

THE GENEVA CITY COUNCIL
JOURNAL OF PROCEEDINGS
REGULAR COUNCIL MEETING

June 1, 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, and Clr. Camera

2. MOMENT OF SILENCE – In light of recent events in our country, Clr. Noone asked to have a moment of silence for those who lost their lives to senseless gun violence.

3. AMENDMENT TO THE AGENDA

Mayor Valentino asked to make an amendment to the agenda to include resolution #25-2022 directing Midey, Mirras and Ricci to respond to a motion

ACTION TAKEN by Mayor Valentino; seconded by Clr. Gaglianese

MOVED THAT an amendment be made to the agenda to add this resolution

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

Clr. Pealer, Clr. Salone, and Clr. Regan

Nay – Clr. Camera and Clr. Salamendra

MOTION CARRIED

4. COUNTY SUPERVISOR UPDATE

Supervisor Petropoulos said that Ontario County is looking to implement a paperless contract system that is web based and grant based software. He said that by the end of July, they will need at least five municipalities in the county to pass a resolution. He said that this program will allow digitized contracts and allow work flow approval. He added that the County Administrator is having a meeting with the new City Manager soon. Supervisor Petropoulos announced that on June 18th at 10:00am, at the County

Courthouse, they will be unveiling a plaque marking the 149th anniversary of the conviction of Susan B. Anthony.

5. UPDATE OF THE GENESEE TRANSPORTATION GRANT

Tom Harvey, Director of Ontario County Planning Department told everyone that last year, they wrote, and were awarded, a grant to expand what was started in Manchester with the studying of the rail corridor that runs to Geneva. He said that they are looking to identify rail enabled industrial development sites. He said they have a total of \$126,500 to do the job and are putting together a steering committee before hiring a consultant. He said they have members from the Town Board of Geneva, Town of Phelps, and Village of Phelps, and they are looking for someone from the City of Geneva board. He said that the State puts a budget together and money is requested through the MPO's. The Genesee Transportation Council is responsible for transportation planning of all kinds in our region. Mr. Harvey said that a lot of public involvement will be requested and they are going to try and kick off the project later this month or early July. He said they will take an unbiased look at what the options are. When asked, Mr. Harvey said that there is a certain amount of money given from the State for projects and planning, and the county does a certain amount in house while the rest of the money is for the grant project. He noted that their applications are usually among the top scorers with last years' application being number two.

6. DRI UPDATE

Thank you, Mayor and City Councilors and good evening. On behalf of the DPW, our consultant Barton & Loguidice (B&L) and our contractor Nardozzi Construction, we want to please thank all residents, business owners and visitors for their continued patience while the DRI project continues to progress. We have made significant headway over the last month on this large, technical and often challenging capital improvement project.

WORK COMPLETED TO DATE:

As of the last Pay Estimate # 8, dated May 9, 2022 the contractor had used approximately 68% of the contract time and had completed 35% of the proposed work. Total dollars completed was \$3.2 M out of \$10.1 M. The current contract completion date is end of October 2022.

UPCOMING WORK SCHEDULED:

The current Contract 1 or 5&20 Corridor Phase is in Phase 1A. The contractor is working on the Eastbound 5&20. Work continues on milling and paving, curbing installations and guiderail work. The current Contract 2 Street Scape and 5 Points is in Phase 2 C. Work continues on brick pavers, sidewalk, exposed aggregate concrete and green infrastructure along Castle and Exchange. Variable Message Signage (VMS) Boards are both active at this time.

Two Week Look Ahead Milling and paving scheduled for Castle and Exchange Street. Notices were hand delivered to businesses on Thursday May 26th and email was sent to entire Geneva DRI email group on Saturday May 28th. Milling operation to start at Lake St and Exchange Street Tuesday May 31st. HMA placement to begin June 6th Hardscape and landscape work continues along Castle and

Exchange. Precast Concrete Seat walls have not been delivered and will be set in place once they arrive. This will open many of the areas protected by orange safety fence along the streets.

UTILITY WORK:

Colacino Electric performed utility repairs and relocation of existing city owned street light on behalf of City at South Cloverleaf Rd. Colacino to pour or replace the street light pole base and street light so contractor can finish adjacent sidewalk in area. Existing city owned street light conduit was damaged during recent excavation by Contractor. City also contracted with private underground utility locating firm On the Mark, (OTM) the week of May 16th to mark out all utilities for all of 5&20 for all phases of construction.

CONCERNS:

ELECTRICAL – Subcontractor delays continue. Contractor working on street light pole and traffic signal electrical subcontractor agreements and material supply issues.

RAIL ROAD - Norfolk Southern Rail Road (NSRR). B&L has submitted all information requested from NSRR and required for permit. The proposed design has conflict with old rail road safety gates at East Castle and Lake Street. B&L is currently setting up another meeting with the NSRR to discuss comments just recently received from NSRR. Redesigns and field changes have been proposed to contractor and NSRR for review.

7. FOUNDRY UPDATE

Remedial Design

- NYSDEC's engineering contractor met with St. Peter's Church (145 and 151 Genesee Street) and the City Code Officer to review remedial plans. Remediation of these parcels is anticipated during summer or fall 2022.
- Remedial designs are currently being drafted for six properties in the block located on the west side of Genesee Street opposite St. Peter's Church. These designs will be completed in June, and work is expected on these properties during summer or fall 2022. NYSDEC's engineering contractor will meet with all property owners in June to review design plans.
- Design activities continue for all other remaining properties south of Lewis Street. Remediation of these properties is expected to be completed in 2023.

Remedial Construction

- Restoration is substantially complete at six properties located south of Middle Street between Exchange Street and Wadsworth Street. Remaining fencing and landscaping are anticipated to be completed this summer.
- At properties located on Exchange, Wadsworth, and Middle Streets, north of Middle Street:
 - Excavation and restoration activities continued from 113 Exchange Street south to 135 Exchange and 82 Wadsworth.
 - Trees and fences were removed from seven additional properties on this block, proceeding south to Middle Street. Excavation of this block will begin in early June.

- Remedial construction activities are expected to begin in June on seven properties in the northern part of this block, as far north as 77 Exchange Street and 54 Wadsworth Street.
- Properties remediated in 2021 that did not yet receive replacement plants and trees are expected to receive them in June.
- Work will be performed at St. Peter's Church, properties near the intersection of Genesee and Lewis streets, and Genesee Park in late summer and fall 2022.

8. CONSIDERATION OF MEETING MINUTES

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

MOVED THAT the minutes of the May 2, 4, and 5 Council Meetings be approved

MOTION CARRIED UNANIMOUSLY

9. PUBLIC COMMENT

Charles King said good evening, council. Happy Pride Month. I'm Charles King, I live on Washington Street in Ward 2. Welcome, Ms. Hendrix. I'm going to share a couple of anecdotes about times I've made mistakes recently. This is slightly embarrassing, but perhaps a useful exercise. I'll start by saying there were some bright spots in the first year of Covid for my family, though it was an especially tough year. My kids' piano playing got a lot better. We read books. We went on lots of walks, which was our PE time during virtual school. We came to think of Washington Street, the greenway down from the fountain at Pulteney Park, Elizabeth Blackwell Street and Long Pier as one long road connecting our neighborhood to downtown Geneva and the Lake. On one of these nice walks with one of my kids the day after a particularly hard city council meeting back in the fall of 2020. I was trying to explain to my child, fairly, what all the signs that had gone up around town meant, and as we were on our way home, 24 police cars from City and County drove down Washington Street, sirens blaring, and turned down one of the cross streets. This is where I make a mistake—I assumed that it was a show of force connected with the Council meeting. When I got home I was upset, I drafted an email to the 9 of you, though I wisely decided not to send it. I told someone, wrongly, what had just happened, and I went online to ask people what was going on, which I probably should have done first. I try not to use social media for politics, but for staying connected with cousins, high school & college friends and folks in the performing arts. I had a local musician friend who was friends with a police officer who was retiring that day and he told me it was a last ride home. I was embarrassed. I tracked down the person I had given misinformation to, and I made sure they hadn't told anyone else, I stopped the rumor. I had jumped to a wrong conclusion and gotten in a bad headspace. Seeking advice from a variety of friends helped me out, though. Second anecdote. I'm a freelance editor and graphic designer by trade. I proofread, typeset, design, and index mostly non-fiction books for a variety of small publishers. When I was appointed to the Police Review Board last year, I volunteered to handle master versions of paperwork, forms, documents. That's a skill of mine. At an early meeting, I had drafted an idea for a mission statement that used bullet points. Now, I'm used to talking about fonts and glyphs and pilcrows and em dashes, and I wasn't thinking twice when I was saying: this bullet, that bullet, bullet, bullet, bullet. Although it has a different meaning, that is not the best word to use in a conversation about community-police relations. I was kind of putting my foot in my mouth over and over. One of the other members of the Police Review Board, in her wisdom, gently let me know that maybe I shouldn't be using the word "bullet" quite so much. There wasn't any blame, and it was caught

early but I was still embarrassed at being tin-eared on a subject where I was trying very hard to be sensitive. But I benefited from the advice. I'd like to encourage you to stay open to advice and to give thoughtful advice. Even someone who doesn't agree with us most of the time can have a good idea that will help us move forward, and we all love Geneva and want it to prosper. And we are all human, I'm pretty sure. I am better off listening to a variety of perspectives, I think you are, too. Thank you.

Pat Schiller thanked council for serving as council members noting that they were elected to do their best for the citizens of Geneva even though their backgrounds, personalities, experiences and perspectives are not the same. She said this can be, and has been, a problem. She said she hopes the councilors who voted against appealing the PRB decision have ideas on how to proceed. She said she hopes the Public Safety Building is safe for all of the Geneva public. She questioned why we must either be for or against the police as we all need the police department, and we equally need to be treated equally and fairly. She said that if all is well in our city, there would be no work for the Police Review Board to do. Finally, she said we need to find a way to respect one another's views and opinions and work together. She said that our nation is divided, and asked that our city no longer be divided. She asked that Geneva be a caring city.

10. MAYOR AND COUNCIL REPORTS

Clr. Salone said that the Geneva Housing Authority's waiting list is now up to 919 for affordable and senior housing. He said their audit is complete, and the PILOT payment will be forthcoming. They are continuing their search for a new executive director, and announced that there is a new program through the State for those who qualify, to receive an air conditioning unit including installation of up to \$800. He said the information is on their website. Clr. Salone thanked Jennifer Slywka for filling in as the city manager and all of her hard work, and he welcomed the new city manager. Clr. Salone told council that they were invited to the Red Wings home game Friday night with fireworks.

Clr. Salamendra said that the Open Space and Connectivity Planning Meeting will be next Thursday, June 9th at Courtyard Apartments to discuss design proposals and safe routes to 5 & 20. She said the Geneva Human Rights Commission will meet June 14th. Lastly, she announced for people concerned about her residency, they can stop questioning that she lives at 51 John Street.

Clr. Camera thanked Clr. Noone for the opening remarks and moment of silence. He said he has been struggling to write a column but just doesn't know what to say. He said he does not understand why a 19-year-old can purchase an assault weapon noting that red flag laws are struggling to address threatening statements. Clr. Camera referred to a speech on YouTube made by Senator Mallory McMorrow about trolling comments made by one of her colleagues, and he encouraged everyone to watch it. He said the video can be found at <https://www.youtube.com/watch?v=iLWo8B1R0MY>. He also suggested typing in: Mallory McMorrow senate speech in your browser. Next Clr. Camera asked about seeing an assessment on the fire at the former Madia's grocery store noting that our goal should be to not let that building sit there for the next year or two. He would like to see code enforcement stay on top of this to get the building taken down. Clr. Camera said that the Shadetree Committee gave away 90-100 trees at the recent Arbor Day celebration, and the remaining trees went to the tree farm at the Wastewater Treatment Plant. He noted that there are all types of trees to be planted in appropriate locations. He said that the committee

feels that the 25 trees to be planted in the Lafayette Avenue construction zone should be planted in late October to give them the best chance at survival. Clr. Camera gave a brief update on his travels to Bitcoin rallies related to opposition of the Greenidge plant saying that he was very impressed with a speech given by Lt. Governor Candidate Ana Maria Archila about addressing housing and poverty issues, and he encouraged everyone to look at her website. He said the next Bitcoin rally will be June 27th at 11:30 at the Welcome Center to try and pressure Governor Hochul to vote down the Title V air permit. He said they are concerned with the governor's stance on bitcoin because she has started accepting money from different organizations.

Clr. Regan said she held another town hall meeting a couple weeks ago on Lafayette Circle. She said they had a fantastic discussion about the marina, the DRI project, green spaces and how to care for them, the hauler agreements including environmental issues, and the sidewalk ordinance, which has affected more residents than she thought. She said that the Green Committee talked about their Mission Zero event last month and challenges faced by the department of public works because of the resolution passed last year banning synthetic pesticides. They realize this is not easy to address, but they discussed ways to help. She said they also discussed the challenges of the steam weeder and are looking to other municipalities to see how they handle this equipment. She said that the Director of Public Works Joe Venuti has been good at looking to the Green Committee for assistance with issues. Clr. Regan said that the Nardoizzi Company is now operating the Resource Recovery Park, and Jim Nardoizzi will be meeting with the Green Committee next month. She said that there is some legislation from the Governor's Office coming about raising the age of those allowed to purchase assault rifles along with other items. She encouraged everyone to get in touch with their state representatives. Clr. Regan finished by announcing that this is National Gun Violence Awareness Month with the highlighted day being June 3rd. She encouraged everyone to wear orange and said she is looking to get city hall lit up with orange lights. The next Green Committee meeting will be June 28th at 5:30pm at the Visitor's Center.

Clr. Pealer said the Recreation Advisory Board will be meeting the end of June when a chair and vice chair will be appointed. He said the summer programming begins June 6th with youth soccer noting that all information is on the city website: www.cityofgenevany.com or residents can call the recreation department at 315-789-5005. He announced the Frisbee Baseball free clinic will be June 5th and 12th at Jefferson Street Park. Clr. Pealer thanked the Montarano Family for their donation of the infield clay at Jefferson Street Park. He also thanked Pete Gillotte, Bill Sweeney, Jim Petropoulos, John Salone, the Jefferson Avenue families, and Dave Sharman for their help with cleaning up the Jefferson Street Park. He announced the DEC - Go Fish with Me event will be June 18th and the Bike Rodeo will be a partnership with some residents, the Recreation Department and Police Department from 10 to 12 on June 25th. Clr. Pealer said that the public needs to get involved in the marina project, and he has an issue with the current location having no parking or a boat launch. He said that parking, a boat launch, and marina store were not included in the matrix, and his solution is to move the marina to where the existing boat launch is because there is plenty of parking. He said he learned that past city management told the planners where to build the marina, noting this spot is adjacent to a 500 ft radius around the Marsh Creek runoff. Clr. Pealer said that he believes we could move the outlet further out into the lake, and we could open up that area for public space including a public beach. He suggested using ARPA funds to move the culvert. He feels having the marina next to the Welcome Center would be ideal and he hopes council would consider.

Clr. Burrall thanked tonight's public comment speakers and also Clr. Noone for the moment of silence, noting that we are all looking for answers on current events. He told everyone that they can donate financially to the families and they could donate blood. He said that the next blood drives will be June 20th at the Hall Fire Department from 2-6:30pm, June 22 at the Seneca Castle Fire Department from 2-6pm, June 23rd at the Waterloo VFW from 2-7pm and the Phelps American Legion from 2-6:30pm, June 28th at the Belhurst Castle from 1-7pm, and July 2 at the Hydrant Hose Fire Department from 9-noon. He noted that 29,000 units are needed every day, and he read a thank you letter to the editor from the Finger Lakes Times from a woman whose husband required 5 units of blood from April 26-29 after surgical complications. Clr. Burrall said that the BID is looking for a new Executive Director as Michael Mills is leaving, and they just hired an Events Coordinator, Catherine Price two weeks ago. He announced that Crusin' Night will take place this year on July 15th, and anyone wishing to volunteer can contact the BID. He referred to the tree farm next to the Wastewater Treatment Plant saying that it would be more appropriate to be referred to as the tree nursery off Doran Ave, and it is an amazing organization. As part of the Shadetree Committee tasks, Jim Norwalk's father-in-law created a program with a directory of every tree in the city right of way including condition of the tree, species and schedule for trimming and removal. Clr. Burrall said there has been a lot of tree removal in Glenwood Cemetery recently, and he would like his firewood donation this month of \$425 to go toward replacing two trees for every one cut down in Glenwood. Going back to his BID report, he announced a not-for-profit set up by Jim Cecere, owner of Vinifera, called Linden Street Charities, Inc, where 100% of their proceeds go to organizations for sustainability of the Seneca Lake Watershed. He said they are planning six Saturdays; July 2nd-Oct 15th to coincide with Live on Linden. He said there will be local wineries setting up on the street along with microbreweries possibly from 4-8pm. He said that tickets can be purchased online at: lindenwineseries.com. Lastly, he welcomed new city manager, Amie Hendrix.

Clr. Noone thanked Acting City Manager, Jennifer Slywka, for her efforts during this transition along with staff who have worked harder as well. Clr. Noone referred to a newspaper article on May 12th where Neal Braman said he would be working with the fire department to get the former Madias building taken care of. Lastly, Clr. Noone said he is looking at various ways to collaboratively address policing issues that people continue to bring us on this council as well as the community, and will be reaching out to various individuals to problem solve for those issues. He said he looks forward to sharing his findings in the near future.

Mayor Valentino said that the Industrial Development Agency met saying that Finger Lakes Hospitality has a new space in the GEDC building and the Trinity project will likely not close until the Fall when the financing is ready. He said the American Tower paperwork is still outstanding and they are working on the gateway parcel on the corner of North and Exchange Streets. He said that the Zotos/Henkle PILOT will be expiring in 2022. He said that the Local Development Corporation had a discussion about providing 20% funding for the "Geneva Made" Brand implementation which markets the City of Geneva. He said they approved to move ahead with the NY Main Street Grant. Lastly Mayor Valentino thanked our IT Department for getting the issues worked out for the council meeting.

11. CITY MANAGER REPORT

Acting City Manager Slywka thanked council, staff, and residents for their patience during the transition noting that staff really stepped up and it is great to be a part of this team. She said she will continue the journey with the new city manager. She announced that the city is losing one of its key members on June 24th when Fire Chief, Mike Combs retires. She thanked him for all he has done and wished him well. Lastly, she welcomed the new city manager, Amie Hendrix.

Mayor Valentino asked council to think about two dates for a discussion on the solid waste ordinance; June 27th or July 11th. He said he would like input from councilors and haulers to discuss at the meeting.

12. SECOND READING OF AN ORDINANCE ADDING PRIVATE LANDLORD REGISTRATION

Clr. Salone presented the following ordinance for second 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

- A) **REGISTRY AUTHORITY** shall mean the City Office of Code Enforcement.
- B) **PRIVATE LANDLORD** shall mean any private person or persons, Corporation, LLC, or other entity who owns, leases, or has any interest in and leases Private Residential Rental Property or properties in the City.
- C) **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 leased by a private landlord for residential purposes.
- D) **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 shall be required to provide information as stipulated in subdivision B below 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. 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.
- B) Private Landlord Information: name of the person or persons, the Corporation, the LLC, or other entity; a physical address; a mailing address; primary and secondary telephone numbers; a fax number; and an email address.

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

MOVED THAT this ordinance be approved for second reading

Clr. Regan said that it is important to have a local representative listed and she would like to add an amendment to the ordinance.

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

MOVED THAT the ordinance be amended to add wording that a local representative must be listed who lives within 20 miles of the residence

ROLL CALL VOTE: Aye – Clr. Regan, Clr. Salone and Clr. Salamendra

**Nay – Mayor Valentino, Clr. Burrall, Clr. Gaglianese, Clr. Noone,
Clr. Pealer, and Clr. Camera**

MOTION DEFEATED

[Roll Call on the original motion]

ROLL CALL VOTE: Aye – Mayor Valentino, Clr. Salone, Clr. Burrall, Clr. Gaglianese,

Clr. Noone, Clr. Camera, Clr. Salamendra Clr. Pealer, and Clr. Regan

MOTION CARRIED

13. RESOLUTION AUTHORIZING AGREEMENT FOR MARSH CREEK UPGRADES, ELECTRICAL CONSTRUCTION

Mayor Valentino presented the following resolution:

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

WHEREAS, City staff received bids on May 18, 2022 and determined that they 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 Colacino Industries Incorporated from Newark, N.Y. to perform upgrades to the Marsh Creek Pump Station.

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

MOVED THAT this resolution be approved

MOTION CARRIED UNANIMOUSLY

14. RESOLUTION AUTHORIZING AN AGREEMENT FOR MARSH CREEK UPGRADES, GENERAL CONSTRUCTION

Mayor Valentino presented the following resolution:

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

WHEREAS, City staff received bids on May 18, 2022 and determined that they 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 C. O. Falter Construction Corporation, from Syracuse N.Y. to perform upgrades to the Marsh Creek Pump Station.

Clr. Regan urged staff to consider partnerships in the future as other towns are using our facilities. She added that she knows the Town of Geneva is contributing in this instance.

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

15. RESOLUTION ESTABLISHING A PUBLIC HEARING FOR A LOCAL LAW REGARDING VIDEO
CONFERENCING FOR COUNCIL MEETINGS

Mayor Valentino presented the following resolution:

WHEREAS, allowing alternate methods of participation by members of the City Council, the City Planning Board, the City Zoning Board of Appeals, and other City Public Bodies, furthers meaningful participation in the conduct of city business, and

WHEREAS, the Geneva City Council supports professionalism and accountability of the members of City Public Bodies by allowing them to participate in meetings by Video Conferencing, and,

WHEREAS, it is in the public interest of the citizens of the Geneva to allow members of City Public Bodies to participate in meetings by Video Conferencing, and

WHEREAS, in furtherance of said goals, Geneva City Council intends to adopt local law #4 - 2022 governing the use of Video Conferencing for all Public Bodies of the City of Geneva, and

WHEREAS, the Municipal Home Rule Law requires a Public Hearing be held before a local law can be adopted,

NOW, THEREFORE BE IT RESOLVED that a public hearing be held on July 6, 2022 at 7:00p.m. pursuant to the Municipal Home Rule Law concerning proposed local law # 4 - 2022 submitted herewith.

Clr. Camera said that he would like to see council work with the city manager on ways to get things done depending on the circumstances as he feels this is a little bit of an overreach and constraining on council procedures. He noted that the mayor is the officer and council members do not always agree on the processes as they are nine people with different circumstances. He said that they should not make things too concrete. Clr. Salamendra said she feels there are more important things for council to discuss, and

the mayor is trying to control councilors with this policy. Mayor Valentino said there are several other communities bringing this local law forward, and Geneva is following them.

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

MOVED THAT this resolution be approved

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

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

MOTION CARRIED

16. RESOLUTION APPROVING CONTRACT AND APPOINTMENT OF CITY MANAGER

Mayor Valentino presented the following resolution:

WHEREAS, the Geneva City Council has previously advertised for applicants to serve as Geneva City Manager; and

WHEREAS, Geneva City Council was committed to selecting the best candidate, with the most relevant experience, the greatest potential for positive impact in the community, a demonstrated understanding of the City's comprehensive plan and what it takes to manage a total community - one that is as focused on people as it is on projects, and a leader of the utmost integrity and professionalism to lead us to our vision of a Beautiful, Prosperous, Equitable, Connected and Sustainable Geneva; and

WHEREAS, Geneva City Council thanks community members, including the City Search Committee, for feedback regarding the City Manager search; and

WHEREAS, Geneva City Council has determined that Amie Hendrix is best qualified to serve as Geneva City Manager; and

WHEREAS, the Geneva City Council and Amie Hendrix have negotiated an Employment Agreement which is attached hereto and made a part hereof which provides for annual compensation in the amount of One Hundred-Thirty Thousand Dollars (\$130,000.00) with additional benefits as set forth in the City's Management Benefits Agreement; and

WHEREAS, it is believed that the attached Employment Agreement is fair and reasonable.

NOW, THEREFORE BE IT RESOLVED, be that Amie Hendrix is hereby appointed Geneva City Manager pursuant to section 4.1 of the Geneva City Charter, effective June 21, 2022; and further

RESOLVED that the Employment Agreement between the City of Geneva and Amie Hendrix which is attached hereto and made a part hereof is hereby approved and the Mayor is hereby authorized to execute said agreement on behalf of the Geneva City Council.

Mayor Valentino gave a huge thank you to all of the applicants who applied for the city manager position saying we were very fortunate for the number of good candidates. He said he can't thank staff enough for their input and everything they have done to bridge the gap. He added that the city manager search committee did a great job, and council did their best to listen to everything they said. Lastly, he thanked council for their time and effort put in to get to this decision.

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

17. RESOLUTION DECLARING SURPLUS EQUIPMENT

Mayor Valentino presented the following resolution:

WHEREAS, the City of Geneva no longer has use for the following items:

1. **2000 Pierce Dash 2000 Series Skyarm 100' Ladder Truck**
2. **MSA SCBA Air Packs & Bottles Including:**
 - (5) Backpacks and (4) masks
 - (43) MSA Fiber wrapped 30- & 60-minute types, mostly 30-minute bottles

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Geneva, New York, that the above equipment be declared surplus property, and

FURTHER BE IT RESOLVED the proceeds from the sale of the surplus equipment will be applied to the Equipment Amortization Fund and used as trade for upgraded equipment.

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

18. RESOLUTION DIRECTING MIDEY, MIRRAS AND RICCI TO RESPOND TO MOTION

Mayor Valentino presented the following resolution:

The Geneva City Council directs Midey, Mirras & Ricci, LLP to appear on behalf of the City of Geneva in response to the Motion filed by former members of the Police Review Board seeking Leave to Intervene in the Action brought by Council 82, Ontario County Supreme Court Index Number 129650-2021.

Midey, Mirras & Ricci, LLP is directed to take all necessary steps to oppose the Motion for Leave to Intervene.

Mayor Valentino said that several members of the former Police Review Board filed a motion to intervene, and this resolution is to separate council, the mayor, city manager, and police chief from the Police Review Board in the original action.

Clr. Regan said she understands this is legal, but would like to just see this follow the legal steps and let the judgment come.

Clr. Noone said that the lawsuit has been dismissed, and there is no need to waste city resources. He said we need to move on from this issue and address it in a way that will not continue to put us in the situations of the past. He would like to see a new local law pursued that is not about power, but about solving the problem.

Clr. Salamendra said she cannot wait for Clr. Noone to start solving the problem. She said she does not think the resolution is necessary as the people who are affected by police violence are in favor of the appeal. Clr. Camera said he is also not in favor of this resolution. He said he feels the police union is antagonistic against the people of Geneva and don't recognize that there is a problem with their membership that has to be supervised in an appropriate and responsible way. He said that 10-20% of the people in our community worry if they are stopped by a police officer.

Clr. Gaglianese said that everyone on council has taken notice of the hard work that the members of the board put in, but it was found unlawful. He said he does not support what these former members are doing.

Clr. Noone said that if someone is victimized by the police, everyone on this board knows that the police must address the complaint. Anyone could send in an anonymous complaint by mail if they wanted. He said that if someone is sitting on a complaint and not reporting it, then they are letting people continue to be victimized.

When Clr. Burrall asked for clarification on the resolution, Mayor Valentino said the council would be opposing and separating themselves from the previous PRB members' motions.

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

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

MOVED THAT this resolution be amended to say that council is being separated rather than opposing

ROLL CALL VOTE: Aye – Clr. Burrall, Clr. Camera, Clr. Regan and Clr. Salamendra

**Nay – Mayor Valentino, Clr. Gaglianese, Clr. Noone, Clr. Pealer, and
Clr. Salone**

MOTION DEFEATED

[Roll Call on the original motion]

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

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

MOTION CARRIED

19. BOARD/COMMISSION APPOINTMENTS

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

**MOVED THAT John Brennan and Tony Cupelli be appointed to the Zoning Board of Appeals
and Andrew Williams be reappointed to the Zoning Board of Appeals**

MOTION CARRIED UNANIMOUSLY

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

MOVED THAT Andrew Williams be appointed Chair of the Zoning Board of Appeals

MOTION CARRIED UNANIMOUSLY

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

MOVED THAT Craig Talmadge be appointed to the Local Development Corporation

MOTION CARRIED UNANIMOUSLY

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

MOVED THAT Jay Freer and James Engel be reappointed to the Shadetree Committee

MOTION CARRIED UNANIMOUSLY

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

**MOVED THAT Mary Bakogiannis and George Fairfax be reappointed to the Recreation Advisory
Board**

MOTION CARRIED UNANIMOUSLY

Mayor Valentino said he would like to make a motion to remove James McCorkle and Robert Maclean from the Police Budget Advisory Board as he did not vote for them originally, and he does not feel they can provide an unbiased opinion to the board.

Clr. Regan said she feels varying opinions on these boards is good. She said they are respectable, critically-minded people whose opinions she thinks should be heard. She said you don't have to have a room full of people who agree with each other in order to come to a conclusion. She said she is opposed to this and does not want to see it happen.

Clr. Noone said he is strongly in favor of this motion due to the two gentlemen's strong anti-police sentiments on social media, print and our meeting, and it is a clear conflict. Clr. Noone read a section from the Finger Lakes Times article Mr. McCorkle wrote, noting that the boards were meant to produce non-biased viewpoints to move the city forward in a positive direction.

Clr. Salamendra said she would like the record to reflect that if you are critical of the police in Geneva that you become a target of this council and the police department, because they are violent and racist and this mayor will allow it, and you will be kicked off a board because you have an opinion that he finds illegal, but it is not illegal, so we will see you in the streets. She also asked that the record show that if you do not boot lick like Bill Pealer and Steve Valentino that your say doesn't matter here.

ACTION TAKEN by Mayor Valentino; seconded by Clr. Pealer

MOVED THAT James McCorkle and Robert Maclean be removed from the Police Budget Advisory Board

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

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

MOTION CARRIED

20. PUBLIC COMMENT

No Public Comment was offered at this time

21. ADJOURNMENT

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

MOVED THAT the meeting be adjourned at 9:13pm

MOTION CARRIED UNANIMOUSLY

Lori Guinan

City Clerk