance Amending the Zoning Map Expanding CB-5

Director West presented the following resolution:

Be it **ENACTED AND ORDAINED** by the Geneva City Council, as follows:

Section 350 of the Geneva City Code be amended to reference the attached map extending the boundaries of the CB-5 Zone to include additional properties within Downtown in recognition of the area's important and historic contribution to downtown Geneva's walkability and accessibility and to increase the value of future development for the benefit of all Genevans;

and it is further

ENACTED AND ORDAINED that the attached map shall be the authoritative document defining the boundaries of Zoning Districts in the City of Geneva, that interpretation of this map shall conform to Geneva City Code Section 350-1.3 Interpretation of District Boundaries;

and it is further

ENACTED AND ORDAINED, that this amendment to the Geneva City Code is adopted pursuant to the New York State Constitution, Municipal Home Rule, General City Law, and the City of Geneva's police power to regulate the use of land and structures for the protection of the health, safety, welfare, comfort, peace and prosperity of the City and its inhabitants,

and it is further,
ENACTED AND ORDAINED, that this amendment to the Geneva City Code is adopted in conformance with the Geneva City Comprehensive Plan in furtherance of the City's values-- which include stewardship of natural resources, a strong economy, its "uniquely urban" setting and sense of community, multicultural heritage and the local arts, architectural and recreational assets--with its vision of being a "Beautiful, Prosperous, Equitable, Connected, and Sustainable" City.

Effective Date

This Ordinance shall take effect immediately upon adoption by the City Council.

Director West explained that there would be one more reading of the ordinance, which is also going to the County Planning Board.

Councilor Petropoulos noted that he doesn't want to see anything big and ugly downtown, and requests architectural drawings. Director West reminded him that all projects of this scale would have to go before the Planning Board for review, with the exception of 1-3 resident dwellings.

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

MOVED THAT this first reading of the ordinance be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

16. RESOLUTION – Setting a Public Hearing for the Adoption of a Local Law Reducing the Number of Planning Board Members from Nine (9) to Five (5)

Clerk Tillotson presented the following resolution:

WHEREAS, Section 13.3(1) of the Geneva City Charter, approved by referendum, effective January 1, 1974, as amended thereafter, states that the Geneva City Planning Board shall consist of nine (9) members, and

WHEREAS, Geneva City Code Section 350-19.2(B) also provides for the Planning Board to consist of nine (9) members; and

WHEREAS, reaching a quorum of five (5) members in attendance at meetings of the Planning Board has been difficult, and

WHEREAS, General City Law Section 27(1), authorizes creation of a City Planning Board consisting of five or seven members.

WHEREAS, the Geneva City Council believes that reducing the number of members of the Planning Board from 9 to 5 would be in the best interest of the public, facilitate the operations of the Planning Board, and align its membership with General City Law Section 27(1); and

WHEREAS, a proposed local law to amend the City Charter and to amend the City Code to reduce the membership of the Planning Board to five members is hereby introduced and is on file with the City Clerk's Office for public review;

NOW, THEREFORE BE IT RESOLVED that a public hearing be held on January 8, 2024 at 7:00 p.m. pursuant to the Municipal Home Rule Law concerning proposed local law # 1-2025 submitted herewith.

Councilor Pealer mentioned concerns about quorum. City Attorney How explained that for a board of five members a quorum would be three members. Councilor Grimaldi wondered about alternates on the board. City Attorney How shared that City Law has no position on alternate board seats, and can look into it.

17. RESOLUTION – Relevy of Water Account Balances and Code/DPW Fees onto Property Tax Bills

Comptroller Blowers presented the following resolution:

WHEREAS, the City Comptroller has annually provided a list of properties in which there are certain accounts for housing inspections, grass cutting, rubbish removal and water charges, and in accordance with the City Charter must direct that a lien be placed upon these properties in order to allow the City to collect these bills in the same manner as taxes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, New York, that a lien be placed against the properties listed herein in the amount set forth and the City Comptroller levy, enforce and collect these liens in the same manner, at the same time and with the penalties as City taxes.

Comptroller Blowers noted that there was one additional sidewalk repair added to the list, increasing the total to be relevied by \$3,700.

18. RESOLUTION – Amending the 2024 General Fund Budget for Equipment Plan

Comptroller Blowers presented the following resolution:

WHEREAS, the City of Geneva Police Department has an equipment plan for 2024; and

WHEREAS, the approved 2024 Budget document does not include the purchase of a Records Management System (RMS) but staff would like to add it to the plan and use the remaining funds for the RMS;

NOW THEREFORE BE IT RESOLVED that the Geneva City Council hereby and in due form does amend the 2024 Equipment Fund budget as follows:

2024 Police Equipment Fund - Original

One (1) Patrol Car	\$70,000
One (1) Patrol Car	\$98,000

2024 Police Equipment Fund – Amended

One (1) Patrol Car	\$60,193
One (1) Patrol Car	\$60,902
Records Management System	\$46,905

Councilor Grimaldi wondered if the funds were budgeted, Comptroller Blowers explained that funds are coming from Equipment Reserve. City Manager Hendrix explained that the Records Management System cost is still being negotiated with the County, the City doesn't have a final cost yet. Councilor Gillotte shared that the current system will crash and needs to be replaced.

ACTION TAKEN by Clr. Petropoulos; seconded by Clr. Moracco

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

19. RESOLUTION – Authorizing Addition of Avenue G Extension to the City's Local Highway Inventory

Director Venuti presented the following resolution:

WHEREAS, on or about October 23, 2024, the City of Geneva extended Avenue G for the purpose of being a dedicated as public right-of-way; and

WHEREAS, the official map and road listing for the City of Geneva has been updated by the Department of Public works to reflect such extension of Avenue G; and

WHEREAS, the total mileage for the section of Avenue G being added is 0.06 miles, with the centerline mileage calculated at 0.06 miles;

NOW, THEREFORE, BE IT RESOLVED that the extension of Avenue G from North Genesee St to Lehigh St is hereby added to the City's local highway inventory; and

BE IT FURTHER RESOLVED that the official map for the City of Geneva is hereby incorporated into this resolution by reference; and

BE IT FURTHER RESOLVED that the City Clerk is hereby instructed to forward a certified copy of this Resolution and the accompanying map to the New York State Department of Transportation for their records.

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

20. RESOLUTION – Setting a Public Hearing for the Adoption of a Local Law Reducing the Number of Zoning Board of Appeals Members from Seven (7) to Five (5)

Clerk Tillotson presented the following resolution:

WHEREAS, Section 13.6(1) of the Geneva City Charter, approved by referendum, effective January 1, 1974, as amended thereafter, states that the Geneva City Zoning Board of Appeals (ZBA) shall consist of seven (7) members; and
WHEREAS, Geneva City Code Sections 59 and 350-19.3 each provide for the ZBA to consist of seven (7) members; and
WHEREAS, reaching a quorum of four (4) members in attendance at meetings of the ZBA has been difficult; and
WHEREAS, General City Law Section 81(1), authorizes a city ZBA to consist of three (3) or five (5) members; and
WHEREAS, the Geneva City Council believes that reducing the number of members of the ZBA from 7 to 5 would be in the best interest of the public, facilitate the operations of the ZBA, and align its membership with General City Law Section 81(1); and
WHEREAS, a proposed local law to amend the City Charter and to amend the City Code to reduce the membership of the ZBA to five members is hereby introduced and is on file with the City Clerk's Office for public review;
NOW, THEREFORE BE IT RESOLVED that a public hearing be held on January 8, 2024 at 7:00 p.m. pursuant to the Municipal Home Rule Law concerning proposed local law # 2-2025 submitted herewith.

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

21. RESOLUTION – Setting a Public Hearing for Sharing the Results of the MAP Program

Director West presented the following resolution:

WHEREAS, the City of Geneva is currently implementing a Microenterprise Assistance Program (MAP), and
WHEREAS, the program requires a second public hearing to receive feedback about the impact and administration of the current program when it reaches 75% of grant funds expended; and
WHEREAS, the City of Geneva has reached the milestone of expending 75% of grant funds, and
WHEREAS, the City recognizes that this project is a priority project that is contributing to the renewal of this downtown area, strengthening the local economy, and increasing the quality of life for residents; and
WHEREAS, this project is consistent with all existing local plans, the project facilitates effective and efficient use of existing and future public resources so as to promote both economic

development and preservation of community resources, and the project supports local businesses in a manner that will attract, create and sustain employment opportunities in Geneva; and

NOW THEREFORE BE IT RESOLVED that the City Council schedules a public hearing for Jan. 8, 2024 at 7pm in the City Hall Council Chamber for the purpose of hearing public comments on the City of Geneva's current Community Development Block Grant (CDBG) project, the City's Economic Development and Community Development needs, and the administration of the current and future programs, and Council directs City staff to take all necessary action to provide proper notice of the public hearing.

Director West explained that 76% of the program budget has been distributed, and noted that the grant includes \$20,000 for the City to run the program.

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

22. RESOLUTION – In Support of Continued and Increased State Aid for Local Governments

Mayor Valentino presented the following resolution:

Whereas, until 2024, cities, villages and towns had not received an increase in unrestricted state aid (AIM funding) in 15 years, significantly impacting their ability to provide essential services to their residents; and

Whereas, after a prolonged period without financial support, local governments finally received an increase of \$50 million in unrestricted state aid; and

Whereas, local officials express their gratitude for the \$50 million increase in unrestricted state aid, recognizing it as a positive step towards addressing long-standing funding challenges; and

Whereas, the State has referred to this new aid as Temporary Municipal Assistance, suggesting that such increase may not continue, jeopardizing the sustainability of crucial municipal programs and services; and

Whereas, the property tax cap further limits the ability of local governments to properly fund the programs and services their residents need; and

Whereas, increased and ongoing state aid for local governments is vital for maintaining infrastructure, public safety, housing and other municipal services; and

Whereas, the challenges of inflation, the increasing costs of labor and supplies, and the end of extraordinary federal aid only accentuate the need for consistent and predictable funding to effectively plan for the future and meet the growing needs of their residents;

Now, therefore, be it resolved, that the City of Geneva calls upon the Governor and the State Legislature to commit to continuing the additional \$50 million in unrestricted state aid in the 2025-26 State Budget and beyond, and

Be it further resolved, that the members of the Geneva City Council urges state officials to recognize the need for a long-term plan that ensures consistent and predictable increases in financial support for local governments that keep pace with inflation.

ACTION TAKEN by Clr Grimaldi; seconded by Clr. Petropoulos
MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

23. RESOLUTION – Establishing a Public Hearing for Sale of City Owned Property

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva owns 1.87 acres of real property located adjacent to CCN International Inc. Properties on Lehigh Street (90.15-4-66); and

WHEREAS, the Geneva City Council has deemed that a portion of the property of 0.568 acres no longer serves a public purpose and should be sold to a private party; and

WHEREAS, staff has reviewed private interest in this property and is in the process of subdividing the property via the Planning Board; and

WHEREAS, if a proposal is determined to be in the best interest of Geneva residents, City Council anticipates the sale of the property to the longstanding City partner CCN International, Inc. at a cost of no more than \$19,000.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing for the sale of the above reference property be held at the regular City Council meeting on January 8, 2025.

Councilor Petropoulos wondered if this parcel is near the Cracker Factory, it is, and wondered if it is developed, which it is not. City Manager Hendrix explained that it serves as a parking area, and will continue to be utilized as such. Councilor Pealer wondered if the parcel is improved by paving will the assessment be bumped up. City Manager Hendrix confirmed that it will.

ACTION TAKEN by Clr Gillotte; seconded by Clr. Grimaldi

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

24. BOARD AND COMMISSION APPOINTMENTS

Mayor Valentino thanked outgoing Fire Commissioner Wheeler for his service.

City Manager Hendrix added that an interview panel has been assembled for Comptroller interviews to include city staff, and partners at the LDC, IDA, and BID.

ACTION TAKEN by Clr Gillotte; seconded by Clr. Pealer

MOVED THAT Debra Wright be reappointed to the Board of Assessment Review; Geoffrey Geiger be reappointed to the Board of Ethics; Victoria Lehman and Jerry Buckley be reappointed to the Historic Districts Commission; David D'Amico and Anne Nenneau be reappointed to the Planning Board; Amaris Elliott-Engel and Paul D'Amico be reappointed to the Police Budget Advisory Board; Richard Hoyt and Elyse Nepa be appointed to the Police Budget Advisory Board; Robert Meyer be reappointed to the Zoning Board of Appeals, Marc Rodriguez be reappointed to the LDC; and Jay Fitzgerald be appointed Fire Commissioner (Hydrant Hose Company)

MOTION CARRIED UNANIMOUSLY (8-1 absent)

25. MAYOR AND COUNCIL REPORTS

Councilor Lavin requested an update on Short Term Rental activities and participation.

Councilor Pealer had no Planning Board Report, and reminded everyone to come out to the Mayor's Tree Lighting at 5:30 this Friday.

Councilor Grimaldi shared that there was no Housing Authority report, shared that new state regulations will require sprinkler systems in new homes, discussion followed.

Councilor Gillotte shared that BID reviewed the 2025 draft budget, and will present the final proposal at their December meeting. He further shared the Dove Block ribbon cutting on November 6, and three new businesses downtown to include South Paw Grooming, Jinx Ink, and Total Recall. Holiday decorations are up, BID will be on Ted Baker Friday morning promoting Jingle in Geneva, and the NYSTA conference will be held in Canandaigua next year, Cathrine Price will attend, and organize a tour of downtown Geneva. He also shared that the Police Budget Advisory Board is full after tonight's appointments.

Councilor Petropoulos welcomed three new downtown businesses, and shared the LDC and IDA's financial support of the BID. He shared that a neighborhoods meeting was held recently at the Bozzuto Center, that Wards 4, 5, and 6 will host another Town Hall soon, and thanked Supervisor Kennedy, Councilor Brennan, and Councilor Gillotte for attending the Talking Bench dedication.

Councilor Moracco thanked Councilor Whitfield for the invitation to the Geneva 2030 event at Club 86, and noted that constituent complaints are being forwarded to staff and being handled in a reasonable amount of time.

Councilor Whitfield voiced concerns regarding getting people to listen to difficult topics and wondered if the noose incident had been thoroughly investigated. He also voiced concerns about a church damage incident in 2019 being put on young women and swept under the rug, encouraging others to speak up about systemic racism. Councilor Whitfield shared that he is being told that when he speaks, he sounds angry or too loud, and that he's not shown on YouTube. He expressed concerns about black and Latino families being told when they complain about issues that they should just move, money management not being taught in schools, and a Dunkin being built in a food desert, observing that the city is only being developed for a certain kind to live, grown and succeed.

Recreation updates include skating hours posted on the website, and Thanksgiving open skates were well attended. The Green Committee is looking for volunteers to help with waste disposal at the Tree Lighting Ceremony, Daddys Do Care is accepting outerwear donations at Lattimore Physical Therapy and the library. Ibero, an agency helping African American and Latino entrepreneurs, ribbon cutting was a success.

Mayor Valentino thanked staff for their efforts this year, and thanked council for their effort and collaboration to accomplish a lot in 2024. He reminded everyone that the Mayor's Tree Lighting Ceremony will be this Friday beginning at 5:30 and will include a Fill the Cruiser toy drive

benefiting Toys for Tots. The mayor shared that he will attend the regional mayors meeting on December 18, and wished everyone a happy new year.

Councilor Pealer recommended that families purchase a family pass to the rink, noting that it pays for itself in three visits.

26. ADJOURNMENT

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

MOVED THAT the meeting be adjourned at 8:30pm

MOTION CARRIED UNANIMOUSLY (8-1 absent)

Nicole Tillotson
City Clerk

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

SPECIAL COUNCIL MEETING

DECEMBER 17, 2024 – 5:30 PM

City Hall – 2nd Floor Council Room
47 Castle Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

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

Absent: Clr. Lavin

2. EXECUTIVE SESSION

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

MOVED THAT Council move to executive session at 5:31pm to discuss collective negotiations pursuant to article fourteen of the civil service law
MOTION CARRIED UNANIMOUSLY

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

MOVED THAT Council exit executive session at 5:50pm.
MOTION CARRIED UNANIMOUSLY

3. RESOLUTION – Ratifying Labor Agreement with City of Geneva Firefighters IAFF Local 2859

City Manager Hendrix presented the following resolution:

WHEREAS, the collective bargaining teams for the City of Geneva and IAFF City of Geneva Firefighters Local 2859 have concluded negotiations for a successor collective bargaining agreement covering the period of January 1, 2025 through December 31, 2027;

WHEREAS, the City Manager is now recommending that the City Council adopt a three (3) year contract with this unit the following are the areas of modification proposed:

- Section 3 - Salaries
- Section 5 - Retirement
- Section 6 - Health Plan
- Section 12 - Working Schedule and Hours (Holidays, Military Leave)
- Section 13 - Uniform, Bedding, and Cleaning Allowance
- Section 15 - Mileage
- Section 25 - Drugs and Alcohol

- Section 26 - Addition of Management Rights

NOW, THEREFORE, BE IT RESOLVED, that this City Council hereby ratifies said agreement and authorizes the expenditure of the necessary funds therefor; and be it further

RESOLVED, that the City Manager be and hereby is authorized to execute said agreement on behalf of the City of Geneva.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

4. RESOLUTION – Ratifying Labor Agreement with City of Geneva Police Officers Local 3471, Council 82, New York State Law Enforcement Officers Union, AFSCME

City Manager Hendrix presented the following resolution:

WHEREAS, The collective bargaining teams for the City of Geneva and City of Geneva Police Officers Local 3471, Council 82, New York State Law Enforcement Officers Union, AFSCME have concluded negotiations for a successor collective bargaining agreement covering the period of January 1, 2024 through December 31, 2025;

WHEREAS, the City Manager is now recommending that the City Council adopt a two (2) year contract with this unit the following are the areas of modification proposed:

- Article 2 – Recognition
- Article 4 – Salary & Step Definition
- Article 5 – Longevity
- Article 7 – Retirement Plan
- Article 8 – Work Schedule and Overtime
- Article 9 – Clothing Allowance – Equipment Issue
- Article 10 – Holidays, Vacation, and Sick Leave
- Article 11 – Health Insurance
- Article 12 – Educational Benefits
- Article 17 – Miscellaneous Provisions
- Article 21 – Policies, Rules, and Regulations
- Article 25 – Compensation Time

NOW, THEREFORE, BE IT RESOLVED, that this City Council hereby ratifies said agreement and authorizes the expenditure of the necessary funds therefor; and be it further

RESOLVED, that the City Manager be and hereby is authorized to execute said agreement on behalf of the City of Geneva.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

5. RESOLUTION – Supporting the Submittal of an Application for the SWIFR EPA Grant

City Manager Hendrix presented the following resolution:

WHEREAS, the City of Geneva, New York, is committed to promoting environmental sustainability, public health, and economic vitality within the community; and

WHEREAS, the U.S. Environmental Protection Agency (EPA) offers the **SWIFR (Strengthening and Advancing Infrastructure for Resiliency) EPA Grant**, which supports local initiatives aimed at enhancing environmental infrastructure, resilience to climate change, and the improvement of public health; and

WHEREAS, the City of Geneva in partnership with the Town of Geneva has identified several projects within their jurisdictions that align with the objectives of the SWIFR EPA Grant, including but not limited to, improvements to the operations of the Vermiculture Trench, Resource Recovery Park, and Resource ReUse Center; and

WHEREAS, the City of Geneva believes that securing the SWIFR EPA Grant would provide the necessary financial resources to further the City's environmental and public health goals, as well as strengthen the community's resilience to future environmental challenges; and

WHEREAS, the City of Geneva acknowledges the importance of collaboration with local, regional, and federal partners, including the Town of Geneva, to maximize the impact and success of the SWIFR EPA Grant-funded initiatives;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, as follows:

1. **Support for the Application:** The City of Geneva fully supports the submittal of an application for the SWIFR EPA Grant to fund relevant projects that advance environmental sustainability, resilience, and public health within the community.
2. **Authorization to Apply:** The City of Geneva hereby authorizes the City Manager and appropriate City staff to submit and manage the application for the SWIFR EPA Grant, including any necessary documents, reports, and follow-up actions required by the EPA.
3. **Commitment to Environmental Sustainability:** The City of Geneva reaffirms its dedication to fostering a sustainable, resilient, and thriving community for current and future generations through continued efforts in environmental stewardship and infrastructure development.

PASSED AND ADOPTED this December 17, 2024 by the City Council of the City of Geneva, New York.

City Manager Hendrix explained that these grant funds would be used for a Resource Recovery Park at the City's Doran Ave. site as a shared service with the Town of Geneva. In addition to the current vermiculture trench and yard debris collection, trash and recycling would be added to the site. Additionally, a re-use center would be added as a way to reuse building supplies and other materials. City Manager Hendrix explained that there is no match with this grant, which includes funds to administer the grant.

Councilor Pealer thanked the residents who wrote this grant, noting that as a municipality situated between two landfills, we've learned how important ecology and sustainability are. He then wondered if there is any way to boast what residents can keep out of the landfill with this program. City Manager Hendrix explained that there is no baseline, as city trash collection is privatized, but over time the city will be able to measure. Councilor Pealer then wondered if the transfer station will be open longer more than the current resource recovery park model, City Manager Hendrix hopes so, at least for longer days in the beginning of the roll out.

Mayor Valentino thanked the Ontario County Board of Supervisors for voting to close the landfill in 2028.

Councilor Whitfield wondered about safety; the City Manager explained how regulated the operation will be. Discussion followed related to the proposed punch card system, sharing with the town, and hazardous waste disposal.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY (8-1 absent)

6. ADJOURNMENT

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

MOVED THAT the meeting be adjourned at 6:05 pm

MOTION CARRIED UNANIMOUS (8-1 absent)

Nicole Tillotson
City Clerk

DRAFT



Geneva City Council
Agenda Item Briefing

To: Mayor Valentino and the Members of City Council

From: Amie Hendrix, City Manager

Meeting Date: January 8, 2025

Item Title: RESOLUTION AUTHORIZING SALE OF CITY OWNED PROPERTY

Action Required:

This action will establish a public hearing for the sale of property located on Lehigh Street.

Background:

Upon reviewing the property interests of the City, it has been recommended that the .568 acres of the City property that is currently being used as parking space be subdivided from the total parcel and be disposed of the city to CCN International. The conveyance of the property is estimated at a cost of up to \$19,000 in goods or services.

Alternatives:

Council could choose keep the City owned property.

Financial Impact:

The parcel will go back on tax roles

Attachments:

Property survey with potential conveyance.

RESOLUTION # 4-2025
AUTHORIZING SALE OF CITY OWNED PROPERTY TO CCN INTERNATIONAL

WHEREAS, the City of Geneva owns real property located adjacent to CCN International Inc properties on Lehigh Street (90.15-4-66); and

WHEREAS, the Geneva City Council has deemed that a portion of the property of 0.568 acres no longer serves a public purpose and should be sold to a private party; and

WHEREAS, staff has reviewed private interest in this property and is in the process of subdividing the property via the Planning Board; and

WHEREAS, if a proposal is determined to be in the best interest of Geneva residents, City Council anticipates the sale of the property to the longstanding City partner CCN International, Inc. at a cost of no more than \$19,000.

NOW, THEREFORE, BE IT RESOLVED, that the Geneva City Council, hereby and in due form, directs the City Manager and City Attorney to prepare and execute documents necessary to affect the sale of property adjacent to CCN International (90.15-4-66).



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: David West, Director of Planning & Economic Development

Meeting Date: 1/8/2025

Item Title: Second Reading for Zoning Map Amendment Expanding CB-5

Action Required:

Second reading of the ordinance adopting edits to the City Zoning Map in Chapter 350 of the City Code.

Background:

In the review of development opportunities downtown there are a variety of locations where additional flexibility could increase the potential value of development/redevelopment of parcels. Following on the last discussion with Council the Department of Planning and Economic Development is recommending amendments to the City Zoning Map adding several new parcels to the CB-5 zone, the zone that currently allows the most development potential with new buildings being allowed up to 5 stories.

Alternatives:

Council could choose not to expand the CB-5 Zoning area

Financial Impact:

None if not pursued, pursuing a zoning amendment will take some staff time but can be done with current resources. If rezoning enables additional value in development the potential for increased tax revenue is likely and substantial.

ORDINANCE # 1-2025

AN ORDINANCE AMENDING SECTION 350 OF THE GENEVA CITY CODE

Be it **ENACTED AND ORDAINED** by the Geneva City Council, as follows:

Section 350 of the Geneva City Code be amended to reference the attached map extending the boundaries of the CB-5 Zone to include additional properties within Downtown in recognition of the area's important and historic contribution to downtown Geneva's walkability and accessibility and to increase the value of future development for the benefit of all Genevans;

and it is further

ENACTED AND ORDAINED that the attached map shall be the authoritative document defining the boundaries of Zoning Districts in the City of Geneva, that interpretation of this map shall conform to Geneva City Code Section 350-1.3 Interpretation of District Boundaries;

and it is further

ENACTED AND ORDAINED, that this amendment to the Geneva City Code is adopted pursuant to the New York State Constitution, Municipal Home Rule, General City Law, and the City of Geneva's police power to regulate the use of land and structures for the protection of the health, safety, welfare, comfort, peace and prosperity of the City and its inhabitants,

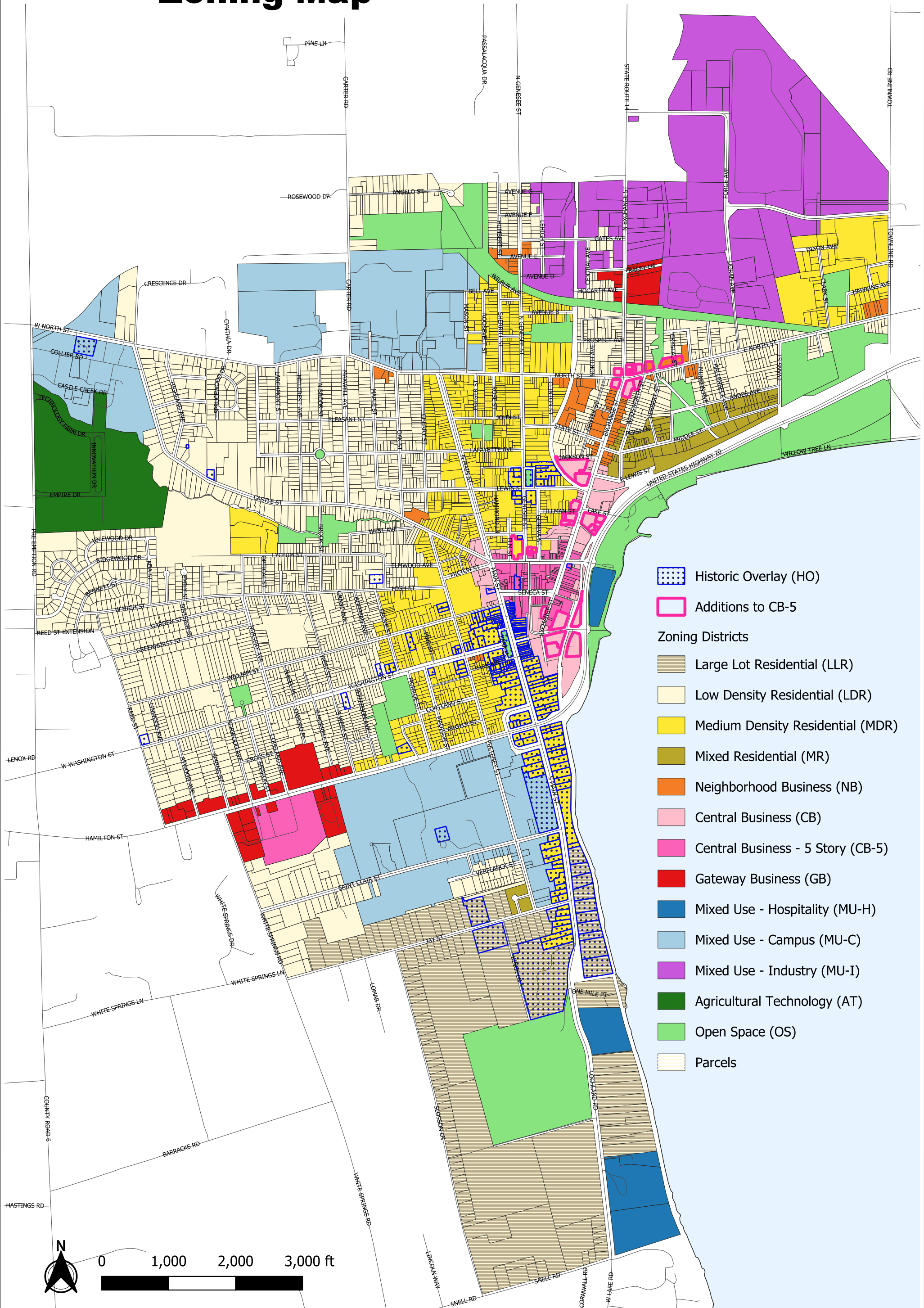
and it is further,

ENACTED AND ORDAINED, that this amendment to the Geneva City Code is adopted in conformance with the Geneva City Comprehensive Plan in furtherance of the City's values--which include stewardship of natural resources, a strong economy, its "uniquely urban" setting and sense of community, multicultural heritage and the local arts, architectural and recreational assets--with its vision of being a "Beautiful, Prosperous, Equitable, Connected, and Sustainable" City.

Effective Date

This Ordinance shall take effect immediately upon adoption by the City Council.

Zoning Map





Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: David West, Director of Planning and Economic Development

Meeting Date: Jan 8, 2025

Item Title: SEQR REVIEW AND NEGATIVE DECLARATION RESOLUTION FOR ZONING MAP
AMENDMENT- CB-5 EXPANSION

Action Required:

SEQR review – This is a Type 1 Action and requires completion of a Full Environmental Assessment Form. A draft has been provided by staff including a findings statement and Negative Declaration of Environmental Significance

Background:

City Council voted to act as Lead Agency in SEQR Review of the Zoning Update and to schedule a public hearing which was completed at the regular December 2024 meeting.

City staff also submitted an application for GML 239 review to Ontario County Planning Board who considered the application and voted unanimously to recommend approval with no required modifications. Ontario County Planning Board did provide an informal list of suggestions and questions to consider:

CRC Comments

1. What is the reason for increasing development density of some parcels and not others -i.e. the rezoning MLK park, not rezoning parcels along Exchange Street from Canal Street to

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

East Castle Street?

2. Has the referring board considered the potential impact to views/line-of-site of the lake for residents/visitors? For example, the viewshed from Pulteney Park looking east down Elizabeth Blackwell St. The County Planning Board considers community character (including historic and cultural landscapes) “a key feature of creating a desirable tourism destination and maintaining quality of life for residents” – CPB Bylaws.

3. The referring body may want to explicitly link proposed changes to land use regulations to vision, policies, and goals of the Comprehensive Plan for example maintaining the walkable, urban character of community gateways y

4. Will the proposed changes in development density negatively impact residential uses north of North Street?

CPB Comment

1. Referring Board should consider if the parking requirements for new buildings in the CB-5 Zoning District align with the vision for downtown Geneva.

Council completed the first reading of this ordinance to amend the City of Geneva Zoning Map to expand the CB-5 Zone in December 2025 and scheduled the 2nd reading for January 8 2025, completing SEQR and the Second Reading are the final steps in adoption of the Zoning Map Amendment.

No changes have been made since the December Council Meeting.

Financial Impact:

Adopting the Zoning Update will necessitate updating the City’s website and e-code which has some marginal cost. Unlocking development on parcels that are currently under-zoned should encourage development and increase the City’s tax base leading to economic growth and increased fiscal sustainability.

RESOLUTION # 9-2025

RESOLUTION ADOPTING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE FOR THE CITY OF GENEVA'S ZONING MAP AMENDMENT EXPANDING THE CB-5 ZONE

WHEREAS, the City of Geneva declared Lead Agency in the review of the ZONING MAP AMENDMENT EXPANDING THE CB-5 ZONE; 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; and

WHEREAS, the ZONING MAP AMENDMENT EXPANDING THE CB-5 ZONE will not allow significant change in use or new construction without further review/permitting subject to SEQR; and

WHEREAS, ZONING MAP AMENDMENT EXPANDING THE CB-5 ZONE is a re-zoning. Any substantial new construction will undergo its own environmental review that will be no less protective of the environment and will assess any impacts on community-provided services.; and

WHEREAS, the Ontario County Planning Board did, in December of 2024, review the proposed rezoning and vote unanimously in support of the proposed changes; 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 with support of professional staff 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 ZONING MAP AMENDMENT EXPANDING THE CB-5 ZONE 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 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: Geneva Zoning Map Amendment, Expansion of CB-5		
Project Location (describe, and attach a general location map): Parcels in Downtown Geneva with capacity for increased development in areas described in the comp. plan for increased urbanism.		
Brief Description of Proposed Action (include purpose or need): The City of Geneva needs to grow following it's "Uniquely Urban" strategy to attract new residents, support businesses, and improve fiscal sustainability. The City's Comprehensive Plan calls for focusing new growth downtown and on adjacent corridors. This project amends the City of Geneva zoning map to add additional parcels with development potential to the CB-5 zone, the City's tallest zoning district which allows up to 5 stories in a variety of uses including commercial and multifamily housing.		
Name of Applicant/Sponsor: 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
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
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	Geneva City Council	Council scheduled to vote on map amendment early Jan. 2025
b. City, Town or Village Planning Board or Commission ☐ Yes ☐ No		
c. City, Town or Village Zoning Board of Appeals ☐ Yes ☐ No		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☒ Yes ☐ No	Ontario County Planning Board 239 review	Board voted to approve, 12/11/24
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: B00019, Remediation Sites: E835021, Remediation Sites: C835027A North End Brownfield Opportunity Area Study

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? Parcels set to be rezoned to CB-5 are currently zoned CB, MDR, NB. The Traditional Urban Design District overlay also applies to several of these parcels.	☒ Yes ☐ No
b. Is the use permitted or allowed by a special or conditional use permit?	N/A to zoning map amendment ☐ Yes ☐ No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? CB-5	☒ Yes ☐ No
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 and Ontario County Sheriff	
c. Which fire protection and emergency medical services serve the project site? Geneva Fire Department	
d. What parks serve the project site? Seneca Lake Waterfront Park, Genesee Park	

D. Project Details N/A to Zoning Amendment

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? ☐ Yes ☐ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) 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

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. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		

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 **N/A to Zoning Amendment**

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? <i>i. If Yes: explain:</i> _____	☐ Yes ☐ No
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? If Yes, <i>i. Identify Facilities:</i> _____ _____	☐ Yes ☐ No
e. Does the project site contain an existing dam? If Yes: <i>i. Dimensions of the dam and impoundment:</i> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <i>ii. Dam's existing hazard classification:</i> _____ <i>iii. Provide date and summarize results of last inspection:</i> _____ _____	☐ Yes ☐ No
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? If Yes: <i>i. Has the facility been formally closed?</i> • If yes, cite sources/documentation: _____ <i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i> _____ _____ <i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____	☐ Yes ☐ No ☐ Yes ☐ No
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? If Yes: <i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i> _____ _____	☐ Yes ☐ No
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? If Yes: <i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i> ☐ Yes – Spills Incidents database ☒ Yes – Environmental Site Remediation database ☐ Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): B00019, E835021, C835027A <i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i> _____ _____ <i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</i> If yes, provide DEC ID number(s): B00018, V00119, B00019, 835015, E835021, C835027A <i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i> _____ _____	☒ Yes ☐ No ☒ Yes ☐ No

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: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site ☐ Moderately Well Drained: _____ % of site ☐ Poorly Drained _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☐ 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:	
• Streams: Name <u>898-473</u> Classification <u>C</u> • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name <u>Federal Waters, Federal Waters, Federal Waters,...</u> Approximate Size _____ • Wetland No. (if regulated by DEC) _____	
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): _____ _____ _____	
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: _____	
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? ☒ Yes ☐ No	
If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: Eligible property: Greek Revival Residence, Eligible property: KERSHAW APTS, Eligible property: PERSONS AND SIGLAR BUILD... iii. Brief description of attributes on which listing is based: _____	
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? ☐ Yes ☐ No	
If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No	
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.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No	
If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ 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.

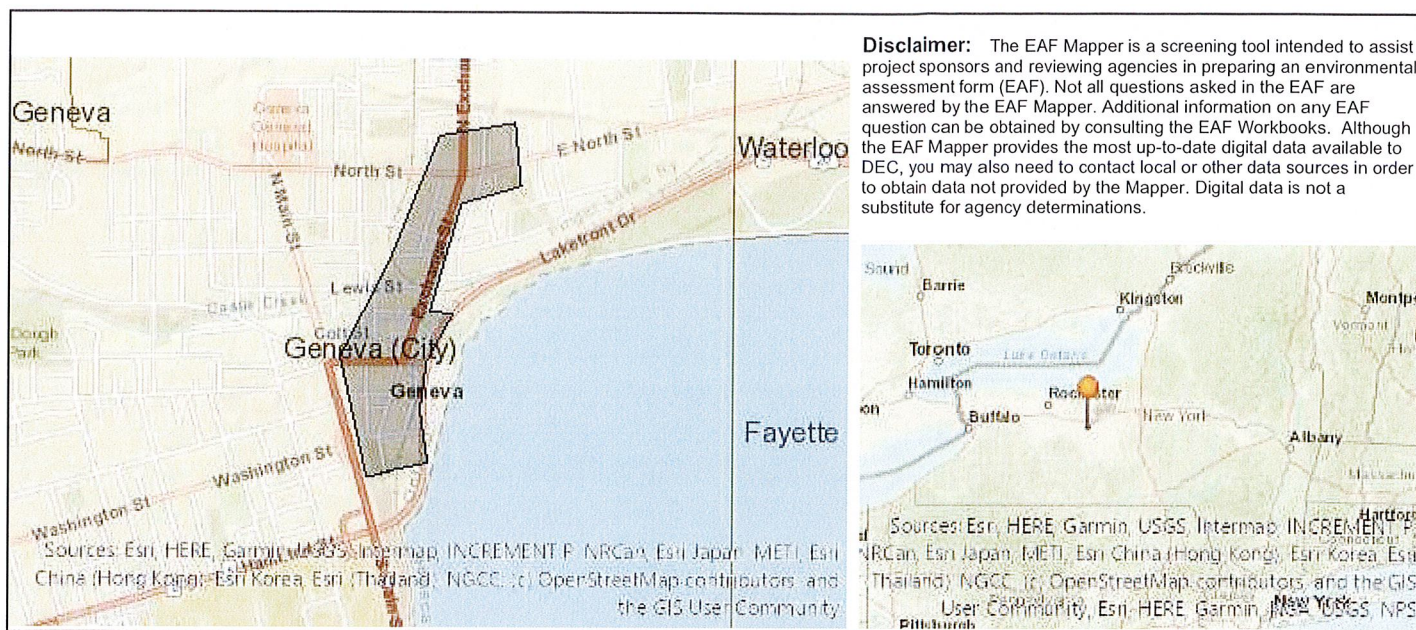
G. Verification

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

Applicant/Sponsor Name City of Geneva, NY (David West, Dir. PED) Date 12/20/24

Signature  Title Director of Planning & Economic Development

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:B00019, Remediation Sites:E835021, Remediation Sites:C835027A
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]	B00019, E835021, C835027A
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]	B00018, V00119, B00019, 835015, E835021, C835027A
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
E.2.h.iv [Surface Water Features - Stream Classification]	C

E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
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]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
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:Greek Revival Residence, Eligible property:KERSHAW APTS, Eligible property:PERSONS AND SIGLAR BUILDING (THE MAIN PLACE), Eligible property:COLUMBIA BLOCK (HARRIS APTS), Eligible property:(TEXACO GAS STATION), Eligible property:GENEVA WOMAN'S CLUB, Eligible property:Geneva Public Library, Eligible property:FIRST METHODIST CHURCH, South Main Street Historic District, US Post Office--Geneva, Smith's Opera House/Geneva Theater, Geneva (34th Independent Company) Armory, Genesee Park Historic District, Farmers' and Merchants' Bank, Geneva Downtown Commercial Historic District, St. Francis de Sales Parish
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

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

Agency Use Only [If applicable]
 Project : **Zoning Amendment - CB-5**
 Date : **12/20/24**

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)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	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.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</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 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) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</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 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. ☒ NO ☐ YES (See Part I. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	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. ☒ NO ☐ YES (See Part I. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	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. ☒ NO ☐ YES (See Part I. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	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.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i> ☒ NO ☐ YES			
	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: _____ _____		☐	☐	

PRINT FULL FORM

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.

See Attached

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

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
City of Geneva City 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: City of Geneva Zoning Map Amendment - CB-5 Expansion

Name of Lead Agency: City of Geneva City Council

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:

Address:

Telephone Number:

E-mail:

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

Findings Statement for City of Geneva Zoning Map Amendment – CB-5 Expansion

Background:

The City of Geneva's Comprehensive Plan calls for focusing growth downtown and on key commercial and residential corridors leading towards downtown. The City has identified a number of parcels that have significant development potential that were under-zoned for the level of density that is desirable to achieve the City's goals building on their "Uniquely Urban" strategy and the scale of building necessary to be economically feasible in current market conditions. Parcels where 5 story development would be welcomed were identified for up-zoning and reviewed by council and the community. The identified parcels are in areas where previous planning has called for increased density, where that density is compatible with the surrounding context, and where buildout will enhance the character and quality of the urban environment.

Specific SEQR concerns and review of potential for impacts:

In review of the SEQR Part 1, the proposed map amendments, and comments from the community special care was given to considering impacts to historic structures and key views and vistas. The zoning changes are on several parcels that are adjacent to historic structures but were specifically chosen to avoid inducing demolition of any historic buildings of note. The City has in place review criteria for buildings that would be enabled by the CB-5 expansion including requirements of the Traditional Urban Design Overlay District and Development Plan Review that will require any future building proposal to be shaped in a way that it is consistent with the historic downtown context.

Similarly, the City heard, during the public hearing process, from concerned owners of Main Street Properties, that redevelopment between Main and Senecal Lake could reduce views of the lake either from existing buildings or from Pulteney Park. Much of those concerns centered on the OEO parcel which is not being rezoned at this time. Council and Staff reviewed these concerns and while it is clear that new buildings will be visible from existing buildings, given the height of Main Street properties, the significant grade changes between parcels proposed to be added to the CB-5 zone and existing development, and the size of the lake, as well as an understanding of the historic development pattern of the area, which was previously much more built out than it is today, the minor impact of the parcels to be allowed additional development height will not have a significant negative impact.

Impacts from new development:

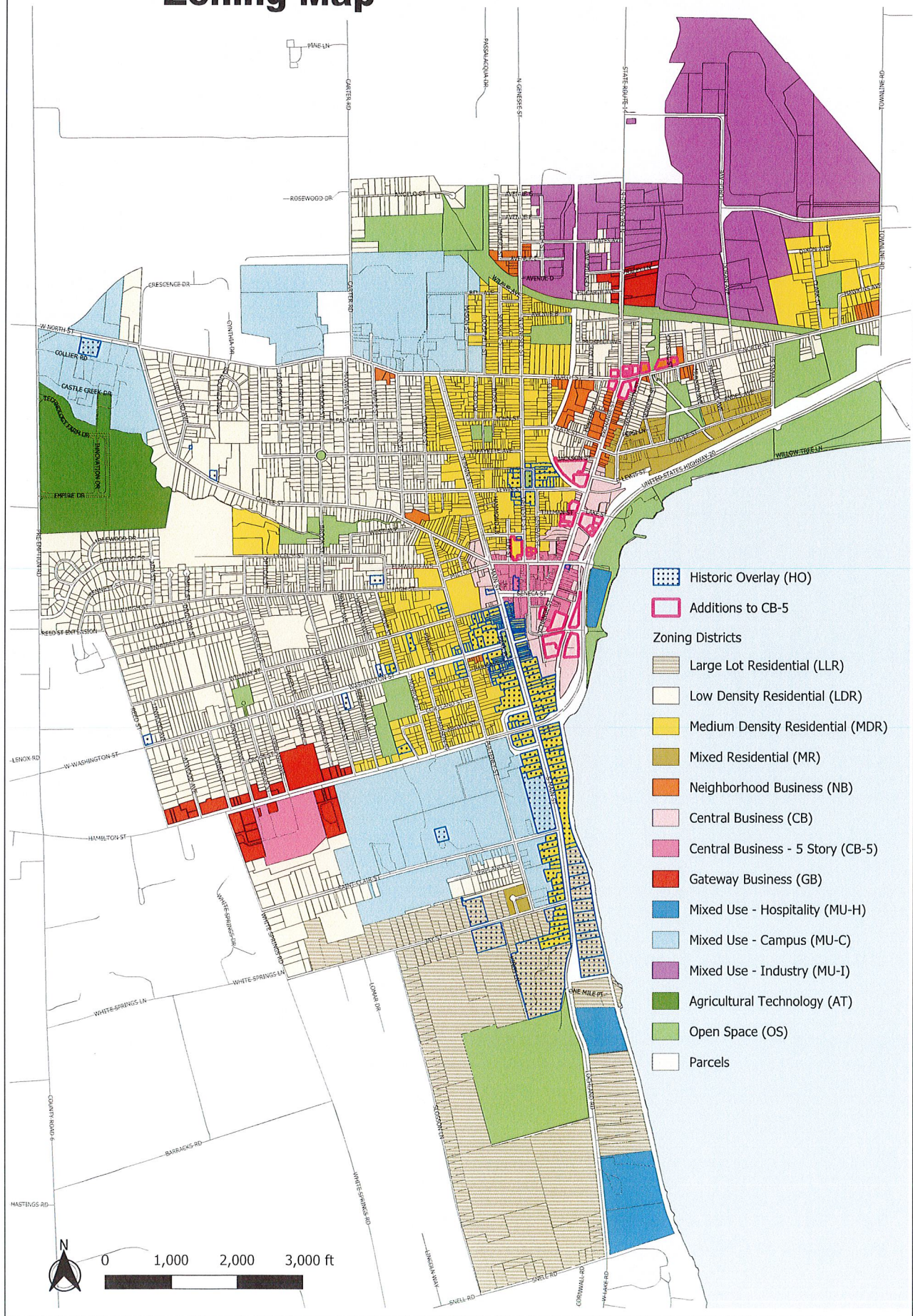
City staff reviewed the proposed CB-5 parcels for development potential and found them to be adequately served by existing infrastructure to accommodate development at the scale allowed by the CB-5 zoning. The City has surplus water, and traffic capacity far in excess of potential demand related to the upzoning. These areas are already well built out, the CB-5 will allow new buildings to be incrementally larger than the existing context, as desired by the Comprehensive Plan. Directing new development to downtown and downtown adjacent locations has been shown to reduce GHG emissions, reduce overall traffic, and to be the most resource efficient way to house new residents. Dense walkable neighborhoods like downtown Geneva have a significantly lower carbon footprint, encourage alternative transportation mode choices, and result in less watershed imperviousness than typical suburban sprawl development types. By taking up demand for new housing in our most urban locations we will be reducing environmental impacts across the county.

Actual development subject to further review:

Any development project that would be allowed by the expansion of the CB-5, that wasn't already allowed by existing zoning, would trigger development plan review by the City of Geneva Planning Board and require SEQR review of specific impacts from that project. At the time of rezoning we can not know or fully evaluate those impacts but we do know that they will be subject to review and if needed, to mitigation, at the time development is proposed.

CITY OF GENEVA

Zoning Map





GENEVA CITY COUNCIL AGENDA ITEM BRIEFING

To: City Council

From: Nicole Tillotson, City Clerk

Meeting Date: January 8, 2025

Item Title: Local Law reducing the number of the City Planning Board from nine (9) to five (5)

Action Required:

An affirmative vote by City Council will approve a Local Law reducing the number of the planning board from nine to five.

Background:

Legislation was approved by City Council on August 2, 2023 reducing the number of the Planning Board from 9 to 7. Due to a clerical error during the transition of Clerks last year, the local law was not filed with the Department of State.

After Council discussion at the November 6th meeting, direction was given to staff to further reduce the number of the planning board to five, as it has been challenging to recruit and retain interested and qualified residents to this board.

Alternatives:

Council could reduce the Planning Board to seven members.

Financial Impact:

None

Office of the City Clerk

Nicole Tillotson

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LOCAL LAW # 1-2025

A LOCAL LAW TO AMEND THE CITY CHARTER AND THE CITY CODE TO REDUCE THE MEMBERSHIP OF THE GENEVA PLANNING BOARD FROM NINE TO FIVE MEMBERS.

BE IT ENACTED, by the City Council of the City of Geneva, Ontario County, State of New York, as follows:

Article I. General Provisions

Section 1. Authorization

The adoption of this local law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 2. Legislative Finding and Purpose

The City Council hereby finds that the Planning Board is having difficulty reaching a quorum in order to conduct regular business, in part because the requirement of having nine (9) members is too high for the Planning Board to be fully constituted.

The purpose of this local law is to amend the City Charter and to amend the City Code in order to reduce the membership of the Geneva City Planning Board from nine to five in order to align the Planning Board membership with General City Law Section 27(1), and to better serve the public interest by facilitating the ability to establish a quorum at Planning Board meetings in order to conduct Planning Board business.

Section 3. Effect of Reduction of Planning Board Membership

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

Section 4. Validity and Severability.

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. Inconsistency.

All other local laws and ordinances of the City of Geneva that are inconsistent with the provisions of this ordinance are hereby repealed provided, however, that such repeal shall only be to the extent of such inconsistency. In all other respects, this Local Law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered herein.

Section 6. Effective Date

This Local Law will take effect immediately upon filing with the New York Secretary of State.

Article II. Amendments to the City Charter of the City of Geneva

City Charter Sections 13.3(1) and (2) shall be amended as follows:

The first sentence of Charter Section 13.3(1) henceforth read:

The Planning Board shall consist of five (5) members appointed by the Mayor and approved by City Council, each for a term of three (3) years.

Charter Section 13.3(2) shall henceforth read:

The Planning Board Chairperson shall be appointed by the Mayor and approved by City Council. In the absence of the Chairperson the Planning Board may designate a member to serve as Acting Chairperson until a Chairperson is appointed as provided herein.

Any other sections of Section 13.6 not amended as provided herein shall remain in effect.

Article III. Amendments to the City Code of the City of Geneva

City Code Section 350-19.2(B) shall be amended to read as follows:

B. Membership and terms.

- (1) The Planning Board shall consist of five members appointed by the Mayor and approved by the City Council. The Planning Board Chairperson shall be appointed by the Mayor and approved by City Council. In the absence of the Chairperson the Planning Board may designate a member to serve as Acting Chairperson until a Chairperson is appointed as provided herein.

- (2) Any vacancies shall be filled by appointment by the Mayor and approved by City Council for the unexpired portion of the term.
- (3) The terms of the members of the Planning Board shall be three years.
- (4) Removal of members and the designation of alternates shall be addressed as provided for in the New York General City Law.
- (5) The members shall serve without compensation.

Any other sections of Section 350-19.2 not amended as provided herein shall remain in effect.



**GENEVA CITY COUNCIL
AGENDA ITEM BRIEFING**

To: City Council

From: Nicole Tillotson, City Clerk

Meeting Date: January 8, 2025

Item Title: Local Law reducing the number of the City Zoning Board of Appeals from Seven (7) to five (5)

Action Required:

An affirmative vote by City Council will approve a Local Law reducing the number of the Zoning Board of Appeals from seven (7) to five (5).

Background:

After Council discussion at the November 6th meeting, direction was given to staff to reduce the number of the Zoning Board of Appeals from seven to five, as it has been challenging to recruit and retain interested and qualified residents to this board.

Alternatives:

Council could choose to leave the number of seats on the Zoning Board of Appeals at seven.

Financial Impact:

None

Office of the City Clerk

Nicole Tillotson

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LOCAL LAW # 2-2025

A LOCAL LAW TO AMEND THE CITY CHARTER AND THE CITY CODE TO REDUCE THE MEMBERSHIP OF THE GENEVA ZONING BOARD OF APPEALS FROM SEVEN TO FIVE MEMBERS.

BE IT ENACTED, by the City Council of the City of Geneva, Ontario County, State of New York, as follows:

Article I. General Provisions

Section 1. Authorization

The adoption of this local law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 2. Legislative Finding and Purpose

The City Council hereby finds that the ZBA is having difficulty reaching a quorum in order to conduct regular business, in part because the requirement of having seven (7) members is too high for the ZBA to be fully constituted.

The purpose of this local law is to amend the City Charter and to amend the City Code in order to reduce the membership of the Geneva City Zoning Board of Appeals (ZBA) from seven to five in order to align the ZBA membership with General City Law Section 81(1), and to better serve the public interest by facilitating the ability to establish a quorum at ZBA meetings in order to conduct ZBA business.

Section 3. Effect of Reduction of ZBA Membership

Reduction of the membership of the ZBA shall take effect as directed in General City Law Section 81(6). No incumbent shall be removed from office except upon the expiration of his or her term, except as provided by the City Charter or General City Law.

Section 4. Validity and Severability.

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. Inconsistency.

All other local laws and ordinances of the City of Geneva that are inconsistent with the provisions of this ordinance are hereby repealed provided, however, that such repeal shall only

be to the extent of such inconsistency. In all other respects, this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered herein.

Section 6. Effective Date

This Local Law will take effect immediately upon filing with the New York Secretary of State.

Article II. Amendments to the City Charter of the City of Geneva

City Charter Sections 13.6(A), (B), and (C) shall be amended in their entirety to read as follows:

- A. There shall be a Zoning Board of Appeals appointed by the Mayor and approved by the City Council. The provisions of Article 5-A of the General City Law shall apply to the powers, duties, organization and authority of the Zoning Board of Appeals except as hereinafter provided.
- B. The Zoning Board of Appeals shall consist of five (5) members who shall be appointed by the Mayor and approved by City Council for a term of three (3) years. Any vacancies shall be filled by appointment by the Mayor and approved by City Council for the unexpired portion of the term. The Board shall serve without compensation.
- C. The ZBA Chairperson shall be appointed by the Mayor and approved by City Council. In the absence of the Chairperson the ZBA may designate a member to serve as Acting Chairperson until a Chairperson is appointed as provided herein.

Any other sections of Section 13.6 not amended as provided herein shall remain in effect.

Article III. Amendments to the City Code of the City of Geneva

City Code Section 59 shall be repealed in its entirety.

City Code Section 350-19.3(B) shall be amended to read as follows:

- B. Membership and terms.
 - (1) The ZBA shall consist of five members appointed by the Mayor and approved by the City Council. The ZBA Chairperson shall be appointed by the Mayor and approved by City Council. In the absence of the Chairperson the ZBA may designate a member to serve as Acting Chairperson until a Chairperson is appointed as provided herein.
 - (2) Any vacancies shall be filled by appointment by the Mayor and approved by City Council for the unexpired portion of the term.

(3) The terms of the members of the ZBA shall be three years.

(4) Removal of members and the designation of alternates shall be addressed as provided for in the New York General City Law.

(5) The members shall serve without compensation.

Any other sections of Section 350-19.3 not amended as provided herein shall remain in effect.



**GENEVA CITY COUNCIL
AGENDA ITEM BRIEFING**

To: City Council

From: Amie Hendrix, City Manager

Meeting Date: January 8, 2025

Item Title: Resolution Establishing a Regular Council meeting Night for the City of Geneva

Action Required:

An affirmative vote by Council will set Regular Meetings for the first Wednesday of each month at 7:00pm beginning in February 2025.

Background:

Section three of the City Charter calls on City Council to approve certain institutions to execute various operational functions during your term. Specifically, the Charter calls for Council to establish an official meeting date and time. A resolution has been prepared to accomplish this objective.

Alternatives:

Council may amend the resolution

Financial Impact:

None

Office of the City Manager

Amie M. Hendrix

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RESOLUTION # 1 - 2025

RESOLUTION ESTABLISHING REGULAR COUNCIL MEETING NIGHT

WHEREAS, the Geneva City Charter provides that the City Council shall, at its organizational meeting, designate its official regular council meeting time, and

WHEREAS, in the past, City Council has met on the first Wednesday evening of each month as its official regular meeting night, and

WHEREAS, this Council is desirous to continue to conduct their regular meetings on the first Wednesday of every month beginning in February of 2025.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Geneva, New York, that the official Council meeting for the conducting of its regular business for the City of Geneva shall be the first Wednesday of each month commencing at 7:00 PM beginning in February of 2025.



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: January 8, 2025

Item Title: Resolution Designating Official Depositories for the City of Geneva

Background:

Section three of the City Charter calls on City Council to approve certain institutions to execute various operational functions during your term. Specifically, the Charter calls for Council to designate official Depositories. A resolution has been prepared to accomplish this objective.

Alternatives:

Council may amend the resolution.

Financial Impact:

N/A

Office of the City Manager

Amie Hendrix
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RESOLUTION # 2 - 2025

RESOLUTION DESIGNATED OFFICIAL DEPOSITORIES FOR THE CITY

WHEREAS, the Geneva City Charter provides that the City Council shall designate official depositories for the City of Geneva at its first organizational meeting, and

WHEREAS, it benefits the City to have many institutions competing for deposit services; and

WHEREAS, New York State has rigid requirements for banks wishing to hold municipal deposits.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Geneva, New York, that any bank with a branch office within the City limits, which is authorized to hold municipal deposits by the State of New York, is designated as an official depository for funds of the City of Geneva.



Geneva City Council Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: January 8, 2025

Item Title: Resolution Designating Official Newspaper for the City of Geneva

Background:

Section three of the City Charter calls on City Council to approve certain institutions to execute various operational functions during your term. Specifically, the Charter calls for Council to designate an official newspaper. The NYS Open Meetings Law states each municipality shall designate a public place for posting agendas. A resolution has been prepared to accomplish these objectives.

Alternatives:

Council may amend the resolution.

Financial Impact:

N/A

Office of the City Manager

Amie Hendrix
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RESOLUTION # 3 – 2025

DESIGNATING OFFICIAL NEWSPAPER

WHEREAS, the Geneva City Charter provides that the City Council shall designate an official newspaper for the publishing of public notices, and other official notifications for the City of Geneva, and

WHEREAS, The Finger Lakes Times has previously been designated as the official newspaper for the City for such purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, New York, that The Finger Lakes Times be and the same hereby is designated as the official newspaper for the City of Geneva.

RESOLVED this 8th day of January 2025



**GENEVA CITY COUNCIL
AGENDA ITEM BRIEFING**

To: City Council

From: Joe Venuti, Director, Department of Public Works

Meeting Date: January 8, 2025

Item Title: Resolution Declaring Certain Property as Surplus - DPW

Action Required:

An affirmative vote by City Council is required to declare equipment as surplus

Background:

Items in surplus no longer contribute value to the City's operations. The proceeds of the vehicle and miscellaneous equipment will be placed in the Equipment Amortization Fund.

Alternatives:

Council may elect not to declare this equipment as surplus.

Financial Impact:

Proceeds from the sale of this equipment will be applied to the Equipment Amortization Fund and used as trade for upgraded equipment.

Department of Engineering and Public Works

Joseph Venuti, Director of Engineering and DPW

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

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RESOLUTION # 5 – 2025
DECLARING CERTAIN PROPERTY AS SURPLUS

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.

Department of Public Works Surplus Equipment January 2025

- One (1) 2014 Toro Grounds Master 3280 Rotary Mower; Model 30345-3-4000338; Hours – 2,225.3
- Twelve (12) Freestanding Litter Receptacles – Width 19-1/2" x Height 37"



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Amie Hendrix, City Manager

Meeting Date: January 8, 2025

Item Title: APPROVAL OF THE 2025 AMENDMENT TO THE MUNICIPAL COOPERATIVE AGREEMENT FOR THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM

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

Background Information: In 2023, the City of Geneva joined the Greater Tompkins County Municipal Health Insurance Consortium (the Consortium). On an annual basis the Municipal Cooperation Agreement must be reviewed by all members of the Consortium. As new members join The Consortium an amended Municipal Cooperation Agreement is required by the New York State Department of Financial Services from all participating municipalities. The attached resolution will allow the adoption of the amendments to this agreement to include 14 new member municipalities. The full agreement is attached.

Alternatives: Council may elect to not adopt this resolution and our obligation to the Consortium would not be fulfilled as a member municipality. At that time our consortium membership could be removed.

Financial Impact: No additional financial impact.

Office of the City Manager

Amie M. Hendrix

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RESOLUTION # 6-2025

**Approval of the 2025 Amendment to the Municipal Cooperative
Agreement for the Greater Tompkins County Municipal Health Insurance Consortium**

WHEREAS, the City of Geneva is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010), and

WHEREAS, Article 47 of the New York Insurance Law (the "Insurance Law") and the rules and regulations of the New York State Department of Financial Services set forth certain requirements for governance of municipal cooperatives that offer self-insured municipal cooperative health insurance plans, and

WHEREAS, the Agreement sets forth in Section Q2 that continuation of the Consortium under the terms and conditions of the Agreement, or any amendments or restatements thereto, shall be subject to Board review and upon acceptance of any new Participant hereafter, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by a majority vote by its municipal board, and

WHEREAS, City of Geneva is in receipt of the proposed amended agreement and has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the Amended Municipal Cooperative Agreement, now therefore be it

RESOLVED, that upon receipt and review of the amended Agreement, the City of Geneva approves at a meeting of the governing body held on January 8, 2025 and authorizes the Chief Elected Official to sign the **2025** Amendment to the Municipal Cooperative Agreement (Effective 1.1.25) of the Greater Tompkins County Municipal Health Insurance Consortium as recommended by the Board of Directors.



Greater Tompkins County Municipal Health Insurance Consortium

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"Individually and collectively we invest in realizing high quality, affordable, dependable health insurance."

2025 AMENDMENT TO THE MUNICIPAL COOPERATION AGREEMENT (DFS Approval December 13, 2024; Effective January 1, 2025)

THIS AGREEMENT (the "Agreement") made effective as of the 1st day of October 2010 (the "Effective Date"), and as amended herein, by and among each of the signatory municipal corporations hereto (collectively, the "Participants").

W H E R E A S:

1. Article 5-G of the New York General Municipal Law (the "General Municipal Law") authorizes municipal corporations to enter into cooperative agreements for the performance of those functions or activities in which they could engage individually;
2. Sections 92-a and 119-o of the General Municipal Law authorize municipalities to purchase a single health insurance policy, enter into group health plans, and establish a joint body to administer a health plan;
3. Article 47 of the New York Insurance Law (the "Insurance Law" or "N.Y. Insurance Law"), and the rules and regulations of the New York State Superintendent of Financial Services (the "Superintendent") set forth certain requirements for governing self-insured municipal cooperative health insurance plans;
4. Section 4702(f) of the Insurance Law defines the term "municipal corporation" to include a county, city, town, village, school district, board of cooperative educational services, public library (as defined in Section 253 of the New York State Education Law) and district (as defined in Section 119-n of the General Municipal Law); and
5. The Participants have determined to their individual satisfaction that furnishing the health benefits (including, but not limited to, medical, surgical, hospital, prescription drug, dental, and/or vision) for their eligible officers, eligible employees (as defined by the Internal Revenue Code of 1986, as amended, and the Internal Revenue Service rules and regulations), eligible retirees, and the eligible dependents of eligible officers, employees and retirees (collectively, the "Enrollees") (such definition does not include independent contractors and/or consultants) through a municipal cooperative is in their best interests as it is more cost-effective and efficient. Eligibility requirements shall be determined by each Participant's collective bargaining agreements and/or their personnel policies and procedures.

NOW, THEREFORE, the parties agree as follows:

A. PARTICIPANTS.

1. The Participants hereby designate themselves under this Agreement as the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium") for the purpose of providing health benefits (medical, surgical, hospital, prescription drug, dental, and/or vision)

2025 Municipal Cooperation Agreement

to those Enrollees that each Participant individually elects to include in the Greater Tompkins County Municipal Health Insurance Consortium Medical Plan(s) (the "Medical Plan(s)"), as that term is defined by Section 4702 (e) of the Insurance Law.

2. The following Participants shall comprise the current membership of the Consortium:

Municipality Name	Effective Date	Municipality Name	Effective Date	Municipality Name	Effective Date
City of Ithaca	1/1/2011	Village of Union Springs	1/1/2017	Town of Camillus	1/1/2023
County of Tompkins	1/1/2011	Town of Homer	1/1/2018	Town of DeRuyter	1/1/2023
Town of Caroline	1/1/2011	Town of Newfield	1/1/2018	Town of Dewitt	1/1/2023
Town of Danby	1/1/2011	Town of Owasco	1/1/2018	Town of Hastings	1/1/2023
Town of Dryden	1/1/2011	County of Seneca	1/1/2019	Village of Camillus	1/1/2023
Town of Enfield	1/1/2011	Town of Big Flats	1/1/2019	Village of Skaneateles	1/1/2023
Town of Groton	1/1/2011	Town of Mentz	1/1/2019	Dewitt Fire District	1/1/2023
Town of Ithaca	1/1/2011	Town of Sennett	1/1/2019	City of Geneva	1/1/2024
Town of Ulysses	1/1/2011	Village of Freeville	1/1/2019	Town of Brutus	1/1/2024
Village of Cayuga Heights	1/1/2011	Village of Horseheads	1/1/2019	Town of Locke	1/1/2024
Village of Dryden	1/1/2011	Village of Lansing	1/1/2019	Town of West Monroe	1/1/2024
Village of Groton	1/1/2011	Town of Horseheads	1/1/2020	Village of Fair Haven	1/1/2024
Village of Trumansburg	1/1/2011	Town of Spencer	1/1/2020	City of Elmira	1/1/2025
City of Cortland	1/1/2013	Lansing Library	1/1/2020	Town of Corning	1/1/2025
Town of Lansing	1/1/2013	Village of Watkins Glen	1/1/2020	Town of Elmira	1/1/2025
Town of Willet	1/1/2015	Town of Catharine	1/1/2021	Town of Harford	1/1/2025
Village of Homer	1/1/2015	Town of Cuyler	1/1/2021	Town of Onondaga	1/1/2025
Town of Marathon	1/1/2016	Town of Dix	1/1/2021	Town of Southport	1/1/2025
Town of Truxton	1/1/2016	Town of Hector	1/1/2021	Town of Starkey	1/1/2025
Town of Virgil	1/1/2016	Town of Tioga	1/1/2021	Town of Sterling	1/1/2025
Town of Aurelius	1/1/2017	Village of Owego	1/1/2021	Town of Tyre	1/1/2025
Town of Cincinnatus	1/1/2017	Town of Erwin	1/1/2022	Town of Waterloo	1/1/2025
Town of Montezuma	1/1/2017	Town of Throop	1/1/2022	Village of Baldwinsville	1/1/2025
Town of Moravia	1/1/2017	Village of Minoa	1/1/2022	Village of Elmira Heights	1/1/2025
Town of Preble	1/1/2017	Village of Fayetteville	1/1/2022	Village of Tully	1/1/2025
Town of Scipio	1/1/2017			Seneca County Soil and Water Conservation District	1/1/2025
Town of Springport	1/1/2017				

3. Membership in the Consortium may be offered to any municipal corporation as defined in N.Y. Insurance Law Section 4702(f) within the geographical boundaries of the Counties of Tompkins, Broome, Cayuga, Chenango, Chemung, Cortland, Livingston, Madison, Monroe, Onondaga, Ontario, Oswego, Tioga, Schuyler, Seneca, Steuben, Wayne, and Yates, provided however that, in the sole discretion of the Board (as defined below), the applicant provides satisfactory proof of its financial responsibility. Membership shall be subject to the terms and conditions set forth in this Agreement, any amendments hereto, and applicable law. Upon admission of any new Participant, the Consortium shall amend Section A(2) of this Agreement to reflect that change in membership, which must be submitted to the New York State Department of Financial Services ("DFS") for approval. The geographic boundaries of the Consortium shall not be expanded beyond the above-listed counties without amendment of the MCA, submitted to DFS for approval, and prior DFS approval of an amendment to the Certificate of Authority.

4. The Board, in its sole discretion, and by a two-thirds (2/3) vote of the entire Board, may elect to permit additional municipal corporations located within the geographical boundaries set forth in Section A(3) to become Participants subject to satisfactory proof, as determined by the Board, of such municipal corporation's financial responsibility. Such corporations must agree to continue as a Participant for a minimum of three (3) years upon entry.

5. Participation in the Medical Plan(s) by some, but not all, collective bargaining units or employee groups of a Participant shall not be permitted without a Board approved waiver. Participants with a waiver allowing active employees not enrolled in Consortium benefit plan options, must, within 3 (three) years of the date of enrolling in the Consortium, fully enroll all of their active employees in Consortium plan options. Failure to comply with this provision may be grounds for termination from participation in the Consortium as defined in Section Q(3).

6. Initial membership of additional participants shall become effective as soon as practical but preferably on the first day of the Plan Year following the adoption by the Board of the resolution to accept a municipal corporation as a Participant. Such municipal corporation must agree to continue as a Participant for a minimum of three (3) years upon entry.

7. A municipal corporation that was previously a Participant, but is no longer a Participant, and which is otherwise eligible for membership in the Consortium, may apply for re- entry after a minimum of three (3) years has passed since it was last a Participant. Such re-entry shall be subject to the approval of two-thirds (2/3) of the entire Board. This re-entry waiting period may be waived by the approval of two-thirds (2/3) of the entire Board. In order to re-enter the Consortium, a municipal corporation employer must have satisfied in full all of its outstanding financial obligations to the Consortium. A municipal corporation must agree to continue as a Participant for a minimum of three (3) years upon re-entry.

B. PARTICIPANT LIABILITY.

1. The Participants shall share in the costs of, and assume the liabilities for benefits (including medical, surgical, and hospital) provided under the Medical Plan(s) to covered officers, employees, retirees, and their dependents. Each Participant shall pay on demand such Participant's share of any assessment or additional contribution ordered by the governing board of the municipal cooperative health benefit plan, as set forth in Section L(4) of this Agreement or as ordered by the Superintendent or under Article 74 (seventy four) of the New York State Insurance Law. The pro rata share shall be based on the Participant's relative "premium" contribution to the Medical Plan(s) as a percentage of the aggregate "premium" contribution to the Medical Plan(s), as is appropriate based on the nature of the assessment or contribution.

2. New Participants (each a "New Participant") who enter the Consortium may, at the discretion of the Board of Directors, be assessed a fee for additional financial costs above and beyond the premium contributions to the Medical Plan(s). Any such additional financial obligations and any related terms and conditions associated with membership in the Consortium shall be determined by the Board and shall be disclosed to the New Participant prior to its admission.

3. Each Participant shall be liable, on a pro rata basis, for any additional assessment required in the event the Consortium funding falls below those levels required by the Insurance law as follows:

- a. In the event the Consortium does not have admitted assets (as defined in Insurance Law Section 107) at least equal to the aggregate of its liabilities, reserves, and minimum surplus required by the Insurance Law, the Board shall, within thirty (30) days, order an assessment (an "Assessment Order") for the amount that will provide sufficient funds to remove such impairment and collect from each Participant a pro-rata share of such assessed amount.
- b. Each Participant that participated in the Consortium at any time during the two (2) year period prior to the issuing of an Assessment Order by the Board shall, if notified of such Assessment Order, pay its pro rata share of such assessment within ninety (90) days after the issuance of such Assessment Order. This provision shall survive termination of the Agreement of withdrawal of a Participant.
- c. For purposes of this Section B(3), a Participant's pro-rata share of any assessment shall be determined by applying the ratio of the total assessment to the total contributions or premium equivalents earned during the period covered by the assessment on all Participants subject to the assessment to the contribution or premium equivalent earned during such period attributable to such Participant.

C. BOARD OF DIRECTORS.

1. The governing board of the Consortium, responsible for management, control and administration of the Consortium and the Medical Plan(s), shall be referred to as the "Board of Directors" (the "Board"). The voting members of the Board shall be composed of one representative of each Participant and representatives of the Joint Committee on Plan Structure and Design (as set forth in Section C(11)), who shall have the authority to vote on any official action taken by the Board (each a "Director"). Each Director, except the representatives of the Joint Committee on Plan Structure and Design, shall be designated in writing by the governing body of the Participant.

2. If a Director designated by a Participant cannot fulfill his/her obligations, for any reason, as set forth herein, and the Participant desires to designate a new Director, it must notify the Consortium's Chairperson in writing of its selection of a new designee to represent the Participant as a Director.

3. Directors shall receive no remuneration from the Consortium for their service and shall serve a term from January 1 through December 31 (the "Plan Year").

4. No Director may represent more than one Participant.

5. No Director, or any member of a Director's immediate family, shall be an owner, officer, director, partner, or employee of any contractor or agency retained by the Consortium, including any third-party contract administrator.

6. Except as otherwise provided in Section D of the Agreement, each Director shall be entitled to one vote. A majority of the entire Board, not simply those present, is required for the Board to take any official action, unless otherwise specified in this Agreement. The “entire Board”, as used herein and elsewhere in this Agreement, shall mean the total number of Directors when there are no vacancies.

While physical presence is strongly encouraged, Directors who cannot be physically present at any meeting may attend remotely utilizing videoconferencing that allows for real time audio and visual participation and voting in the meeting upon confirmation that communication is with all participants as it progresses.

7. Each Participant may designate in writing an alternate Director to attend the Board's meeting when its Director cannot attend. The alternate Director may participate in the discussions at the Board meeting and will, if so designated in writing by the Participant, be authorized to exercise the Participant's voting authority. Only alternate Directors with voting authority shall be counted toward a quorum. The Joint Committee on Plan Structure and Design may designate alternate Directors as set forth in Section C(11).

8. A majority of the Directors of the Board shall constitute a quorum. A quorum is a simple majority (more than half) of the entire Board. A quorum is required for the Board to conduct any business. This quorum requirement is independent of the voting requirements set forth in Section C(6). The Board shall meet on an annual basis, at a time and place within the State of New York determined by a vote of the Board. The Board shall hold an annual meeting (the “Annual Meeting”) in September of each Plan Year.

9. Special meetings of the Board may be called at any time by the Chairperson or by any two (2) Directors. Whenever practicable, the person or persons calling such special meeting shall give at least a three (3) day notice to all of the other Directors. Such notice shall set forth the time and place of the special meeting as well as a detailed agenda of the matters proposed to be acted upon. In the event the three (3) day notice cannot be given, each Director shall be given such notice as is practicable under the circumstances.

10. In the event that a special meeting is impractical due to the nature and/or urgency of any action which, in the opinion of the Chairperson, is necessary or advisable to be taken on behalf of the Consortium, the Chairperson may send resolutions regarding said actions via electronic communication to each and all of the Directors. The Directors may then electronically communicate their approval or disapproval of said resolution via signed document to the Chairperson. In accordance with NY Business Corporation Law Section 708(b), unanimous consent is required for the Chairperson to act on behalf of the Board in reliance upon such approvals. Any actions taken by the Chairperson pursuant to this paragraph shall be ratified at the next scheduled meeting of the Board.

11. The Chair of the Joint Committee on Plan Structure and Design and any At-Large Labor Representatives (as defined in Section K) (collectively the “Labor Representatives”) shall serve as Directors and shall have the same rights and obligations as all other Directors. The Joint Committee on Plan Structure and Design may designate in writing alternate Directors to attend the Board's meetings when the Labor Representatives cannot attend. The alternate Director may, if designated in writing, be authorized to exercise the Labor Representatives' voting authority.

D. WEIGHTED VOTING.

1. Except as otherwise provided in this Agreement, any two or more Directors, acting jointly, may require a weighted vote on any matter that may come before the Board. In such event, the voting procedure set forth in this Section D shall apply in lieu of any other voting procedures set forth in this Agreement. Such weighted voting procedures shall apply solely with respect to the matter then before the Board.

2. For purposes of this Section D, each Director shall receive votes as follows:

- a. Each Director representing a Participant with five hundred (500) or fewer Enrollees shall be entitled to one (1) vote.
- b. Each Director representing a Participant with more than five hundred (500) Enrollees shall be entitled to a number of votes equaling the total number of votes assigned under subsection 2(a) above minus the number of Labor Representative votes, divided evenly by the number of Participants eligible under this subsection 2(b) and rounded down to the nearest whole number.
- c. The Labor Representatives shall be entitled to one (1) vote each.

3. Attached as Addendum “A” to this Agreement is an example of the application of the voting formula contained in subparagraph “2” of this Section.

4. Notwithstanding anything to the contrary contained in this Agreement, any action taken pursuant to this Section D shall require the approval of two-thirds (2/3) of the total number of votes, if all votes had been cast.

E. ACTIONS BY THE BOARD

1. Subject to the voting and quorum requirements set forth in this Agreement, the Board is required, in accordance with N.Y. Insurance Law § 4705, to take action on the following matters:

- a. In accordance with N.Y. Insurance Law § 4705 (d) (5), to approve an annual budget for the Consortium, which shall be prepared and approved prior to October 1st of each year and determine the annual premium equivalent rates to be paid by each Participant for each Enrollee classification in the Medical Plan(s) on the basis of a community rating methodology in accordance with N.Y. Insurance Law Section 4705(d)(5)(B) and filed with and approved by the Superintendent.
- b. To audit receipts and disbursements of the Consortium and provide for independent audits, and periodic financial and operational reports to Participants in accordance with N.Y. Insurance Law § 4705 (e)(1).
- c. To establish a joint fund or funds to finance all Consortium expenditures, including claims, reserves, surplus, administration, stop-loss insurance and other expenses in accordance with N.Y. Insurance Law § 4705(d)(4).

- d. To select and approve the benefits provided by the Medical Plan(s) including the plan document(s), insurance certificate(s), and/or summary plan description(s) in accordance with N.Y. Insurance Law Section 4709, a copy of the Medical Plan(s) effective on the date of this Agreement is incorporated by reference into this Agreement.
- e. In accordance with N.Y. Insurance Law § 4705(d)(2) and N.Y. General Municipal Law § 119-o(2)(d) & (2)(i), t h e B o a r d may contract with third parties, if appropriate, which may include one or more Participants, for the furnishing of all goods and services reasonably needed in the efficient operation and administration of the Consortium, including, without limitation, accounting services, legal counsel, contract administration services, consulting services, purchase of insurances and actuarial services. Provided, however (a) the charges, fees and other compensation for any contracted services shall be clearly stated in written administrative services contracts, as required in Section 92-a(6) of the General Municipal Law; (b) payment for contracted services shall be made only after such services are rendered; (c) no Director or any member of such Director's immediate family shall be an owner, officer, director, partner or employee of any contract administrator retained by the Consortium; and (d) all such agreements shall otherwise comply with the requirements of Section 92-a(6) of the General Municipal Law.
- f. To purchase stop-loss insurance on behalf of the Consortium and determine each year the insurance carrier or carriers who are to provide the stop-loss insurance coverage during the next Plan Year, as required by N.Y. Insurance Law Sections 4707 and 4705(d)(3).
- g. To designate one governing Board member to retain custody of all reports, statements, and other documents of the Consortium, in accordance with N.Y. Insurance Law Section 4705(c)(2), and who shall also take minutes of each Board meeting which, if appropriate, shall be acted upon by the Board in a subsequent meeting.
- h. In accordance with N.Y. Insurance Law § 4705(e)(1), to choose the certified public accountant and the actuary to provide the reports required by this Agreement and any applicable law.
- i. In accordance with N.Y. Insurance Law § 4705 (d)(5)(A), designate the banks or trust companies in which joint funds, including reserve funds, are to be deposited and which shall be located in this state, duly chartered under federal law or the laws of this state.
- j. In accordance with N.Y. Insurance Law § 4705 (a)(6), designate the fiscal officer of a participating municipal corporation to be the Chief Fiscal Officer of the municipal cooperative health benefit plan, and who will serve on the Executive Committee.

2. Subject to the voting and quorum requirements set forth in this Agreement, the Board is authorized to take action on the following matters:

- a. To fix the frequency, time and place of regular Board meetings.

- b. To have a plan consultant (the “Plan Consultant”) contract in place for the upcoming Plan Year, prior to October 1st of each year.
- c. To determine and notify each Participant prior to October 15th of each Plan Year of the monthly premium equivalent for each enrollee classification during the next Plan Year commencing the following January 1st.
- d. To take all necessary action to ensure that the Consortium obtains and maintains a Certificate of Authority in accordance with the Insurance Law.
- e. To take any other action authorized by law and deemed necessary to accomplish the purposes of this Agreement.
- f. Annually elect Directors to the Executive Committee to oversee operations and develop recommendations for Board actions stated in this Section E.

F. EXECUTIVE COMMITTEE

1. The Executive Committee of the Consortium shall consist of at least eleven (11) and no greater than fifteen (15) Directors. Executive Committee Directors are elected annually, but shall always include the elected Chairperson, Vice-Chairperson, and the Secretary of the Consortium, as well as the designated Chief Fiscal Officer and Chairperson of the Joint Committee on Plan Structure and Design.

2. The Secretary shall be responsible for maintaining all records in accordance with Article E, Section 1.g.

3. The Executive Committee shall establish meeting dates at its Organizational Meeting. The Executive Committee shall meet no less frequently than once per quarter.

4. Special meetings of the Executive Committee may be called at any time by the Chairperson or by any two (2) Executive Committee Directors. Whenever practicable, the person or persons calling such special meeting shall give at least three (3) day notice to all of the other Directors. Such notice shall set forth the time and place of the special meeting as well as a detailed agenda of the matters proposed to be acted upon. In the event three (3) day notice cannot be given, each Director shall be given such notice as is practicable under the circumstances.

5. The Executive Committee shall:

- a. Conduct business according to its Bylaws within its delegated authority, subject to approval and/or ratification of its actions at the next scheduled Board meeting.
- b. Create sub-committees as necessary to monitor operations and make recommendations, to the Executive Committee and/or Board, to facilitate operations.
- c. Manage the Consortium between meetings of the Board, subject to such approval by the Board as may be required by this Agreement.

- d. Develop Bylaws for its operations.
- e. In consultation with a nomination committee, fill any vacancy on the Executive Committee from among the Board's members as set forth in its Bylaws.
- f. Establish administrative guidelines for the efficient operation of the Consortium.
- g. Take all necessary action to ensure the Consortium is operated and administered in accordance with the laws of the State of New York.

G. OFFICERS

1. At the Annual Meeting, the Board shall elect from its Directors a Chairperson, Vice Chairperson, Chief Fiscal Officer, and Secretary, who shall serve for a term of one (1) year or until their successors are elected and qualified. Any vacancy in an officer's position shall be filled at the next meeting of the Board.

2. Officers of the Consortium and employees of any third- party vendor, including without limitation the officers and employees of any Participant, who assist or participate in the operation of the Consortium, shall not be deemed employees of the Consortium. Each third-party vendor shall provide for all necessary services and materials pursuant to annual contracts with the Consortium. The officers of the Consortium shall serve without compensation from the Consortium but may be reimbursed for reasonable out-of-pocket expenses incurred in connection with the performance of such officers' duties.

3. Officers shall serve at the pleasure of the Board and may be removed or replaced upon a two-thirds (2/3) vote of the entire Board. This provision shall not be subject to the weighted voting alternative set forth in Section D.

H. CHAIRPERSON; VICE CHAIRPERSON; SECRETARY

1. The Chairperson shall be the Chief Executive Officer of the Consortium.

2. The Chairperson, or in the absence of the Chairperson, the Vice Chairperson, shall preside at all meetings of the Board.

3. In the absence of the Chairperson, the Vice Chairperson shall perform all duties related to that office.

4. The Secretary shall retain custody of all reports, statements, and other documents of the Consortium and ensure that minutes of each Board meeting are taken and transcribed which shall be acted on by the Board at a subsequent meeting, as appropriate.

I. CHIEF FISCAL OFFICER

1. The Chief Fiscal Officer shall act as the chief financial administrator of the Consortium and disbursing agent for all payments made by the Consortium and shall have custody of all monies either received or expended by the Consortium. The Chief Fiscal Officer may delegate duties and tasks to the Finance Manager to assist in accomplishing this function. However, the Chief Fiscal Officer may never delegate his/her ultimate authority and shall remain responsible for ensuring that the Consortium's finances are operated and administered in accordance with the laws of the State of New York. The Chief Fiscal Officer shall be the Finance Director of Tompkins County. The Chief Fiscal Officer shall receive no remuneration from the Consortium. The Consortium shall reimburse the Participant that employs the Chief Fiscal Officer for reasonable and necessary out-of-pocket expenses incurred by the Chief Fiscal Officer in connection with the performance of his or her duties that relate to the Consortium.

2. The Finance Manager, under the supervision and direction of the Chief Fiscal Officer, is responsible for directing and maintaining the financial records of the Consortium, overseeing financial transactions, installation and maintenance of accounting systems, billing/invoicing of premiums, quarterly and annual reporting, preparation of reports, and fiscal analyses.

3. The Chief Fiscal Officer shall be bonded for all monies received from the Participants. The amount of such bond shall be established annually by the Consortium in such monies and principal amount as may be required by the Superintendent.

4. All monies collected from the Participants by the Chief Fiscal Officer in connection with the Consortium shall be deposited in accordance with the policies of the Participant which regularly employs the Chief Fiscal Officer and shall be subject to the provisions of law governing the deposit of municipal funds.

5. The Chief Fiscal Officer may invest monies not required for immediate expenditure in the types of investments specified in the General Municipal Law for temporary investments or as otherwise expressly permitted by the Superintendent.

6. The Chief Fiscal Officer shall account for the Consortium's reserve funds separate and apart from all other funds of the Consortium, and such accounting shall show:

- a. the purpose, source, date, and amount of each sum paid into the fund;
- b. the interest earned by such funds;
- c. capital gains or losses resulting from the sale of investments of the Consortium's reserve funds;
- d. the order, purpose, date and amount of each payment from the reserve fund;
and
- e. the assets of the fund, indicating cash balance and schedule of investments.

7. The Chief Fiscal Officer shall cause to be prepared and shall furnish to the Board, to participating municipal corporations, to unions which are the exclusive bargaining representatives of Enrollees, the Board's consultants, and to the Superintendent:

- a. an annual audit, and opinions thereon, by an independent certified public accountant, of the financial condition, accounting procedures and internal control systems of the municipal cooperative health benefit plan;
- b. an annual report and quarterly reports describing the Consortium's current financial status; and
- c. an annual independent actuarial opinion on the financial soundness of the Consortium, including the actuarial soundness of contribution or premium equivalent rates and reserves, both as paid in the current Plan Year and projected for the next Plan Year.

8. Within ninety (90) days after the end of each Plan Year, the Chief Fiscal Officer shall furnish to the Board a detailed report of the operations and condition of the Consortium's reserve funds.

J. PLAN ADMINISTRATOR

The Board, by a two-thirds (2/3) vote of the entire Board, may annually designate an administrator and/or insurance company of the Medical Plan (the "Plan Administrator") and the other provider(s) who are deemed by the Board to be qualified to receive, investigate, audit, and recommend or make payment of claims, provided that the charges, fees and other compensation for any contracted services shall be clearly stated in written administrative services and/or insurance contracts and payment for such contracted services shall be made only after such services are rendered or are reasonably expected to be rendered. All such contracts shall conform to the requirements of Section 92-a(6) of the General Municipal Law.

K. JOINT COMMITTEE ON PLAN STRUCTURE AND DESIGN

1. There shall be a Joint Committee on Plan Structure and Design (the "Joint Committee"), which shall consist of (a) a representative of each collective bargaining unit that is the exclusive collective bargaining representative of any Enrollee or group of Enrollees covered by the Medical Plan(s) (the "Union Members"); and (b) a representative of each Participant (the "Management Members"). Management Members may, but are not required to be, Directors.

2. The Joint Committee shall review all prospective Board actions in connection with the benefit structure and design of the Medical Plan(s), and shall develop findings and recommendations with respect to such matters. The Chair of the Joint Committee shall report such findings and recommendations to the Board at any regular or special meeting of the Board.

3. The Joint Committee shall select (a) from among the Union Members, an individual who shall serve as Chair of the Joint Committee; and (b) from among the Management Members, an individual who shall serve as Vice Chair of the Joint Committee. The Joint Committee shall

establish its own parliamentary rules and procedures.

4. Each eligible union shall establish such procedures by which its representative to the Joint Committee is chosen and such representative shall be designated in writing to the Chairperson of the Board and the Chair of the Joint Committee.

5. The Union Members on the Joint Committee on Plan Structure and Design shall select from among the Union Members an individual to serve as an additional at-large voting Labor Member on the Board of Directors of the Consortium. If the number of municipal members on the Consortium rises to seventeen (17), the union members of the Joint Committee on Plan Structure and Design shall select from among the Union Members an additional at-large voting Labor Member on the Board of Directors of the Consortium. The at-large voting Labor Member(s) along with the Joint Committee Chair shall collectively be the "Labor Representatives" as defined in Section C(11) of this Agreement. If the number of municipal members on the Consortium rises to twenty-three (23), the Union Members may select from among their members a third At-Large Labor Representative to serve as a Director. Thereafter, for every increase of five (5) additional municipal members added to the Consortium Union Members may select from among their members one (1) At-large Labor Representative to serve as Director with a maximum of ten (10) Labor Representatives. Attached hereto as Addendum "B" is a table illustrating the addition of At-Large Labor Representatives as set forth in this Section. Any At-Large Labor Representative designated according to this section shall have the same rights and obligations as all other Directors.

L. PREMIUM CALCULATIONS/PAYMENT.

1. The annual premium equivalent rates shall be established and approved by a majority of the entire Board. The method used for the development of the premium equivalent rates may be changed from time to time by the approval of two-thirds (2/3) of the entire Board, subject to review and approval by the Superintendent. The premium equivalent rates shall consist of such rates and categories of benefits as is set forth in the Medical Plan[s] that is determined and approved by the Board consistent with New York law.

2. In accordance with N.Y. Insurance Law §§ 4706 & 4707, the Consortium shall maintain reserves and stop-loss insurance to the level and extent required by the Insurance Law and as directed by the Superintendent.

3. Each Participant's monthly premium equivalent, by enrollee classification, shall be paid by the first day of each calendar month during the Plan Year. A late payment charge of one percent (1%) of the monthly installment then due may be charged by the Board for any payment not received by the first of each month, or the next business day when the first falls on a Saturday, Sunday, legal holiday, or day observed as a legal holiday by the Participants.

The Consortium may waive the first penalty once per Plan Year for each Participant, but will strictly enforce the penalty thereafter. A repeated failure to make timely payments, including any applicable penalties, may be used by the Board as an adequate justification for the expulsion of the Participant from the Consortium.

4. The Board shall assess Participants for additional contributions, if actual and anticipated losses due to benefits paid out, administrative expenses, and reserve and surplus requirements exceed the amount in the joint funds, as set forth in Section B(3) above.

5. The Board, in its sole discretion, may refund amounts in excess of reserves and

surplus, or retain such excess amounts and apply these amounts as an offset to amounts projected to be paid under the next Plan Year's budget.

M. EMPLOYEE CONTRIBUTIONS.

If any Participant requires an Enrollee's contribution for benefits provided by the Consortium, the Participant shall collect such contributions at such time and in such amounts as it requires. However, the failure of a Participant to receive the Enrollee contribution on time shall not diminish or delay the payment of the Participant's monthly premium equivalent to the Consortium, as set forth in this Agreement.

N. ADDITIONAL BENEFITS.

Any Participant choosing to provide more benefits, coverages, or enrollment eligibility other than that provided under the Medical Plan(s)(s), will do so at its sole expense. This Agreement shall not be deemed to diminish such Participant's benefits, coverages or enrollment eligibility, the additional benefits and the payment for such additional benefits, shall not be part of the Consortium and shall be administered solely by and at the expense of the Participant.

O. REPORTING.

The Board, through its officers, agents, or delegates, shall ensure that the following reports are prepared and submitted:

1. Annually after the close of the Plan Year, not later than one-hundred twenty (120) days after the close of the Plan Year, the Board shall file a report with the Superintendent showing the financial condition and affairs of the Consortium, including an annual independent financial audit statement and independent actuarial opinion, as of the end of the preceding plan year.
2. Annually after the close of the Plan Year, the Board shall have prepared a statement and independent actuarial opinion on the financial soundness of the Consortium, including the contribution or premium equivalent rates and reserves, both as paid in the current Plan Year and projected for the next Plan Year.
3. The Board shall file reports with the Superintendent describing the Consortium's then current financial status within forty-five (45) days of the end of each quarter during the Plan year.
4. The Board shall provide the annual report to all Participants and all unions, which are the exclusive collective bargaining representatives of Enrollees, which shall be made available for review to all Enrollees.
5. The Board shall submit to the Superintendent a report describing any material changes in any information originally provided in the Certificate of Authority. Such reports, in addition to the reports described above, shall be in such form, and containing such additional content, as may be required by the Superintendent.

P. WITHDRAWAL OF PARTICIPANT

1. Withdrawal of a Participant from the Consortium shall be effective only once annually on the last day of the Plan Year.

2. Notice of intention of a Participant to withdraw must be given in writing to the Chairperson prior to September 1st of each Plan Year. Failure to give such notice shall automatically extend the Participant's membership and obligations under the Agreement for another Plan Year, unless the Board shall consent to an earlier withdrawal by a two-thirds (2/3) vote.

3. Any withdrawing Participant shall be responsible for its pro rata share of any Consortium deficit that exists on the date of the withdrawal, subject to the provisions of subsection "4" of this Section. The withdrawing Participant shall be entitled to any pro rata share of surplus that exists on the date of the withdrawal, subject to the provisions of subsection "4" of this Section. The Consortium surplus or deficit shall be based on the sum of actual expenses and the estimated liability of the Consortium as determined by the Board. These expenses and liabilities will be determined one (1) year after the end of the Plan Year in which the Participant last participated.

4. The surplus or deficit shall include recognition and offset of any claims, expenses, assets and/or penalties incurred at the time of withdrawal, but not yet paid. Such pro rata share shall be based on the Participant's relative premium contribution to the Consortium as a percentage of the aggregate premium contributions to the Consortium during the period of participation. This percentage amount may then be applied to the surplus or deficit which existed on the date of the Participant's withdrawal from the Consortium. Any pro rata surplus amount due the Participant shall be paid to the Participant one year after the effective date of the withdrawal. Any pro rata deficit amount shall be billed to the Participant by the Consortium one year after the effective date of the withdrawal and shall be due and payable within thirty (30) days after the date of such bill.

Q. DISSOLUTION; RENEWAL; EXPULSION

1. The Board at any time, by a two-thirds (2/3) vote of the entire Board, may determine that the Consortium shall be dissolved and terminated. If such determination is made, the Consortium shall be dissolved ninety (90) days after written notice to the Participants.

a. Upon determination to dissolve the Consortium, the Board shall provide notice of its determination to the Superintendent. The Board shall develop and submit to the Superintendent for approval a plan for winding-up the Consortium's affairs in an orderly manner designed to result in timely payment of all benefits.

b. Upon termination of this Agreement, or the Consortium, each Participant shall be responsible for its pro rata share of any deficit or shall be entitled to any pro rata share of surplus that exists, after the affairs of the Consortium are closed. No part of any funds of the Consortium shall be subject to the claims of general creditors of any Participant until all Consortium benefits and other Consortium obligations have been satisfied. The Consortium's surplus or deficit shall be based on actual expenses. These expenses will be determined one year after the end of the Plan Year in which this Agreement or the Consortium terminates.

c. Any surplus or deficit shall include recognition of any claims/expenses incurred at the time of termination, but not yet paid. Such pro rata share shall be based on each Participant's relative premium contribution to the Consortium as a percentage of the aggregate premium contributions to the Consortium during the period of participation. This percentage amount would then be applied to the surplus or deficit which exists at the time of termination.

2. The continuation of the Consortium under the terms and conditions of the Agreement, or any amendments or restatements thereto, shall be subject to Board review on the fifth (5th) anniversary of the Effective Date and on the fifth (5th) anniversary date thereafter (each a "Review Date") to the extent deemed required by Article 5-G of the New York General Municipal Law (the "General Municipal Law").

a. At the annual meeting a year prior to the Review Date, the Board shall include as an agenda item a reminder of the Participants' coming obligation to review the terms and conditions of the Agreement.

b. During the calendar year preceding the Review Date, each Participant shall be responsible for independently conducting a review of the terms and conditions of the Agreement and submitting to the Board of Directors a written resolution containing any objection to the existing terms and conditions or any proposed modification or amendment to the existing Agreement, such written resolution shall be submitted to the Board on or before March 1st preceding the Review Date. Failure to submit any such resolution shall be deemed as each Participant's agreement and authorization to the continuation of the Consortium until the next Review Date under the existing terms and conditions of the Agreement.

c. As soon as practicable after March 1st, the Board shall circulate to all Participants copies of all resolutions submitted by the Participants. Subject to Section S hereof, any resolutions relating to the modification, amendment, or objection to the Agreement submitted prior to each Review Date shall be considered and voted on by the Participants at a special meeting called for such purpose. Such special meeting shall be held on or before July 1st preceding the Review Date.

d. Notwithstanding the foregoing or Section T hereof, if at the Annual Meeting following any scheduled Review Date the Board votes on and approves the budget and annual assessment for the next year, the Participants shall be deemed to have approved the continuation of the Consortium under the existing Agreement until the next Review Date.

3. The Participants acknowledge that it may be necessary in certain extraordinary circumstances to expel a Participant from the Consortium. In the event the Board determines that:

a. A Participant has acted inconsistently with the provisions of the Agreement in a way that threatens the financial well-being or legal validity of the Consortium; or

b. A Participant has acted fraudulently or has otherwise acted in bad faith with regards to the Consortium, or toward any individual Participant concerning matters relating to the Consortium, the Board may vote to conditionally terminate said Participant's membership in the Consortium. Upon such a finding by the affirmative vote of two-thirds (2/3) of the Participants, the offending Participant shall be given sixty (60) days to correct or cure the alleged wrongdoing to the satisfaction of the Board.

Upon the expiration of said sixty (60) day period, an absent satisfactory cure, the Board may expel the Participant by an affirmative vote of two-thirds (2/3) of the Participants (exclusive of the Participant under consideration). This section shall not be subject to the weighted voting provision provided in Section D. Any liabilities associated with the Participant's departure from the Consortium under this provision shall be determined by the procedures set forth in Section P of this Agreement.

R. REPRESENTATIONS AND WARRANTIES OF PARTICIPANTS.

Each Participant by its approval of the terms and conditions of this Agreement hereby represents and warrants to each of the other Participants as follows:

1. The Participant understands and acknowledges that its participation in the Consortium under the terms and conditions of this Agreement is strictly voluntary and may be terminated as set forth herein, at the discretion of the Participant.

2. The Participant understands and acknowledges that the duly authorized decisions of the Board constitute the collective will of each of the Participants as to those matters within the scope of the Agreement.

3. The Participant understands and acknowledges that the decisions of the Board made in the best interests of the Consortium may on occasion temporarily disadvantage one or more of the individual Participants.

4. The Participant represents and warrants that its designated Director or authorized representative understands the terms and conditions of this Agreement and is suitably experienced to understand the principles upon which this Consortium operates.

5. The Participant understands and acknowledges that all Directors, or their authorized representatives, are responsible for attending all scheduled meetings. Provided that the quorum rules are satisfied, non-attendance at any scheduled meeting is deemed acquiescence by the absent Participant to any duly authorized Board-approved action at the meeting.

6. The Participant understands and acknowledges that, absent bad faith or fraud, any Participant's vote approving any Board action renders that Board action immune from later challenge by that Participant.

S. RECORDS

The Board shall have the custody of all records and documents, including financial records, associated with the operation of the Consortium. Each Participant may request records and documents relative to their participation in the Consortium by providing a written request to the Chairperson and Chief Fiscal Officer. The Consortium shall respond to each request no later than thirty (30) days after its receipt thereof, and shall include all information which can be provided under applicable law.

T. CHANGES TO AGREEMENT

Any change or amendment to this Agreement shall require the unanimous approval of the Participants, as authorized by a majority vote of their respective legislative bodies, as required by N.Y. Insurance Law § 4705(a).

U. CONFIDENTIALITY

Nothing contained in this Agreement shall be construed to waive any right that a covered person possesses under the Medical Plan(s) with respect to the confidentiality of medical records and that such rights will only be waived upon the written consent of such covered person.

V. ALTERNATIVE DISPUTE RESOLUTION ("ADR").

1. General. The Participants acknowledge and agree that given their budgeting and fiscal constraints, it is imperative that any disputes arising out of the operation of the Consortium be limited and that any disputes which may arise be addressed as quickly as possible. Accordingly, the Participants agree that the procedures set forth in this Section V are intended to be the exclusive means through which disputes shall be resolved. The Participants also acknowledge and agree that by executing this Agreement each Participant is limiting its right to seek redress for certain types of disputes as hereinafter provided.

2. Disputes subject to ADR. Any dispute by any Participant, Board Member, or Committee Person arising out of or relating to a contention that:

a. The Board, the Board's designated agents, a Committee person, or any Participant has failed to adhere to the terms and conditions of this Agreement or any duly-passed resolution of the Board;

b. The Board, the Board's designated agents, a Committee person, or any Participant has acted in bad faith or fraudulently in undertaking any duty or action under the Agreement; or

c. Any other dispute otherwise arising out of or relating to: (i) the terms or conditions of this Agreement; (ii) any duly-passed decision, resolution, or policy by the Board of Directors; or (iii) otherwise requiring the interpretation of this Agreement shall be resolved exclusively through the ADR procedure set forth in paragraph (3) below.

3. ADR Procedure. Any dispute subject to ADR, as described in subparagraph (2), shall be resolved exclusively by the following procedure:

a. Board Consideration: Within ninety (90) days of the occurrence of any dispute, the objecting party (the "Claimant") shall submit a written notice of the dispute to the Chairperson specifying in detail the nature of the dispute, the parties claimed to have been involved, the specific conduct claimed, the basis under the Agreement for the Participant's objection, the specific injury or damages claimed to have been caused by the objectionable conduct to the extent then ascertainable, and the requested action or resolution of the dispute. A dispute shall be deemed to have occurred on the date the objecting party knew or reasonably should have known of the basis for the dispute.

i. Within sixty (60) days of the submission of the written notice, the Executive Committee shall, as necessary, request further information from the Claimant, collect such other information from any other interested party or source, form a recommendation as to whether the Claimant has a valid objection or claim, and if so, recommend a fair resolution of said claim. During such period, each party shall provide the other with any reasonably requested information within such party's control. The Executive Committee shall present its recommendation to the Board in writing, including any underlying facts, conclusions or support upon which it is based, within such sixty (60) day period.

ii. Within sixty (60) days of the submission of the Executive Committee's recommended resolution of the dispute, the Board shall convene in a special meeting to consider the dispute and the recommended resolution. The Claimant and the Executive Committee shall each be entitled to present any argument or material it deems pertinent to the matter before the Board. The Board shall hold discussion and/or debate as appropriate on the dispute and may question the Claimant and/or the Executive Committee on their respective submissions. Pursuant to its regular procedures, the Board shall vote on whether the Claimant has a valid claim, and if so, what the fair resolution should be. The weighted voting procedure set forth in Section D shall not apply to this provision. The Board's determination shall be deemed final subject to the Claimant's right to arbitrate as set forth below.

b. Arbitration. The Claimant may challenge any Board decision under subparagraph (V)(3)(a)(ii) by filing a demand for arbitration with the American Arbitration Association within thirty (30) days of the Board's vote (a "Demand"). In the event a Claimant shall fail to file a Demand within thirty (30) days, the Board's decision shall automatically be deemed final and conclusive. In the event the Participant files a timely Demand, the arbitrator or arbitration panel may consider the claim:

provided however;

i. in no event may the arbitrator review any action taken by the Board that occurred three (3) or more years prior to when the Chairperson received notice of the claim; and

ii. in no event may the arbitrator award damages for any period that precedes the date the Chairperson received notice of the claim by more than twenty-four (24) months.

c. The Participants agree that the procedure set forth in this Section V shall constitute their exclusive remedy for disputes within the scope of this Section.

W. MISCELLANEOUS PROVISIONS

1. This instrument constitutes the entire Agreement of the Participants with respect to the subject matter hereof, and contains the sole statement of the operating rules of the Consortium. This instrument supersedes any previous Agreement, whether oral or written.

2. Each Participant will perform all other acts and execute and deliver all other documents as may be necessary or appropriate to carry out the intended purposes of this Agreement.

3. If any article, section, subdivision, paragraph, sentence, clause, phrase, provision or portion of this Agreement shall for any reason be held or adjudged to be invalid or illegal or unenforceable by any court of competent jurisdiction, such article, section, subdivision, paragraph, sentence, clause, phrase, provision or portion so adjudged invalid, illegal or unenforceable shall be deemed separate, distinct and independent and the remainder of this Agreement shall be and remain in full force and effect and shall not be invalidated or rendered illegal or unenforceable or otherwise affected by such holding or adjudication.

4. This Agreement shall be governed by and construed in accordance with the laws of the State of New York. Any claims made under Section V(3)(b) except to the extent otherwise limited therein, shall be governed by New York substantive law.

5. All notices to any party hereunder shall be in writing, signed by the party giving it, shall be sufficiently given or served if sent by registered or certified mail, return receipt requested, hand delivery, or overnight courier service addressed to the parties at the address designated by each party in writing. Notice shall be deemed given when transmitted.

6. This Agreement may be executed in two or more counterparts each of which shall be deemed to be an original but all of which shall constitute the same Agreement and shall become binding upon the undersigned upon delivery to the Chairperson of an executed copy of this Agreement together with a certified copy of the resolution of the legislative body approving this Agreement and authorizing its execution.

7. The provisions of Section V shall survive termination of this Agreement, withdrawal or expulsion of a Participant, and/or dissolution of the Consortium.

8. Article and section headings in this Agreement are included for reference only and shall not constitute part of this Agreement.

9. No findings or recommendations made by the Joint Committee on Plan Structure and Design or by the Chair of the Joint Committee shall be considered a waiver of any bargaining rights under any contract, law, rule, statute, or regulation.

10. The Chairperson and Executive Director are each designated attorneys-in-fact to receive service of any summons or other legal process in any action, suit or proceeding arising out of any contract, agreement, or transaction involving the Consortium. Service may be effected on either the Chairperson or Executive Director without requiring service to both.”

X. APPROVAL, RATIFICATION, AND EXECUTION

1. As a condition precedent to execution of this Municipal Cooperative Agreement and membership in the Consortium, each eligible municipal corporation desiring to be a Participant shall obtain legislative approval of the terms and conditions of this Agreement by the municipality’s governing body.

2. Prior to execution of this Agreement by a Participant, the Participant shall provide the Chairperson with the resolution approving the municipality’s participation in this Consortium and expressly approving the terms and conditions of this Municipal Cooperative Agreement. Each presented resolution shall be maintained on file with the Consortium.

3. By executing this Agreement, each signatory warrants that he/she has complied with the approval and ratification requirements herein and is otherwise properly authorized to bind the participating municipal corporation to the terms and conditions of this Agreement.

[Signature Page Follows]

2025 Municipal Cooperative Agreement (MCA) Signature
MCA Effective Date: January 1, 2025

IN WITNESS WHEREOF, the undersigned has caused this Agreement to be executed as of the date adopted by the Greater Tompkins County Municipal Health Insurance Consortium Board of Directors and subsequently adopted by the Municipal Corporation named below. (Please note: E-Signatures are not accepted)

Municipality

Printed Name of Chief Elected Official or Chief Officer

Title

Signature

Date

Addendum “A”

Example of Weighted Voting Formula under Section D(2)

If 11 Participants have 500 or fewer enrollees each and 2 Participants have more than 500 enrollees each, under subparagraph “a” the 11 each get 1 vote. Under subparagraph “b” the 2 large Participants get 4 votes each, which is calculated by taking the total number of votes under subparagraph “a” [11] subtracting the number of Labor Representative votes [2], dividing by the number of eligible Participants under subsection “b” [2], and rounding the result [4.5] down to the nearest whole number [4]. The Labor Representative shall have 1 vote, irrespective of the votes available to the Participants.

Addendum "B"

Illustration of At-Large Labor Representative Calculation

Total Number of Participants	Total Number of At-Large Labor Representatives
< 17	1
17-22	2
23-27	3
28-32	4
33-37	5
38-42	6
43-47	7
47-52	8
53-57	9
58+	10

2025 Municipal Cooperative Agreement(MCA)Signature

MCA EffectiveDate: January 1, 2025

IN WITNESS WHEREOF, the undersigned has caused this Agreement to be executed as of the date adopted by the Greater Tompkins County Municipal Health Insurance Consortium Board of Directors and subsequently adopted by the Municipal Corporation named below. (Note: E-Signatures are not accepted)

City of Geneva
Municipality

Amie Hendrix
Printed Name of Chief Elected Official or Chief Officer

City Manager
Title

Signature

Date



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: David West, Director of Planning and Economic Development

Meeting Date: 1/8/2025

Item Title: Schedule Public Hearing and Support of CDBG Economic Development Proposal

Action Required:

Schedule a Public Hearing for a grant application through the New York State Office of Community Renewal for Community Development Block Grant funding to support Liquid Orchard, Inc. with the establishment of a production facility for fruit and vegetable beverages.

Background:

Liquid Orchard, Inc. proposes the establishment of a production facility for fruit and vegetable beverages located at the Cornell Agriculture Technology Park (Tech Farm) in the City of Geneva.

Liquid Orchard is a startup juice company that has developed a new method for producing fruit and vegetable juices using pressing and processing equipment and methods that result in a higher level of nutrient preservation than conventional means. They have been working closely with Cornell in developing the process and wish to continue that relationship as they begin to produce and market their products. They consider the Tech Farm to be an ideal fit for them, both for initial production and for expanded operations over time. The company has raised some initial capital and expects to increase soon. They have been working with The Harrison Studio to develop a business plan and are well positioned to receive OCR funding in the \$150,000-\$225,000 range. They have already ordered equipment that they would store somewhere in the area pending access to the new facility and would likely ascribe the OCR funding as a grant for working capital to address inventory, marketing, and initial operating deficits. This project aligns with and supports the 2016 City of Geneva Comprehensive Plan.

Alternatives:

Without a public hearing this application cannot be submitted.

Financial Impact:

Pursuing this application and administering the grant if awarded will require City staff time. If awarded, the grant will include funding for managing the funding and compliance of the grant that should cover all our ongoing staff costs; the only cost is the upfront work on the hearing and grant submittal. The developer will pay for consultant support for drafting the application and the City Grant Coordinator and Director of Planning & Economic Development will expend time and effort completing the application process. This effort would be covered within current staffing levels.

Geneva City Council
CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456
(315) 789-2603 - FAX (315) 789-0604 - www.cityofgeneva.ny.com

RESOLUTION # 7-2025

**RESOLUTION ESTABLISHING A PUBLIC HEARING
FOR THE NEW YORK STATE GRANT FUNDING UNDER THE FEDERAL
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
AND SPECIFICALLY FOR CDBG-ECONOMIC DEVELOPMENT GRANT
TO ASSIST LIQUID ORCHARD, INC.**

WHEREAS, the Geneva City Council supports programs and projects that align with the 2016 City of Geneva Comprehensive Plan, and

WHEREAS, the City intends to apply to New York State for funding under the federal Community Development Block Grant Program in 2025; and

WHEREAS, applications include submission on behalf of Liquid Orchard, Inc. for assistance in establishing a facility for the production of fruit and vegetable beverages at the Cornell Agriculture Technology Park (Tech Farm) in the City of Geneva; and

WHEREAS, the City may apply for funding for the following programs and activities: Infrastructure, Community Planning, Microenterprise, Housing, Small Business and Economic Development activities; and

WHEREAS, a public hearing is held as part of the process to solicit public input with respect to potential applications and program activities; and

NOW, THEREFORE, BE IT RESOLVED that the Geneva City Council establishes a public hearing for February 5, 2025 at 7:00 p.m. to hear public feedback on the intent to apply to New York State for funding under the federal Community Development Block Grant Program in 2025 for Liquid Orchard, Inc. and additional program activities.



Geneva City Council
Agenda Item Briefing

To: Geneva City Council

From: Jennifer Sutton, Grant Coordinator

Meeting Date: 1/8/2025

Item Title: Schedule Public Hearing of CDBG BEST Program Grant Application

Action Required:

Schedule a Public Hearing for a grant application through the New York State Office of Community Renewal for Community Development Block Grant funding's Business Expansion and Start-up (BEST) Program.

Background:

The BEST program is the new/renamed version of the Microenterprise Assistance Program (MAP) that the City has successfully administered multiple times in the recent past and is currently in the final months of the most recent awarded program. This new application would bring additional opportunities to interested individuals for opening a new business or expanding their current business. The NYS CDBG BEST Program funding can help the City of Geneva provide a program of financial assistance to for - profit businesses with five (5) or fewer employees, including the owner(s), for an identified CDBG eligible activity which will result in the creation or retention of permanent, private sector job opportunities, principally for persons from low-moderate income families.

Alternatives:

Without a public hearing this application cannot be submitted.

Financial Impact:

Pursuing this application and administering the grant if awarded will require City staff time. If awarded, the grant will include funding for managing the funding and compliance of the grant that should cover all our ongoing staff costs; the only cost is the upfront work on the hearing and grant submittal. The City Grant Coordinator and Director of Planning & Economic Development will expend time and effort completing the application process. This effort would be covered within current staffing levels.

Geneva City Council
CITY HALL- 47 CASTLE STREET- GENEVA, NEW YORK 14456
(315) 789-2603 - FAX (315) 789-0604 - www.cityofgenevany.com

Resolution # 8-2025
Setting a Public Hearing for Community Development Block Grant
Business Expansion and Start-Up Program Grant Application

WHEREAS, the City of Geneva is currently implementing a Microenterprise Assistance Program (MAP), and

WHEREAS, the current and prior programs have been beneficial to the City of Geneva and its residents, and

WHEREAS, there is an opportunity to seek new funding for these services under the CDBG Business Expansion and Start-up (BEST) program, and

WHEREAS, the program requires a public hearing to discuss community needs and seek support for the City's application to this program, and

WHEREAS, the City recognizes that this project is a priority activity that is contributing to the renewal of the downtown area, strengthening the local economy, and increasing the quality of life for residents; and

WHEREAS, this project is consistent with all existing local plans, the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources, and the project supports local businesses in a manner that will attract, create, and sustain employment opportunities in Geneva; and

NOW THEREFORE BE IT RESOLVED that the City Council schedules a public hearing for February 5, 2025 at 7pm in the City Hall Council Chamber for the purpose of hearing public comments on the City of Geneva's potential application to Community Development Block Grant (CDBG) BEST program, the City's economic and community development needs, and Council directs City staff to take all necessary action to provide proper notice of the public hearing.