

THE GENEVA CITY COUNCIL
JOURNAL OF PROCEEDINGS
REGULAR COUNCIL MEETING

May 4, 2022 – 7:00 PM

Public Safety Building
255 Exchange Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

Present: Clr. Regan, Clr. Gaglianese, Clr. Burrall, Clr. Pealer, and Clr. Salone, Clr. Noone,
Clr. Salamendra (via Zoom) and Clr. Camera (via Zoom)

2. EXECUTIVE SESSION

ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Salone
MOVED THAT council adjourn to executive session at 6:00pm to discuss the city
manager applicants
MOTION CARRIED UNANIMOUSLY

ACTION TAKEN by Clr. Burrall; seconded by Clr. Pealer
MOVED THAT council return to regular session at 6:55pm
MOTION CARRIED UNANIMOUSLY

3. PROCLAMATIONS – Don Liberatore
Boy Scouts Day of Service

4. COUNTY SUPERVISOR UPDATE

Supervisor Petropoulos announced:

- The number of COVID cases is up in Ontario County
- A recent Drug Takeback Day yielded 2800 lbs. of unused pharmaceuticals with 360 cars showing up. Next collection date will be in October
- The next Board of Supervisor's meeting will be May 12th at 6:00pm, and all are welcome to attend

- There will be a ceremony May 18th at the Sheriff's Office at 74 Ontario Street for people to pay their respects to fallen deputy sheriffs who lost their lives in the line of duty
- There is a special election schedule on the county website
- A Household Hazardous Waste event will be held at the Bristol Highway on September 10th and requires pre-registration
- An E-Waste event is being held at the Farmington Highway on June 11th from 8am to 2pm and requires preregistration
- A Residential Tire Disposal Event will be held May 14th at the Town of Seneca Town Hall. Last year's event yielded 42,400 lbs. of unused tires
- Paper Shredding in October and Used Pumpkin Drop off November 12th

5. FOUNDRY UPDATE

Remedial Design

- Remedial designs were progressed for two additional properties in the block located north of Middle Street along the east side of Exchange Street and the west side of Wadsworth Street. These designs will be completed in early May, pending property owner comments. NYSDEC's engineering contractor met with all property owners to review design plans prior to the start of excavation on their properties.
- Remedial designs are nearly complete for 145 and 151 Genesee Street, St. Peter's Church. Remediation of these parcels is anticipated during summer or fall 2022.
- Building structural assessments and additional soil sampling were performed in mid-April at several properties located south of Lewis Street on Genesee, Geneva, and Tillman Streets. Remediation of most of these properties is anticipated in 2023, with up to six properties on the west side of Genesee Street anticipated to be remediated in late 2022.

Remedial Construction

- Excavation activities were completed and restoration activities were initiated at six properties located south of Middle Street between Exchange Street and Wadsworth Street. Restoration activities will continue in May and June.
- Excavation began at 113 Exchange Street and additional properties south of 113 Exchange St. along Exchange and Wadsworth Streets. Excavation will continue in this area in May and June, followed by restoration activities.
- Properties remediated in 2021 that did not yet receive replacement plants and trees will receive them in May and June 2022.

6. CONSIDERATION OF MEETING MINUTES

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

MOVED THAT the minutes of the April 4, 5, 20, 25, and 27 Special Council Meetings be approved

MOTION CARRIED UNANIMOUSLY

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

MOVED THAT the minutes of the April 6 Regular Council Meeting be approved

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

Abstain – Clr. Noone

MOTION CARRIED

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

MOVED THAT the minutes of the April 11 Special Council Meeting be approved

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

Abstain – Clr. Noone

MOTION CARRIED

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

MOVED THAT the minutes of the April 28 Special Council Meeting be approved

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

Abstain – Clr. Salamendra

MOTION CARRIED

7. PUBLIC COMMENT

Penny Hankins said that her comments tonight are a continuation of the email she sent to council after they decided not to appeal Judge Doran's decision about the Police Review Board. She said she was disappointed that no councilor, except Clr. Regan, made a statement about Clr. Salamendra's workplace harassment announcement. She asked council how they would react if their friend had their face plastered across a computer screen at a workplace. She said there is a serious problem at the Geneva Police Department. She referred to the situation as workplace harassment that needs to be dealt with and not swept under the rug. She noted Officer Nolin's recent complaint saying that she feels the police department is dysfunctional, and council's decision to not appeal the recent decision was not a wise choice.

Charles King said thank you for considering creating a Police Accountability Committee. My favorite meeting of the PRB was in November when we met with Chief Passalacqua. Not only was this a broadly informative meeting for both sides, but for the first time in what felt like forever, we were acknowledging, in a public forum, that police officers are human beings who sometimes make mistakes. It wasn't "police do everything wrong" or "police do everything right," but a large group of people on the board, and in the Chief's chair and in the gallery, cared deeply about the city, and were looking at the reality of the department's actual disciplinary history, with what policies are currently in place, and were thinking how to bring everyone to a common understanding of how to move forward. That felt like coming up for air. For

our upcoming Annual Report, which would have been in June, I was very much looking forward to showing you the systems that the PRB had finalized for complaint intake, review, and conflict resolution. I'm proud of the Complaint Form, which I spent a long time designing and editing with guidance from the board, the Chief, and numerous Genevans; it was approved by the City attorney, and the city was basically set to go with it four days before the PRB was dissolved. It represented a more efficient and more thorough workflow for complaint intake, but now there is no one to receive that form. Why do people not file complaints directly with the police? I've had 3 people approach me personally during the past 10 months wanting to lodge complaints, but not with the current system. If you are receiving poor service somewhere else in your life and you ask to speak to a worker's manager, and they say, "Sure, here's my uncle, complain all you like," you're probably not going to complain to the uncle. You're going to seek a different person higher up. Obviously an imperfect metaphor, but the fraternal aspect of the police department makes people less likely to complain *to* the police *about* the police, because it's not just an org chart in a company, it's comrades-in-arms, and rightly so. But unless it rises to the level of a crime, there's no one, higher up, fielding complaints. So people spend their time, treasure and talent in the press, or the blogosphere, or social media, or they come to these meetings and complain directly to you, because that's higher up, but it's not a confidential service, so most people stay silent and hurt relationships between the police and the public remain unattended. The current process for complaints against the police is within General Order 300 of the Geneva Police Department. There are some significant problems or at least ambiguities with GO300. Many of the GOs show signs of being written and then edited over the years by multiple authors. There is certainly meaningful policy in GO300, but someone has added an introductory paragraph instructing officers to think of the *disciplinary process* as a means of showing the public that they are confused or mistaken. It makes the Discipline Chapter of the general orders read like a playbook on how to avoid discipline. It's not this serious message: that officers will receive fair, American justice from the police department's authority structure with a presumption of innocence on both sides and a deliberation of evidence, which is what it should be. There are also some weird things going on with the police's complaint form itself. GO300 instructs an officer to draw a complainant's attention to the perjury warning at the end of the form at three distinct times during the process, which is perhaps intimidation, and the definition for perjury on the form is just "False statements herein are punishable as a Class A Misdemeanor," referencing §210.45 of the Penal Law. But the legal definition of perjury is different, it's when (quote) "he knowingly makes a false statement, which he does not believe to be true." That's a different standard from just false statements. And perjury is actually actionable without citing the Penal Law even once, so the three perjury warnings is perhaps egregious. Police policy has been written and rewritten for years, and unchecked power entrenches itself in strange ways sometimes. That's not authoritarianism. It's not evil. To some degree it's first-responder culture being slower and more resistant to change, which is natural, but we are far apart at this stage and not healing as a community, and these policies deserve a contemporary look and a different approach. The Reform and Reinvention Collective group recently reviewed GO400, a 13 page document. They made good suggestions on the Use of Force policy. So we as a city are 2% of the way through reviewing the 535 total pages of the Geneva Police's General Orders, which contain these anachronisms and problems. At best, it's just simple mistakes. At worst, it's confusing, contradictory policies that allow police justification for doing whatever they choose, which is not policy. I implore you: In the short term, enable some kind of group to continue looking at the General Orders of the GPD. And I BEG you: Please set up a system that will allow people to file complaints about police officers in a confidential and fair way where they don't need to go directly *to* the police to complain *about* the police if they don't wish to. Thank you.

Judith Dickinson said that something is wrong here tonight as it has been two weeks since city council received evidence that a threat was made against a councilor, and nothing has been done. She said that the person who displayed the pictures on a computer here at the Public Safety Building has not been

identified, yet we are here in the building where the computer is and that officer may be working. She said the investigation is moving too slow, is too secretive, and exposes the rest of us including members of city council to danger. She said she is deeply angry that she has to come to this building to make her comments. She said that if this person worked in the private sector, they would have been fired, noting that if the Police Review Board was in place, they could have handled this matter. She said she is in support of the resolution tonight for a Police Accountability Committee.

Jessica Farrell of Ward 5 said hello councilors. Tonight, I wanted to speak to you about accessibility and transparency. In 2022, and particularly in a continuing pandemic where our county is calculated to have a "HIGH" level of COVID transmission, all of your open meetings should be livestreamed and the videos should be posted for the public to watch when they have time. This should be the default plan. My comments are inspired by the fact that the city chose not to livestream the public portion of your meeting on April 20th where you voted on appealing Judge Doran's decision and therefore there is no way for the public to watch footage of the meeting on the city's YouTube channel. As you all know, police accountability is a hot button topic in this city—whether you are for or against it. I think it was in bad faith for the city to decide not to record or livestream this meeting. It was a special meeting called with little advance notice, so it is reasonable to assume that it would be difficult for members of the public to arrange to be there in person. Now, from my interactions with several of you, I'm guessing that you might not have known that that the meeting wasn't going to be recorded, that you didn't know you weren't even going to be using mics so that we could hear you, and that you didn't know it wasn't going to be available on YouTube, so I'm going to give you the benefit of the doubt and not read into the lack of video at the meeting where you decided to vote down a board devoted to police accountability. But what I am going to ask you to do is to be more proactive in making sure that your meetings are accessible in the future by insisting that all meetings be miked and livestreamed. To me, given the cost benefit analysis it only makes sense. As elected officials, you should want the public to be as engaged as possible, so I ask that you act like. It is easy enough for city staff to set up a livestream, so why not use the technology and resources we have. Building on that issue of accessibility and thinking about the context of the pandemic, I would like to further comment on what is happening right now, which is public comment. As I said, our county currently has a "HIGH" level of COVID. There are many people who cannot be present at a meeting like this—either because they currently have COVID or they were exposed or they are immunocompromised and coming in person would put them at significant risk. In these circumstances, I think it makes sense to offer the option of making public comment via Zoom. Again, this is a matter of making public engagement in our city government as easy as possible. There are many reasons that a person might prefer to deliver a verbal statement rather than submitting something in writing. Perhaps they feel more articulate when speaking than when writing. Perhaps they don't want to give you the option of not reading their submission. Or perhaps they want to be able to address all of you with witnesses present and on the public record. Many of you like to say that you have spoken to a lot of people, that you are willing to listen to all of your constituents. These statements are disingenuous when you put such limitations on how your constituents can address you. Show the public that you care about what they have to say, that you care about their health and keeping them safe, and that you prioritize accessible, transparent government. Thank you.

Kathryn Slining-Haynes of Ward 1 said she was disappointed that council chose not to appeal the judge's recent decision, especially since we have pro bono legal counsel. She said there is a need for accountability in all city departments including the police department, and she is expressing her support for Clr. Camera's resolution tonight saying that the police chief should welcome input from the public. She said that people should be allowed to file complaints without the fear of retaliation. She asked council to vote in favor of the resolution as she feels it is imperative to have this or another mechanism in place soon. She thanked the former members of the PRB and said she would support them in this new proposed structure.

James McCorkle of Ward 1 said he hopes council will support Clr. Camera's resolution tonight, noting that council has a well-trained pool of potential members to choose from. He reminded council that opponents of the Police Review Board said that police accountability is necessary. He said in light of complaints coming in this past month, it is urgent that this resolution be passed. He said that a person he wrote about in a recent article in the newspaper thanked him saying that the police department is lacking in leadership and is completely mismanaged. He also said that he tried to implement a wellness program for struggling officers, but it fell on deaf ears. He said it was difficult to work for a chief who claimed accountability, but the chief was never held accountable. Mr. McCorkle said that council must act or they will be held accountable for their inactions.

8. MAYOR AND COUNCIL REPORTS

Clr. Salone said that the Geneva Housing Authority is working on the Lyceum Heights consolidation and will need approval from HUD before moving forward.

Clr. Gaglianese said that the Police Budget Advisory Board met in April and has been researching budget information and compiling questions for the police chief and comptroller. The Planning Board met in April to review three subdivisions; Solar Village had some minor adjustments to make to lot lines, 32 and 34 Cortland did a lot line change, and 165 White Springs Road came back with changes to their driveway. He said they discussed training for when the new zoning code goes into effect, and Clr. Gaglianese noted that the board membership is full at this point.

Clr. Regan said that COVID went through the Green Committee. The Mission Zero Event this past weekend went well with about 250 people in attendance. She said they raised enough money to cover their expenses with some left over to give to the Geneva Community Center. She said there were five presentations, 25 vendors, and a techno trash bin to collect 315 lbs. of CD's and tapes. She said the Green Committee, Geneva Reads, 4H, Finger Lakes Zero Waste, Ontario County Department of Sustainability and Solid Waste, the County Soil and Water Conservation Office, and representatives from the Town of Geneva were there. She offered congratulations to the Dove Block for their successful opening. She said that a lot of hard work went in to restoring that building and noted the event was sold out.

Clr. Pealer said that the Recreation Advisory Board did not meet. He said that according to the City Charter, they are to act in an advisory capacity to the Recreation Department and make recommendations concerning recreation and youth programs in Geneva. He said they are to have a chair and vice chair, and they will be following the charter from now on. He said the Geneva Housing Authority has a PILOT agreement with the City of Geneva and he asked how much they are paying annually to the City as this paves the way for all not-for-profits to contribute to the city. He said that a couple volunteers showed up at Jefferson Park to help him revitalize the baseball diamond, and Finger Lakes Landscaping came in to roll the field along with 12 kids who came to sand and stain the wood surfaces.

Clr. Burrall gave a shout out to Don Liberatore saying that our downtown has benefited from his service for a couple decades. He also gave a shout out to the boy scouts for their work at the cemetery which he said is a peaceful place for people to spend time. He thanked tonight's speakers saying that it is important for council to hear them at the podium engaging in the Democratic process. He read a birthday card he had received from the Red Cross thanking him for donating blood. He said the next blood drives will be at the Waterloo VFW on May 16th from 1-6pm, Geneva General Hospital May 20th from 10-4, the Hydrant Hose Fire Department May 31st from 10-3. He encouraged people to give blood at Geneva General Hospital June 1st from 10-4pm and come to the council meeting after. He said thank you to anyone considering or reconsidering donating blood. He said that the BID discussed holding Cruisin Night this year and are holding a special meeting tomorrow to decide. Clr. Burrall offered \$200 for the Shadetree Committee noting that the balance of his and Jim Norwalk's contributions so far is \$1500. Lastly, he said that the Arbor Day celebration was held on Scott LaFaro Drive this past weekend, and they gave away 100 trees to city residents.

Clr. Noone said that the Zoning Board of Appeals needs members. He said that he agrees with the public comment that council needs to create transparency and make our videos available to all. He said he disagreed when a majority of council voted not to pay to put council meetings on Finger Lakes Television.

Clr. Camera said that the Arbor Day Celebration was successful with a lot of work being done to make it happen. He then asked to present a video that can be found at <https://www.youtube.com/watch?v=iLWo8B1R0MY>.

Mayor Valentino said that the Industrial Development Agency met and heard reports from the school district, the Geneva Enterprise Development Center and a council report from the mayor himself. They talk about their current projects they are working on along with the work they have going on at the GEDC with fixing a sewer problem, asbestos abatement, trying to replace the a/c and working on upgrades. He said the Local Development Corporation met today and are working with MRB Group on a Microenterprise Assistance Grant application. He said also they talked about joint marketing between the LDC and IDA Board. Mayor Valentino said he has a statement with regard to the investigation into the Police Department screensaver allegation. An investigation into the police department's screensaver allegations was commenced by the Geneva Police Department on April 21, 2022, the day after Clr. Salamendra made the matter public. The city and police department take this matter very seriously and intend to investigate it thoroughly and completely. The investigation and any possible discipline are being conducted pursuant to police department general orders. Discipline will be subject to the applicable collective bargaining

agreement, the Taylor Law and Civil Service Law. Proper investigation takes time to do correctly and accurately, and details cannot be disclosed until the investigation and resulting discipline are complete. Neither the city nor the Geneva Police Department condones these actions and will hold the individual(s) responsible accountable.

9. CITY MANAGER REPORT

Acting City Manager Slywka thanked Don Liberatore for his many years of service and the Boy Scouts for their work noting that partnerships aid the city in everything we do. She announced that she was reappointing Victor Nelson for a 5-year term on the Geneva Housing Authority Board. Lastly, she offered congratulations to Pat Cardinale who retired last Friday from the Geneva Fire Department with 20+ years of service saying that she appreciates his time and dedication to our city.

10. RESOLUTION EXTENDING TAX EXEMPTION AGREEMENTS FOR LYCEUM HOUSING II AND III

Mayor Valentino presented the following resolution:

WHEREAS, the former Shuron Optical (later, Garden Galleries) property at 150 Lyceum Street has been developed by associated entities of the Geneva Housing Authority for low-income senior housing, in three stages:

Lyceum Heights I by Lyceum Housing Limited Partnership (LH LP)
Lyceum Heights II by Lyceum II Housing Limited Partnership (LHII LP)
Lyceum Heights III by Lyceum Heights III Housing Development Fund Corporation (LHIII HDFC), and

WHEREAS, LH LP, LHII LP, and LHIII HDFC, “the Owners”, have executed Tax Exemption Agreements (TEAs) with the City of Geneva, and

WHEREAS, the TEA for Lyceum I (2000) is for a term of 30 years, expiring in 2030, and the TEAS for Lyceum II (2005) and Lyceum III (2011) are for terms of 15 years each, and

WHEREAS, the TEAs for Lyceum II (2005) and Lyceum III (2011) have expired, and

WHEREAS, the Owners anticipate that in the near future all three projects will be consolidated in a re-syndication that will provide funding for repairs and capital improvements, and

WHEREAS, the Owners have requested that the TEAs be coordinated with a single expiration date.

NOW, THEREFORE, BE IT RESOLVED, that the acting City Manager be and she hereby is authorized to execute and deliver to the owners of Lyceum II and Lyceum III, a written agreement extending the TEAs for Lyceum II and Lyceum III to a terminus date coincident with that of the TEA for Lyceum I.

**ACTION TAKEN by Clr. Salone; seconded by Clr. Gaglianese
MOVED THAT this resolution be approved
MOTION CARRIED UNANIMOUSLY**

11. **DEFEATED RESOLUTION CREATING A POLICE ACCOUNTABILITY COMMITTEE**

Clr. Camera presented the following resolution:

The City Council of Geneva under its powers of home rule and the Geneva City Charter has the right to constitute independent standing committees to provide research, input and guidance to the City Council on matters of significant public interest.

In the aftermath of the murder of George Floyd in May 2020, many citizens of Geneva expressed their concerns about the GPD's own problems in handling complaints against its officers going back at least as far as the death of Corey Jackson at the hands of the GPD in 2011. The People's Peaceful Protest (PPP) reflected the concerns of many Genevans, young and old.

Eventually, these concerns were addressed through a collaborative process where members of the PPP and other interested residents of the City drafted a law for a police accountability board. After a lengthy revision process by the City Council, in February 2021, the Police Review Board (PRB) was established through the passage of Local Law 1-2021 by a 6-3 vote.

The Law, by changing the City Charter, assured all residents of a permanent and independent review of any complaints they had regarding the GPD.

In June 2021, the City's police union (Local 3471 of New York State Law Enforcement Officers Union, Council 82), challenged the legality of the law and sued for its dismissal which was granted by Judge Craig Doran on April 11, 2022 in the Ontario County Court of the Supreme Court of the State of New York.

This current resolution is to assure the citizens of Geneva that efforts to increase police accountability are still on-going by way of the creation of a standing committee to receive, review, and research complaints about the GPD.

The sole authority to discipline Officers shall remain vested in the Chief or his or her delegates, under the supervision of the City Manager pursuant to City Charter section 9.2 or amendments thereto, the New York State Constitution, the New York State Civil Service Law, Section 891 of the Unconsolidated Laws of the State of New York and applicable Collective Bargaining Agreements between the City and the

Officers. Therefore, be it resolved, that the City of Geneva and its residents deserve an appropriate process for the review of complaints made against the Geneva Police Department.

Be it further resolved that most of the City Councilors. are on record in supporting police accountability.

Be it further resolved that a fair and impartial review process will meet the needs of Geneva residents and also help the GPD improve training methods and internal development leading to an enhanced reputation and greater public confidence.

Be it further resolved that the creation a standing committee of the City Council made up of councilors and members of the public (including the former members of the PRB and any others who are selected by a majority vote of the City Council at the conclusion of an application and interview process) will assure a broad perspective on and impartial analysis of complaints.

And finally, be it resolved, that the City Council of the City of Geneva shall constitute the standing committee known as the **Police Accountability Committee** whose purpose shall be to receive, research, analyze, and make recommendations to the City Council, Chief of Police and City Manager so they may better perform oversight of police operations and management for the citizens of Geneva.

Clr. Camera said that this would be a standing committee of city council with members from council and members of the community, and they would report to council. He said they would perform an independent assessment of police misconduct or a complaint lodged against the department and investigate. He said that the City Charter sections 3.13 and 3.16, talk about council having the power to investigate and other general powers. He said that council must make the system work better and give everyone the same protections.

Clr. Noone asked if legal or anyone else on staff was involved with the drafting of this resolution, and Clr. Camera said they had not yet. Clr. Noone said that he is a firm believer in oversight and accountability, especially for this council, and he believes the process should come about as a collaborative undertaking and not cause more division. He said he believes this resolution was created with tunnel vision and without input from skate holders, and it does not have complete buy-in. He said it is time to stop creating fear and division, ignoring experts and opposing views, and having an attitude of knowing better than everyone else and not listening to other views. He said he believes we can have tough conversations and bring accountability and oversight, but it has to be with everyone's voice.

Clr. Regan said that it is good to continue the conversation, but she feels this needs more work. She asked about provisions for members who will make up the committee. Clr. Camera mentioned the members of the PBR already doing a lot of homework along with other stakeholders. Clr. Burrall thanked Clr. Camera for keeping accountability on the table, but he also feels it needs legal review. He said since the charter says that resolutions are to go through legal review first, that this should be the practice before putting items on the agenda from now on. Mayor Valentino said that there may be a slight conflict with the council rules of procedure because that allows for council members to bring forward any resolution for the agenda. He noted that there could be an opportunity to clean up that language.

Clr. Pealer said he does not see this working as accountability starts from the top. He referred to a request he made for information from discussions between our attorneys and the PRB members, and he was not provided any documents. He said that the rules need to apply to everyone the same, and if not, that is not accountability for all.

Clr. Salamendra said there is a difference between councilors and police as police have power to arrest people and harm them. She said it comes down to if we believe victims or not. She said that it is difficult for people to bring their complaints forward when the police are sitting there also because the person was harmed by the police. She questioned if council wants to hear complaints or not, because complaints are based on how people feel, and they are not comfortable talking to the police. She said there are now two complaints, hers and Officer Nolin, and council has an obligation to listen to the victims no matter the number. She said she supports Clr. Camera's resolution and the victims, and she believes there is a problem at the police department.

Mayor Valentino said that the challenge here is council is repeating something done before. He said he sees a lack of detail in this resolution as far as appointments and structure, and it falls short in his opinion.

Clr. Camera said that even if only 100 people felt disenfranchised by the police, we owe them accountability. He said that members will develop guidelines that can be tuned up later. He said that this is not extraordinarily illegal as standing committees can be formed per the charter. He said he feels the longer council waits to do something; their credibility goes down as a body.

**ACTION TAKEN by Clr. Camera; seconded by Clr. Regan
MOVED THAT this resolution be approved**

**ACTION TAKEN by Clr. Regan; seconded by Clr. Burrall
MOVED THAT this resolution TABLED**

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

MOTION DEFEATED

{Roll call on the original motion}

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

MOTION DEFEATED

12. FIRST READING OF AN ORDINANCE ADDING CHAPTER 111-A TO THE GENEVA MUNICIPAL CODE ENTITLED "PRIVATE LANDLORD REGISTRATION"

Clr. Salone presented the following ordinance for first reading:

WHEREAS it is the policy of the City of Geneva to promote the availability and accessibility of safe housing for all persons in the City, and

WHEREAS, identification of private residential rental properties in the City and the ownership of said properties is incomplete, and

WHEREAS, creation of a registry of private rental properties in the City will facilitate contact by the City with the owners of such properties to resolve code issues, to identify and prosecute nuisances, and resolve other matters in a timely and expeditious manner, and

WHEREAS, creation of a registry of private residential rental properties in the City will enable the City to provide information to landlords, renters, and State and Federal agencies to enable access to financial assistance, including funds available regarding COVID-19 impacts,

THEREFORE, BE IT ORDAINED BY THE GENEVA CITY COUNCIL THAT A NEW CHAPTER SHALL BE ADDED TO THE GENEVA CITY MUNICIPAL CODE IDENTIFIED AS CHAPTER 111-A,

ENTITLED "PRIVATE LANDLORD REGISTRY"

111-A-1 PURPOSE

The purpose of this chapter is to establish a procedure for the identification and registration of private residential rental properties as defined herein, and to ensure that the City of Geneva, hereinafter "City", has a meaningful, efficient, and effective means of communicating with private landlords. This chapter is adopted to promote the health and safety of tenants and residents of the City, and to alleviate conditions of substandard housing.

111-A-2 ENFORCEMENT.

This registry shall be enforced by the City Office of Code Enforcement. See § 230-12. Code Enforcement Officers and Inspectors.

111-A-3 DEFINITIONS

REGISTRY AUTHORITY shall mean the City Office of Code Enforcement.

- A) **PRIVATE LANDLORD** shall mean any private person or persons, Corporation, LLC, or other entity who owns, leases, or has any interest in and operates private residential rental property or properties in the City as a for profit business.
- B) **PRIVATE RESIDENTIAL RENTAL PROPERTY** shall mean any Dwelling, as defined now in the City Code under §350-2(A) thereof, or as hereinafter amended, which is, or any part of which is, operated by a private landlord for residential purposes.
- C) **DWELLING UNIT** shall have the same meaning as defined in the City Code, under §350-2(A) thereof, or as hereinafter amended, under the term "Dwelling" .

111-A 4 REGISTRATION OF PRIVATE LANDLORDS

- A) All private landlords in the City shall be required to register with a contact name and phone number within ninety days of the effective date of this ordinance or within 10 days of acquiring an interest in private residential rental property, by deed, lease or other transaction, whichever is sooner. Failure to register or maintain accurate information, may result in the suspension of the Certificate of Occupancy for the property in question and a penalty of Two Hundred and Fifty dollars. Penalty must be paid in full and re-inspection of affected property or properties must be completed before suspension will be lifted.

Clr. Salone said that there would be no fee, and those who do not comply would be charged a penalty and lose their certificate of occupancy.

Clr. Pealer thanked Clr. Salone for removing the fee part of this ordinance and asked if it could be amended to include a local property manager if the owner lives outside the city. Clr. Regan agreed with including a local property manager.

Clr. Camera thanked Clr. Salone and asked if he would also be willing to include a request for the owners physical and mailing addresses, fax number and email. Mayor Valentino told council members to send their requests for changes to Clr. Salone and legal so they can incorporate them into the ordinance for the second reading.

Clr. Burrall questioned the context of the words "private" and "profit" and asked if they could be removed. Clr. Gaglianese encouraged council to look at the ordinances for Canandaigua and Skaneateles as they are simple and straight forward.

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

13. RESOLUTION AUTHORIZING AN AGREEMENT FOR MARSH CREEK UPGRADES

Mayor Valentino presented the following resolution:

WHEREAS, the City of Geneva owns a facility on 45 Doran Ave.; and

WHEREAS, on April 29, 2022 City staff received one bid and determined that it met the needs of the city for the necessary upgrades; and

NOW, THEREFORE BE IT RESOLVED that the Geneva City Council, hereby and in due form, does authorize the City Manager to execute an agreement with Koester Associates, Inc. to provide equipment to the Marsh Creek

Wastewater Treatment Plant including a duplex pre-packaged pumping station and related work described in the bid documents.

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

14. PUBLIC COMMENT

Pat Schiller told council that because of the Seneca Seven organizers and a multitude of volunteers, Geneva has a very positive image. She said there were over 1500 people here and the event was very well run. Clr. Burrall added that the event sold out in 90 seconds.

15. ADJOURNMENT

**ACTION TAKEN by Clr. Salone; seconded by Clr. Noone
MOVED THAT the meeting be adjourned at 9:10pm
MOTION CARRIED UNANIMOUSLY**

Lori Guinan

City Clerk