

THE GENEVA CITY COUNCIL

JOURNAL OF PROCEEDINGS

REGULAR COUNCIL MEETING

July 5, 2023 – 7:00 PM

Cornell Agritech Campus, Jordan Hall
630 W. North Street
Geneva, NY 14456

Presiding – Steve Valentino, Mayor

1. ROLL CALL

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

Excused: Clr. Gaglianese

2. PRESENTATION - Health Insurance by Greater Tompkins Municipal Health Insurance Consortium (GTMHIC)

Elin Dowd of Greater Tompkins Municipal Health Insurance Consortium told council that this consortium started over 10 years ago in Tompkins County when the rates were rising every year. She said they could have just joined together to purchase insurance, but the consortium felt it would be better for them if they became an Article 47, self-funded organization. She said they create their own health plans to be competitive, noting that they must adhere to all NYS health insurance mandates. She said that their plans have to be approved by all members, and all members have a voting seat on the board.

Ms. Dowd told council that they are welcome to call any of the other municipalities located in 16 different counties who are in the consortium to hear what they have to say about the program. She said they have very few staff members, and they purchase professional services when needed. She said that right now they are partnering with Excellus to be their claims administrator along with ProAct for prescription claims and with their partner, CanaRx.

Ms. Dowd said they hold two board meetings a year, and they welcome CSEA to show they are open and transparent along with any municipal employees who are members. She said they have a joint committee on plan structure and design that is required by New York State, and all benefit changes go through them. She said the Board of Directors set the annual budget each year, determine premium rates, accept new

members, approve new plan design, and ensure fiscal soundness and prudent operation of the organization. She said their money comes from premiums and pharmacy rebates, and when the market is good, they get money from investments. The majority of expenses are claims paid out with a small percentage for administration and overhead. She said that rate stability is built in the reserves, and they have \$10.5 million in the unincumbered fund balance. She noted that in the last 10 years, their average rate increase has been 6.12%, and in the last 5 years, the average premium increase has been 5.30%.

Ms. Dowd said that the City of Geneva currently has five health plans while they have two. She said they computed about a \$200,000 savings in 2023 premium costs for the city. Lastly, she said that they also feel preventative healthcare is important, and they host flu clinics, do biometric screening and promote participation in monthly wellness challenges.

3. DRI UPDATE

WORK COMPLETED TO DATE:

The prime contractors new electrical subcontractor had progressed on contract and corrective action traffic signal work. Concrete sidewalk and flexible pavement surfaces are being constructed. A project punch list has been submitted to the contractor but is being disputed. No work has been completed in several weeks.

A letter of project Substantial Completion was prepared and submitted to Nardozzi on February 8, 2023.

A letter quantifying all remaining contract work and an Uncompleted Work Agreement was prepared and submitted to Nardozzi on February 8, 2023.

A DRAFT Change Order Number 7 was submitted to Nardozzi on February 28, 2023. Project quantity units were balanced either plus or minus resulting in a zero-cost increase to the project totals.

A DRAFT Pay Application 17 was submitted to Nardozzi on 3/6/23. The contract sum paid to date remains at \$9.23 Million.

We are waiting on the contractor's acceptance of all of these items.

A meeting has been scheduled for July 14 to discuss project issues and completion action plan.

4. FOUNDRY UPDATE

Remedial Design

- Remedial design plans were issued for four properties located along the south side of Tillman Street and four properties located along the east side of Geneva Street south of Tillman Street. Meetings were held with the respective property owners to review the plans.
- Remedial design plans continue to progress for the last remaining block of residential properties, which includes ten properties located south of St. Peter's Church along Genesee and Geneva Streets. Meetings are being held with the respective property owners, with issuance of designs anticipated in late July or early August.

Remedial Construction

- Property restoration items, such as installation of sod, fencing, concrete, and asphalt, were completed in the block of six properties located along the west side of Genesee Street just south of Lewis Street, and in the block of nine properties located along the south side of Lewis Street, east side of Geneva Street, and north of Tillman Street. Replacement plants and trees are anticipated to be planted during fall 2023.
- Restoration items were completed in Genesee Park, including installation of an irrigation system (for the mature trees that were protected in place), concrete, topsoil, sod, and new trees. Some additional minor landscaping items are pending, and the new sod will be watered for a 4-week root establishment period.
- Tree removal activities commenced in the block of eight properties located along the east side of Geneva Street south of Tillman Street, and along the south side of Tillman Street. Excavation of this block will begin on or around July 10, with substantial restoration expected by Labor Day.
- Remediation of the last remaining block of residential properties, located along Genesee and Geneva streets just south of St. Peter's church, is expected to begin around Labor Day 2023, with restoration substantially complete by the end of the calendar year.
- Remediation of the State Street staging area, located on the parcel just east of the railroad, is anticipated to be completed in early 2024. Demobilization from the additional project staging area on Lehigh Street will also be completed in 2024.

5. CONSIDERATION OF MEETING MINUTES

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

**MOVED THAT the minutes of the June 7th Council Meeting be approved
MOTION CARRIED UNANIMOUSLY (8-1absent)**

6. AMENDMENT TO THE AGENDA

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

MOVED THAT the agenda be amended to include a Resolution Authorizing an Agreement between Trillium Health and the City of Geneva for a Narcan Vending Machine

MOTION CARRIED UNANIMOUSLY (8-1absent)

7. PUBLIC COMMENT

Bill Cosentino said that he is not against food trucks, noting that he operates Cosentino's Ristorante here in Geneva. He pointed out that the City of Geneva paid millions of dollars to get people to come to downtown, and now they want to put food trucks at the lakefront to keep people at the lakefront. He read a rebuttal letter he received pertaining to a letter sent to council. The council member said that food trucks do not pay the overhead that the businesses downtown pay and this person feels food trucks are meant for events or when there is no food available in the area. He said he feels allowing food trucks to set up permanently is not fair to the businesses who pay property taxes and the BID tax. Mr. Cosentino said it was also noted that food trucks offer international fare, and he pointed out that our downtown offers Mexican, Puerto Rican, Italian and Gelato. He asked council to be creative and not prevent people from coming downtown. Lastly, he said that he is against food trucks coming to downtown.

Catherine Price said that the position of the BID is that they are not anti-food truck, but rather anti-food truck ordinance. She said gatherings in the local parks would be better than seven days a week keeping people from coming to the downtown. She said they had a food truck rodeo last month at Bicentennial Park to show how people can be directed from the lakefront to downtown and to local restaurants when the food trucks don't have what people are looking for. She said that the DRI was designed to bring people to downtown, noting that the BID event did just that. She said they would like to protect the 36 restaurants in the downtown district. She said she thinks setting up food trucks on a permanent basis would be a disservice to our downtown restaurants.

James McCorkle urged council to censure the second ward councilor for his violent and hate filled comments made on social media. He said that while a councilor is free to express his bigotry, his speech is not protected speech especially when he suggests the purging of certain people. Mr. McCorkle said that censure is ethically required, and he urged them to demandingly urge him to resign. He said that the councilor has refused to apologize, and he feels that by his not apologizing or resigning, this councilor holds us all in contempt. Mr. McCorkle said that the local GOP has not condemned this councilor and he feels everyone is hoping that memories are short and this will all blow over, but he feels that everyone's silence promotes hate, violence and oppression.

H May said that she did not want to return tonight, but was inspired last month by those who spoke, celebrating LGBTQ+ people in this community. She said it felt great to be among friends. She said she also felt demoralized and enraged that members of the LGBTQ+ community had to come before this council and tell their stories to gain council's respect. She said that she knows councilors have their own trauma, but she does not agree with people being accused of things when they are fighting to be inclusive. She said she did not want to come tonight and bare additional witness to the trauma endured by her fellow queer Genevans. She said she is here tonight to demand that this public opening of wounds is not for nothing, and she feels that by council voting to censure this councilor, they are telling the LGBTQ+ community they are deserving of respect and are welcome here.

Erin Scherer said that council needs to vote to censure this councilor in order for the LGBTQ+ members to feel like they belong here.

Barney Goldstein said that he supports the censure resolution for the councilor's abusive behavior, and in addition to all of the other reasons he and others have shared, he feels it is simply the right thing to do.

Rafael Diaz said that he is standing up for his rights and not trying to offend anyone. He said that he has been here since 2005 growing his food truck business noting that it has been hard running the food truck, restaurant and bar all while paying insurance, taxes and employees. He said that it is good to have other food trucks here and does not feel they hurt our restaurants. He said he buys local and supports events in the city. He asked council to allow food trucks in the city.

Charles King said my first experience having a friend with gender dysphoria was in second grade, 1977. The child had been bullied in public schools and moved to my private school where the atmosphere was bit more gentle. After a couple of weeks of giggling and asking the kid whether they used the girls' stall or the boys' stall when they went to the bathroom, we settled down and were just friends. They joined my friend group, and I remember them being good at decimal bricks, having lots of different pairs of overalls and a cool haircut. There was nothing sexual about a bunch of 7-year-olds accepting a friend who couldn't identify with their birth gender. I watched a TED talk recently where the prevalence of genetic intersex (both male and female) traits was scientifically compared to the number of people with genetically natural red hair, both are at about 1.7% of the human population. These people have always been in our communities, they've just had to hide. The entire LGBTQ+ community is maybe 10% of the population, which is about as frequent as lefthandedness. Adjacency arguments are fallacies. We see this line of argument used against the Catholic church, for example, even though it's the largest social services organization in the world. Some priests are pedophiles and some in the leadership cover up priestly misdemeanors (these are obviously bad actors), but by adjacency, All priests are evil? All Catholics are evil? All Christians are evil? All religion is evil? No. Adjacency is not culpability, and oftentimes a person's concept of who is adjacent to whom can be illogical and wrong. The culture war being waged on the LGBTQ+ community uses many adjacency fallacies. One gay couple is pedophiles, one sexual predator uses the wrong bathroom, and suddenly it's all of academia, everyone who voted for Biden, and even Geneva Public Library who are to blame for a cultural uprising, and fearmongers use a made-up victim card proclaim that everyone's daughter is in danger when they go to the bathroom. Internet rabbit-holes

have some of you believing you're in a perpetual holy war against your own constituents to maintain Western culture—you are not at war, and maybe your idea of Western culture has been spun out of whack online. As a publishing freelancer, I work on all sorts of books. A book I was editing, recently for a major conservative fundraiser spells out the conservative agenda for the 2020s: 1) start single-issue non-profits to raise money for hot-button local issues and 2) ceaselessly brand everyone on the left as a Marxist. My Ward Councilor, who I believe is the Mayor's appointed Deputy Mayor is not inhuman. He's a Mets fan; nobody who's a long-suffering Mets fan is 100% bad. But he has trolled his constituents using prejudiced and abusive language in these posts, and to me that crosses a line. There should be a censure because of these writings, and, Mr. Mayor, he should no longer serve as your Deputy Mayor.

Jess Farrell said your agenda tonight includes a resolution to censure the Ward 2 councilor, and I would like to urge all of you to vote yes in favor of censure. Looking at the councilor's tweets, I think every member of this council should have been able to immediately recognize that they are discriminatory and harmful and that they merit censuring the Ward 2 councilor. However, if perhaps this wasn't entirely obvious to you on first read, last month, you heard from numerous members of our local LGBTQ+ community. They spoke to you directly about how the councilor's tweets have impacted their lives and their mental health. In many cases, they gave you a window into the discrimination and harassment they have faced throughout their lives for who they are, and they spoke to how the councilor's tweets fit into that pattern of abuse. I am very grateful to those community members who were brave enough to come forward and share these intimate stories and this personal pain, but I join H May in really wishing it hadn't been necessary. As I said, I think this should have been obvious on reading the tweets yourselves. As you know, tenet 1 of the Geneva City Code of Ethics reads, in part: "Public Officials . . . will assure fair and equal treatment of all persons, claims, and transactions appearing before Public Officials." This is saying that, as public officials, it is your duty as councilors to ensure that your fellow public officials—in this case, your fellow councilor—give all people "fair and equal treatment." In other words, it is your duty to hold one another accountable—that is directly written into the code of ethics here in tenet 1, you must "assure fair and equal treatment of all persons" by public officials—if you see a violation of this, it is your duty to do something about it. It is clear that when a councilor is publicly making discriminatory statements, he is not treating everyone fairly and equally—and as I said, if you hadn't realized that on first reading the tweets yourselves, you heard from plenty of people in our community last month who explained how they are not being treated fairly and equally by the councilor. It is, therefore, your responsibility to do something about it under the tenets of our code of ethics which you have agreed to uphold. And while there are limits to what you can do—for example, you cannot remove the councilor from office—you can and therefore must

censure him or else you will be in violation of our code of ethics yourselves by not assuring all of us fair and equal treatment.

Mario Torres said that he is a first-generation college graduate and entrepreneur in his family. He said that this is his livelihood, and he has different expenses than local restaurant owners such as purchasing water at a local store. He said that Blueprint Geneva is having a commissary built in order to assist future entrepreneurs. He thanked the BID and Geneva for the food truck rodeos saying that he would like to see events in parks and the vendors being allowed to park all over the city to help bring the community together. He said he feels that if the locations were expanded and the license fee lowered, they would work better for him. He encouraged council to table this tonight to work on it some more as it is late in the season.

Kadejah Clark and her husband Jeffrey told council that they are currently living in a hotel with their children due to a recent storm. Mrs. Clark said that the two sewer drains across from their house malfunctioned for the second time in three months allowing water to pool around their home. She said that the last time this happened was April 5, 2023 when they lost many sentimental possessions. She said that two sides of their foundation collapsed. She said it was her understanding that the sewer drains malfunctioned during the April 5, 2023 storm, and they were told it would be fixed. She said that they have owned their home for a year and nine months and they don't know how they are going to thrive when heavy rain can cause these issues.

Sharon Dutcher said that she has lived on Oak Street for 31 years and there is substandard drainage on their street. She said that the recent rain resulted in 3 feet of water on their street. She said that city employees recently said that the last storm issues were caused by debris in the sewer, but she feels that is not true. She said she watched city employees snake the pipe and saw them struggle to get the snake out. She said something is wrong, noting that this is not the first time she has complained. She referred to a Finger Lakes Times article that directed the focus on the downtown DRI project where work was significantly compromised, including the green infrastructure. She said that the article said that the city was going to look at ways to address the issue. She said that citizens are suffering throughout the city, and as of today, her councilor has not reached out. She said that the city spends millions of dollars in our city to revitalize the downtown, and she wants to know what will be done because residents are demanding it.

Cynthia Williams said that she supports the censure tonight because the councilor's actions were reprehensible and deserve censure. She thanked Clr. Camera for bringing this resolution forward, and she hopes council takes into consideration the volume of comments received last month and tonight. She said that she feels the delay in bringing this resolution forward is troubling, saying she feels other councilors must think people will forget about it, and she urged council to vote in favor of censure.

Michael Monaco said there is an Air B&B next to his house noting there have been 7 incidents of trespassing and loud noise there in the past 30 days. He said he has tried to work with the owners about the noise, trespassers on his property, and renters setting off his alarm, and was told that if he didn't like it, he could move. He asked why the Bed and Breakfast code does not apply to Air B&B's. He said they have one parking spot for four bedrooms. He said that the renters come on to his property and look in his windows. He said that the city needs to take care of this problem, noting that he has lived there for 24 years. When councilors asked the address of the rental property, Mr. Monaco said it was 25 N. Main Street, and the owners do not live in Geneva.

MaryAnne Calabrese said that she is a member of the Republican Committee and she is speaking for Anthony DiCostanzo tonight and will read a letter he prepared: My name is Anthony DiCostanzo and in full disclosure, I am a member of the city Republican committee but I am speaking for myself, not the committee. I want to address the council tonight in regard to the most recent discord we've seen between council and the public and maybe how we can finally move beyond the constant clashing of the council as a whole, or individual councilors, with the public at large, or certain special interest groups among our city's residents. First, I'd like to speak to "freedom of speech" and how we all need to respect that right without making a general assumption about a person. We all do it and that has added to the discord we see on the council and within the city. Most recently, a councilor commented on a social media post and tried to point out the hypocrisy of a sign posted in the lawn of convicted child molesters. It was immediately presumed that this councilor had a deep prejudice against ALL LGBTQ+ persons. Why? Because we've gotten to a point where we talk at each other instead of to each other. There have been past similar incidents from members of this council that have drawn similar ire. We all pick and choose when to show our indignation. There have been examples of attacks against our police and fire departments by a certain councilor so we make the assumption that they must be totally against these men and women, yet, I don't believe those councilors would be upset if the GFD showed up at a fire at their home, or if the GPD showed up at their home if there was a burglar trying to break in. So, are they really totally against those departments? I've sat where you all now sit. Governing is hard sometimes because we all have our own opinions. Sometimes we agree and other times we do not. You all were elected to represent your constituents and to be statesmen and stateswomen. You can't do that if you automatically assume the other side is totally wrong and you won't engage in civil conversations. This council has 6 months left in its term which is an eighth of your total term. Maybe that time can be used on actual city business and not on playing "got ya" every time someone makes a comment in public or on social media. Maybe we need to ask why instead of just saying "aha"! It's time we start engaging those we don't agree with or else we will be facing another four years of discord here in our great city of Geneva. Thank you for your time.

Shauna O'Toole said she is the Director of the We Exist Coalition of the Finger Lakes, and their mission is that they are a voice and presence for the transgender and gender expansive community. She noted that earlier many of us recited a pledge which ends with "...with liberty and justice for all." This means all people and not just certain people. She said that there is a member of this body who does not seem to

believe in this pledge because of his actions of spreading hate, fearmongering, and outright lies. She said that this mindset casts negatively on this body and the entire city. She said this is why the president and members of congress have someone else handle their social media. She said that this has always been about discrimination, and feels it is a violation of the oath of office and the pledge to work for liberty and justice for all. She said there is a rising plague of hate across this nation, and she has a friend moving to New York from Florida because of that hate. She said she thought about leaving, but remembered an oath that she took in 1985 where she raised her right hand and swore an oath to support and defend the Constitution of the United States of America against all enemies both foreign and domestic. She said these are words recited by elected officials, soldiers, and immigrants. She said we need to get rid of this bigotry and hatred and learn. She asked for council to censure this councilor and for him to step down.

Cameron DeWilde said that his transition started when he was in 10th grade. He said he dealt with transphobia in high school and is a sexual assault survivor. He said that this transition has been the most terrifying yet beautiful thing he has ever experienced. He said that if anyone cared about children, they would care about the children who get raped by cisgender men. He said he will not stand for being labeled a pedophile when that is not true. He said that this is 2023, and trans people will die fighting for what is right.

Savannah Buck said that she was here tonight to speak about the reference to pedophilia by a council member. She offered some statistics: 52% of pedophiles are 30 or older, 57% are white, 54% are straight or claim to be, 55% are men in power, and when people are overly accusatory, she feels that means they are guilty of that same thing. She said that anyone who associates with this councilor should be ashamed of themselves. She asked council to censure this councilor.

Rich, John and Ian - Owner/Partners of Twisted Rail Brewing - I did attend last month's meeting but was not afforded the opportunity to speak or even gain access to the meeting room. Proceedings were watched via YouTube broadcast in the hallway until the meeting was adjourned. As a "brick and mortar" owner and taxpayer on Exchange street I would like to comment on the idea of allowing food trucks to the downtown business area. Over the past 5 years that we have owned and heavily invested into downtown Geneva, we have seen a city that was looking to turn the corner from a small town into a destination. Our brewery project was touted by Sage as a "cornerstone" to the redevelopment effort to revitalize the downtown area. After a massive 2 year renovation that cost double the original budget we were able to open in September of 2019. After just 5 months of building our business we feel pray to the NY Covid shutdown. Very limited business hours with big restrictions were allowed 3 months later with most restrictions lifted 12 months after that. A few government programs helped us keep employees paid during this time frame but there was no relief on massive construction loans, mortgage, sewer, water and property taxes. A much deeper hole was dug for us as a business but we continue to forge ahead by hiring more locals for work, expanding our hours to 7 days a week and adjusting our menus to bring value and great quality to the city of Geneva, its residents and guests. We provide free music plus drink and food specials to everyone several times a week as well. The last thing we hope to see downtown are diminished opening hours and/or staff layoffs for any controllable reason. All local restaurants and pubs

share a similar story of survival. A quick count today showed well over 40 great places to drink or eat. The variety of food and drink are one of the highest in any town outside of Rochester or Syracuse, all within a short walk. Certainly the merits of what Geneva already has is outstanding and needs to be publicized, not punished. Hats off to all Geneva businesses for their investment into the city, its residents and their perseverance to show off their products and services every day no matter what the weather or season it is. If someone cannot find enough variety downtown, they are clearly not looking at all. Food trucks do have a place as well. Large events where the visitors grown by 10x or more, special events along the lake in the park where a confined area or perimeter is enforced to join in or a special advertised day or "Rodeos" where such activity is used to drive new visitors downtown, not take away from the everyday businesses that have chosen to invest their time and money into a business here year round, not just when the summer sun shines. Of course any truck or truck event will need to provide adequate seating, trash receptacles, clean up and rest rooms for its patrons. Using another business's facilities for any of the above is an avoidable and unwanted burden. I look forward to the City working with all businesses to find the right time and place for such outside vendor activity as well as the infrastructure to support it.

Christen Davis said the agenda for tonight's meeting reflects the precipice of important decisions and hopeful change we find ourselves at. What we do with the lakefront, which belongs to all of us, and what type of representation we decide on, both tonight and in the upcoming elections, are determining factors in who we are as a Geneva. Hearing the voices at the last meeting reminded me that the leaders of this city have much riding on their words, decisions, and in turn beliefs. The public comments reminded me that leadership must reflect all aspects of a community and the sub-communities they represent. Communities that are alive with color and talent. All which exists despite one's knowing of or approval of their existence. We don't have to swim in these pools of people to respect and value them. I, though it likely helps. The take away for me was that everyone must feel valued for true healthy progress to occur and no one should be made to feel unsafe, listening it seemed like many were feeling that way. Some of you have scared those you have been elected by. Not scared because they feel they are losing control, an ongoing concept reflected on posts about the issues by some. Scared in that you make them feel unsafe with your words, actions and political power. You do not have the right to make anyone feel afraid because you are. Fear is not our friend, love is. Gay is not a bad word. People who see things differently are not stupid, communists (unless self declared), or any other label used to intimidate, scare or squelch change. We can find a way to work together, if we elect people who believe and want collaboration and progress, instead of control. This city is no groups to control. This city, the lakefront, belongs to all of us. I often hear talk that seeks to correlate length of residency to weight of input in city matters thrown around by some, typically those who speak of control. They seem to forget that our city is one steeped in progressive care for all people, home to the Geneva Political Equity Club in the late 1800's and throngs of fierce brave people who changed this country, working through ideas and plans as they looked out at our lady Seneca's beauty. Change which came often by refusal and persistence. You don't have to look far for books to remind you that the lakefront has provided for the community since it's founding, and even when industries like the stage coach company utilized it directly, the people had a place on its shores. Hopefully this bicentennial carries with it love for the lake and a reflection on how it meets the needs of all of its

people, not just the boat owners and those that want to profit from it. You'd be wise to recall such history, listen to the voices of the past and future of this city. Actually hear what people, people you don't usually respect, hear what they have to say and feel! We could make freaking magic around here, and I shall remain hopeful that everyone's greatness can marinate together in the pot to do so soon. Thank you for reflecting on all you hear tonight.

8. CITY MANAGER REPORT

- Police Chief Search is ongoing. Currently a community survey is open for responses. No question on the survey is mandated. Feedback is welcomed in the City Manager's office.
- Director of Planning and Economic Development joins our team on July 31, 2023. David West will be joining us from Danby New York.
- 2024 Budget has launched. Departments are looking at reductions of 12%. This reduction will attempt to not raise the current tax rate. Staff will be developing plans which reduce services to meet this change.
- Zoning Meeting – July 10, 2023 at 6pm at Public Safety Building.

9. SECOND READING OF AN ORDINANCE AMENDING THE CITY CODE TO ADD CHAPTER 225 ENTITLED "LICENSING OF MOBILE FOOD ESTABLISHMENTS AND PUSHCARTS"

City Manager Hendrix presented the following ordinance for second reading:

Be it ordained by the City Council of the City of Geneva, NY that a new Chapter 225 entitled "Licensing of Mobile Food Establishments and Pushcarts" be added to the City of Geneva Municipal Code as follows:

Chapter 225

Article I

Mobile Food Service Establishments and Pushcarts

§ 225-1. Definitions

As used in this article, and the State Sanitary Code, Environmental Health Regulations subpart 14-4, the following terms shall have the meanings indicated unless the context clearly indicates that a different meaning is intended:

MOBILE FOOD SERVICE ESTABLISHMENTS - a motorized or self-propelled, self-contained food service operation, located in a vehicle, pushcart or a movable stand, self- or otherwise propelled, used to store, prepare, display or serve food intended for individual portion service.

MOBILE FOOD TRUCK – a motorized vehicle registered and able to be operated on the public streets of New York State, in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.

FOOD TRAILER - a vehicle towed by another vehicle, registered and able to be operated on the public streets of New York State, in which ready-to-eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.

PUSH CART- a cart or barrow, manually propelled, used to vend food intended for individual portion service.

COMMISSARY – an establishment operated under license or permit of an appropriate regulatory authority where food is manufactured, stored, prepared, portioned or packaged, or any combination of these, where such food is intended for consumption at another establishment or place. It is also the place which is used as the base of operations for one or more mobile food service establishments or pushcarts, where such units are serviced, cleaned, supplied, maintained, and where the equipment, utensils and facilities are serviced, cleaned and sanitized.

DESIGNATED LOCATIONS – mobile food service establishment vendors who obtain a license per this section of the code will be assigned a location at the lakefront, on city property where their mobile food truck, food trailer or push cart may be parked during their license period when they are in operation.

VENDOR- An individual, firm, estate, partnership, company, corporation, trustee, association, or any public or private entity operating a mobile food service establishment.

§ 225- 2. General Provisions

- A. No mobile food service establishment or push cart shall operate within the public rights-of-way within the city without first having obtained from the City Clerk a valid Mobile Food Service Establishment License as prescribed in this article.
- B. Mobile food trucks shall not be greater than 35 feet in length and shall be registered as a motor vehicle or trailer and able to be operated on the public streets of New York State.
- C. Each mobile food service establishment must at all times carry on the vehicle a fire extinguisher and a measuring device with a measuring capacity of no less than 500 ft as a condition of its licensure. The failure of any mobile food service establishment to carry such fire extinguisher and a measuring device or abide by the proximity distance restrictions included in this article shall constitute a violation of this article.
- D. All mobile food service establishments must abide by all parking and vehicle and traffic laws, ordinances, rules and regulations at all times, including but not limited to any durational requirements in force and effect at that time and location.
- E. No mobile food service establishment shall operate within 100 feet of the closest point of any restaurant or sidewalk café seating area approved by the Department of Public Works.
- F. No mobile food service establishment shall operate within 500 feet of the boundary of any festival or special event that is permitted or sponsored by the city, except when the vendor has obtained a permit to so operate from the City of Geneva Events Coordinator.

- G. No mobile food truck, food trailer or push cart shall operate in a location that has the effect of obstructing access to or egress from any structure or the free flow of vehicular and pedestrian traffic.
- H. All food trucks and food trailers must be equipped with trash receptacles of a sufficient capacity that shall be changed as necessary to prevent overflow or the creation of litter or debris.
- I. Vendors are responsible for cleaning up any fluid, such as grease, gas, oil, etc., which leaks from their trucks, trailers or pushcarts.
- J. No vendor shall cry out or make loud noises for the purpose of selling any food or merchandise.
- K. No vendor shall make, continue, cause, or permit to be made or continued, any excessive noise. It shall be prima facie evidence of a violation of this section if noise emanating from any source, including, but not limited to, regular operation of the mobile food establishment or generator, is audible at a distance of 50 feet from the designated operating space from which it emanates during hours of operation.
- L. No vendor shall chain or otherwise attach any signs, goods, merchandise, chairs, stools or food cart or other equipment used in vending to any tree, hydrant, sign or post, light pole, telephone pole or other street appurtenance unless otherwise noted in this article.
- M. No vendor shall dispose of any litter or trash generated from the vending operation in public trash receptacles. Vendors shall store such litter or trash during the day in a trash receptacle firmly attached to the vending unit and carry the same with them at the end of the day. Vendors shall also be responsible for keeping the immediate area of their food truck, trailer or push cart free and clear of any litter, trash or spillage from the unit.
- N. No vendor shall conduct any vending activities in violation of any rule or regulation promulgated by the Chief of Police, the Development Services Manager or by the local Health Department with respect to vending of food or food products. See § 225- 7 regarding revocation of license.
- O. Mobile food trucks, trailers, pushcarts, tables, chairs and trash containers cannot be left overnight nor left unattended and are the responsibility of the owner, and the City of Geneva cannot be held liable for damage or stolen property.
- P. Designated areas at the lakefront will be chosen along with the designated space in that area to be occupied by each mobile food establishment or pushcart during the hours of operation.
- Q. The City of Geneva reserves the right to relocate mobile food establishments based on city need with 30 days notice.

§ 225- 3. License Required for Designated Locations on City Property

- A. Any person desiring to operate a food truck, food trailer or push cart in one of five locations on city property shall make written application for such license to the City Clerk. The application for such license shall be on forms provided by the City Clerk, and shall include the following:
1. Name and address of each applicant and each corporate officer of the food truck, food trailer or push cart vending corporation, or owner of an unincorporated business.
 2. Address of the commissary used in the supply and preparation of food for this food truck, food trailer or push cart.
 3. A valid copy of all necessary licenses, permits or certificates required by the New York State Department of Health, and vendors must comply with all laws, rules and regulations of said department, including, but not limited to the State Sanitary Code, Environmental Health Regulations subpart 14-4.

4. A valid New York State Department of Motor Vehicles registration, vehicle insurance and valid driver's licenses of all vehicle operators.
5. A copy of a valid certificate of authority issued by the New York State Department of Taxation and Finance empowering the vendor to collect both the New York State sales tax and compensating use taxes.
6. A background check provided by the police department where the applicant resides. A license application may be denied by the Chief of Police if the background check demonstrates that the applicant has been convicted of criminal offenses that have a direct relationship to the license or that would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public. Any decision to deny an application for this reason shall be made in compliance with Article 23-A of the Correction Law after considering the factors set forth in that law.
7. Within 10 days of the issuance of a license, the vendor will make an appointment with the Geneva Fire Chief's Office for an inspection of the mobile food truck, food trailer or push cart to determine that the vehicle meets applicable New York State Fire Codes and rules and regulations required by the Fire Chief. The Fire Chief is hereby authorized to promulgate such additional rules and regulations as may be necessary to assure the fire safety of vending units.

§ 225- 4. Insurance

Before any license authorized herein shall be issued, the applicant shall file with the city proof of insurance, issued by an insurance company licensed to do business in the State of New York and approved by the City Attorney as to form, which insurance must be kept continuously in force during the term of the license. At the time of application, applicants shall provide proof of insurance that extends for the entire license period. The insurance shall not be less than \$1,000,000 comprehensive/general liability insurance. Such insurance shall not expire, nor be canceled, altered or amended except on 10 days written notice to the City Clerk served personally or by certified mail. Municipal operations, employees and property shall not be excluded from coverage. The insurance must list the City of Geneva an additional insured party.

§ 225- 5. Form and Condition of License

Every food truck, food trailer or push cart vending license shall contain the following conditions:

- A. Each license shall be valid from April 1st thru October 31st of the issue year. In the event of unseasonable temperatures, vendors may request an extension of the license period during the remaining five months of the year. License fees shall not be prorated and no refunds given for any reason.
- B. The license shall not be transferable.
- C. The license is valid for one food truck, food trailer or push cart only.
- D. There shall be issued to each vendor a license to be permanently and prominently affixed in the vehicle.

§ 225- 6. Fees

- A. All vendors shall pay an annual fee as agreed upon by the Geneva City Council during the budget process.

B. Replacement licenses shall cost \$10 for each replacement license requested.

§ 225- 7. Revocation of License

A. The City of Geneva shall have the power to suspend or revoke a license granted or renewed pursuant to this Code for a violation by the vendor licensee, his or her agents or employees of any law, ordinance, rule or regulation of the State of New York or the City of Geneva relating to the conduct of the business or trade for which the license or permit was issued, for fraud or deceit in such business or trade or for making a material misrepresentation on a license application. The City of Geneva shall also have power to revoke summarily the license or permit of any person who pleads guilty to or is convicted of violating the laws of the State of New York or ordinances of the City of Geneva relating to the business or trade in which the licensee is engaged.

B. The City of Geneva shall revoke a license in the event that the bond or insurance policy filed at the time of application is canceled or has expired and the holder of the license or permit has failed to file a new bond or policy within 10 days after cancellation or expiration. No part of any license or permit fee shall be refunded in the event that said license is revoked or suspended for cause.

C. Failure to comply with the terms of a permit as issued by the City Clerk or with this chapter shall result in the denial of future applications for a Mobile Food Establishment License for one year.

§ 225- 8. Penalties for offenses

Violation of any provision in the code shall be punished by a fine of \$1,000. Each day any such violation shall continue shall constitute a separate violation.

§ 225- 9. Severability

If any provision of this chapter is declared invalid or unconstitutional for any reason, the remaining provisions shall be severable and continue in full force and effect.

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

City Manager Hendrix said that staff took input from council and community members to update the document they have before them tonight. She said it limits the locations to the lakefront only, but when staff met, we did add in additional locations at Bicentennial Park for council consideration. She said that language was added to the application for potential preference to WMBE members and city owned food establishments. She said the space at the lakefront will be one parking lot area that will be used for mobile food establishments and will take that away from the parking area.

When asked about the changes since the first reading and the addition of Bicentennial Park, City Manager Hendrix told council that staff made the changes per their direction at the May meeting and the Bicentennial Park locations are not included in the ordinance, but are being offered to show council that is

a possibility if they wanted to amend the ordinance tonight. She clarified that food truck rodeos would still operate in the city and be coordinated through Planning and Economic Development.

Clr. Burrall voiced his concern with using the word merchandise in the ordinance since the ordinance is a license for food vending. He asked what would happen if vendors started selling tee shirts and more. It was pointed out that the application requires vendors to include the items to be sold, and staff can notify them when items are listed that are not food. Clr. Camera said he feels this needs to be approved, and council can tweak it later or adjust as they go. He said he supports this ordinance without Bicentennial Park added.

Clr. Salamendra said she supports this as she came up working in restaurants and does not believe in a system where only property owners can work for themselves. She said she is siding with the people, and they want food trucks.

Clr. Regan said that she feels that food trucks and restaurants are very different and feels they provide different needs. She said that limiting this to the lakefront is a good compromise. She said she hopes this provides an experience for us and adds to our tourism.

Clr. Pealer said he has been trying to get mobile vending in our city since last August, and he even met with the BID. He said that part of his plan was to create zones to test this along with certain times of the year. He said he feels people at the lakefront want to stay there, and he does not want Bicentennial Park added. He said he is interested in tabling this discussion to get more information.

Clr. Brimm said he agrees with the idea of tabling as the summer season is already here. He said he would like to see BID do more rodeos while we improve this ordinance. Mayor Valentino said that as written, this ordinance does not have his support saying that he feels we need to be cautious as the impacts are unknown.

Clr. Salamendra said she is frustrated that councilors are considering tabling this ordinance saying that council cannot keep pushing complicated subjects down the road. Clr. Noone said he fully supports this ordinance, and he does not want to waste staff time as this is months overdue. He suggested speaking to brick and mortar restaurants at some point to see if they can see a true impact.

ACTION TAKEN by Mayor Valentino; seconded by Clr. Noone

MOVED THAT the meeting be recessed for approximately 5 minutes until the YouTube connection can be restored

MOTION CARRIED UNANIMOUSLY (8-1absent)

Clr. Burrall said that he cannot vote in favor of this because he has not seen a need to amend the current program. He said he is not anti-food truck, noting that the current process is working well. He said he met Rafael Diaz years ago when his food truck business was successful serving lunch at Seneca Foods everyday where workers could not go out to eat lunch. He said we do not have a food desert at the lakefront. He referred to Sampson State Park having nine food trucks when they have large events and their one concession stand cannot accommodate. He said he sees more disadvantages than advantages, especially that we spent a lot of money to connect the lakefront to the downtown. He said that all successful businesses thrive on competition, and that is why they are thriving, because they are really good at what they are doing.

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

MOVED THAT this ordinance be approved for second reading

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

Nay - Mayor Valentino, Clr. Pealer, and Clr. Burrall

Absent - Clr. Gaglianese

MOTION CARRIED

10. RESOLUTION SCHEDULING A PUBLIC HEARING FOR A LOCAL LAW TO REDUCE THE PLANNING BOARD MEMBERSHIP

City Manager Hendrix presented the following resolution:

WHEREAS, Section 13.3 subdivision 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, reaching a quorum of five (5) members in attendance at meetings of the Geneva City Planning Board has been difficult, and

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

WHEREAS, reducing the number of members of the Geneva City Planning Board from 9 to 7 would facilitate the operation of the Planning Board and align its membership with General City Law Section 27 subdivision 1.

NOW, THEREFORE BE IT RESOLVED that a public hearing be held on August 2, 2023 at 7:00 p.m. pursuant to the Municipal Home Rule Law concerning proposed local law # 2-2023 submitted herewith.

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

11. RESOLUTION ESTABLISHING A PUBLIC HEARING FOR THE RENEWAL OF THE CABLE FRANCHISE AGREEMENT BETWEEN SPECTRUM NORTHEAST LLC AND THE CITY OF GENEVA

City Manager Hendrix presented the following resolution:

WHEREAS, Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc is requesting the renewal of the Cable Franchise for a 15-year period; and

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

NOW, THEREFORE BE IT RESOLVED, that a public hearing for the renewal of the Cable Franchise with Spectrum Northeast, LLC be held at the regular City Council meeting on August 2, 2023.

City Comptroller Newcomb explained that this is just a renewal of the current agreement we have with Spectrum, and the franchise is not restricted to just them. She said the city recoups a 3% fee with this agreement allowing them to put up the infrastructure in order to provide the service to residents.

Mayor Valentino referred to the poles being replaced and NYSEG saying that there are other companies that need to remove their wires from the old pole before it can be removed. He asked if we could get a timeline for when the old poles will be removed as residents are asking.

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

12. FIRST READING OF AN ORDINANCE AMENDING CHAPTER 256 ENTITLED "PEDDLING AND SOLICITING"

City Clerk Guinan presented the following ordinance for first reading:

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

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

"section 256-9 Issuance of Licenses

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

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

"section 256-12 (A)

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

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

City Clerk Guinan told council that this ordinance is just to clean up some of the wording in the city code and remove the fees. She told council that the fees will be in the 2024 budget proposal for their approval.

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

13. RESOLUTION CENSURING GENEVA CITY COUNCILOR, WILLIAM PEALER

Clr. Camera presented the following resolution:

WHEREAS, Geneva City Councilor William Pealer posted public comments on Twitter that used abusive language directed against the LGBTQ+ community. Four of these tweets have been Included in an addendum to this Resolution of Censure ("Addendum"), and

WHEREAS the City of Geneva has adopted a Code of Ethics consisting of seventeen tenets of good conduct for public officials and employees of the City (hereinafter referred to as "Tenets"), and

WHEREAS Councilor Pealer signed the City's Ethics Pledge in which he agreed to adhere to the Tenets, and

WHEREAS Tenet 1 of the Geneva City Code of Ethics reads as follows:

ACT IN THE PUBLIC INTEREST

Recognizing that stewardship of the public Interest must be their primary concern. Public Officials will work for the common good of the people of Geneva and not for any private or personal Interest. They will assure fair and equal treatment of all persons, claims, and transactions appearing before Public Officials, and

WHEREAS, Tenet 3 of the Code of Ethics reads, in pertinent part, as follows:

CONDUCT OF PUBLIC OFFICIALS

The professional and personal conduct of Public Officials must be above reproach and avoid even the appearance of impropriety, and

WHEREAS, in 2023, Councilor Pealer authored numerous posts on Twitter that used inflammatory rhetoric that engendered gross stereotypes about the LGBTQ+ community, four of which have been included in the Addendum attached to this Resolution of Censure, and

WHEREAS, as one example, the language of one such post reads, in pertinent part:

"'Love is love', is sick code for the advocacy of sexual deviance and depravity", and

WHEREAS, "love is love" is a phrase introduced by the LBGTQ+ community in the early 2000s as part of the efforts to win marriage equality by emphasizing that the love shared and expressed by legally consenting individuals is valid regardless of their sexual orientation or gender identity, and

WHEREAS, the posts contained in the Addendum individually demonstrate abusive language directed at the LGBTQ+ community, and

WHEREAS, Councilor Pealer not only refused to apologize but refused to meet with LGBTQ+ community members (a protected group) - including residents from the City of Geneva - or accept their offer for sensitivity training after they voiced their anger, distress, and/or distrust regarding said posts both in writing and during the Public Comment period(s) of the Geneva City Council ("Council") meeting held on June 7, 2023, and

WHEREAS, these LGBTQ+ community members and their allies have urged the Council to censure Councilor Pealer for his abusive language directed at the LGBTQ+ community.

THEREFORE, NOW, BE IT RESOLVED that the Geneva City Council censures City Councilor William Pealer for abusive language directed at the LGBTQ+ community.

Clr. Camera said he had some assistance in preparing this resolution and feels it is a good resolution.

Clr. Salamendra said that she will be voting in favor of this resolution stating that she resents that queer people had to share their pain in order for council to act. She said that Clr. Pealer refused the conversations and she feels this censure will be a mark on his permanent record. She said he is still writing things on the internet that are transphobic and homophobic, and she feels it would be unconscionable to not censure.

Clr. Camera said he supports this resolution as a matter of Democracy and support of the US constitution which is a political document that is the politics of inclusion. He said it makes no sense not to approve this censure, and he feels council needs to stand for our citizens. Clr. Regan said that we are speaking for individuals who have had to hide who they are for fear of harassment, bullying or worse. She said the comments made were not original and they are inexcusable. She said that Genevans celebrate our diversity, and we want Geneva to be welcoming and safe for all, noting that our LGBTQ+ neighbors have been here for a long time and deserve to live here comfortably. She said she is sorry we have had to go through this and she is sad for our LGBTQ+ neighbors and friends.

Mayor Valentino said that the resolution is well written, noting that the councilor who offered the resolution has violated the code of ethics more than any other councilor. He said he finds it interesting the council was given a determination from the Board of Ethics for another councilor and five members of this council decided not to support that censure. He said council members seem to leverage the ethics tenets when they want to, and ignore them when they don't want to. He said if this had been presented to the Board of Ethics, and Clr. Pealer was given the opportunity to have his say with the Ethics Board, and then a determination came to this council to censure Clr. Pealer, he could support that. He said he respects that board, and unfortunately that board was not respected in the past.

Clr. Noone said he wanted to repeat his comments that were put in the newspaper saying that when he made those comments, he had not yet seen the posts. He said we must ensure the members of the LGBTQ+ community and all of our neighbors feel safe and comfortable in Geneva. He said it is important we maintain open dialogue about all issues, learn from one another, and strive to treat everyone equally. He thanked those who have lived this life, not those who claim to know what it's like to live this life, and who chose to come here and share their stories with us. Clr. Noone said he does not like that people say he is against the LGBTQ+ community because of the way he votes, nor does he like being bullied by

those who have not lived this life. He said he appreciates the people who come and truly want to make a difference and not the ones who come looking for a fight, use vulgar language and gestures, and video tape just to use it against someone in the future. He said he believes in those people who truly want change, and that is why he supports this resolution tonight.

Clr. Pealer said that he heard the stories last month and how awful it was for some of the people to come out noting their families were pretty awful to them. He noted something he took away from the speakers which is adjacency is a fallacy. He said the pedophilia talk is what kicked this off saying that it was a piece of wall art on the wall in the home of two people charged with 17 counts. He said any narrative associating what he said with the entire community, singular or group is made up by his political foes. He said he is grateful for his friends and family and their support. He said that ultimatums don't really speak to tolerance. He said that this censure is built on a premise that is constructed. He said he feels bad that people are being triggered by this, but they should talk to the person who upset them.

Clr. Burrall said that he wakes up every morning a grateful person and every meeting he has learned something about people. He said he wished council could stick to the agenda item in front of them. He said that email should stand for evidence mail or eternity mail because when you hit send, the information is out there forever. He said that people need to think about what they put on the internet, because it will be there for an eternity.

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

MOVED THAT this resolution be approved

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

Nay - Mayor Valentino and Clr. Pealer

Absent - Clr. Gaglianese

MOTION CARRIED

14. RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN TRILLIUM HEALTH AND THE CITY OF GENEVA FOR A NARCAN VENDING MACHINE

City Manager Hendrix presented the following resolution:

WHEREAS, Trillium Health has been distributing Narcan to the Geneva Community for several years; and

WHEREAS, NYS Matters has partnered with Trillium Health to provide additional resources for Narcan across New York State; and

WHEREAS, NYS Matters and Trillium Health have identified the City of Geneva transportation hub located at 372 Exchange Street as a site for a Narcan vending machine at no cost to the City; and

WHEREAS, said vending machine will be stocked and supplied by NYS Matters and Trillium Health with fentanyl test strips and Narcan;

NOW, THEREFORE, BE IT RESOLVED by the Geneva City Council that the City Manager is hereby authorized to sign and execute an agreement with Trillium Health to place a Narcan vending machine at the transportation hub.

City Manager Hendrix explained that Trillium is part of New York Matters, and they are working in partnership to distribute Narcan vending machines throughout New York State. They would like to place one in Geneva, and they would be responsible for loading and maintenance. The city's only responsibility would be electric to the machine at a minimal cost.

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

15. MAYOR AND COUNCIL REPORTS

Clr. Brimm said he has a ½ truck of wood coming for Clr. Burrall and the wood sales.

Clr. Salamendra said that one of her colleagues is attending the meeting tonight virtually in violation of Local Law 2022-4 D that says a councilor can request virtual attendance within 72 hours of a meeting. She said she is disturbed by the double standard as she had a medical condition and submitted a letter from her doctor explaining that she would be unable to attend meetings in person. She said it was her understanding that this was a standing request for Zoom access for every meeting, but the mayor denied her access to meetings. She said that when she tried to attend a meeting in person against the medical advice of her doctor, the mayor attempted to refuse her access and violated the HIPAA Law. She said she is glad her colleague was able to attend virtually tonight, but she feels the mayor is selectively deciding when to follow the law and when to break it, and he must be held accountable.

Clr. Camera said he was disappointed that the vote for censure was not 100%. He said he feels that a community that does not support our LGBTQ+ community does not necessarily represent a home for businesses looking for locations. He said, finally the transportation committee for the Finger Lakes Railroad and the Genesee Transportation Council did meet and established a schedule, agenda, and stakeholder process allowing people from the community to join them and provide input. They have tentatively said that they are going to have a final report next June.

Clr. Burrall said that every time there is an emergency, people are being called to consider donating blood, noting that there is a huge demand for blood. The next opportunities for people to give blood will be July 11th at the VFW in Waterloo from 1-6, July 21st at Geneva General Hospital from 10-3, July 25th at the Bristol Fieldhouse on the HWS Campus from 1-7, July 26th at the American Legion in Phelps from 12-5, August 4th at Friendly Ford from 12-5. He said the BID announced that the Cruisin' Night was financially successful and socially profitable by bringing out so many people in downtown Geneva. He said the Garlic Festival will be a massive undertaking for the BID, and will be August 5th and 6th. He said he hopes to see many food truck vendors at the festival. He said he has \$135 from firewood sales for the Shadetree Committee.

Clr. Regan thanked all of the speakers tonight. She said Geneva Music Festival finished off their season, the Rose Soiree had quite an amazing night in Pulteney Park, and the Finger Lakes Excursion Riesling Wine Conference was recently held. She said these are just wonderful events that lift Geneva. Upcoming is the Musselman Race on July 9th. She said she spoke in Clr. Camera's place at a rally that marked the one-year decision to deny the air permits to Grenich Generation. She said the Green Committee met along with members of the Geneva High School Green Club, and they discussed the integrated pest management conference. She said Heat Smart, which is an initiative this council passed to help residents get more efficient in green kinds of heating and cooling, is moving forward. She said residents will see them at the farmer's market as part of their outreach.

Clr. Pealer said the Recreation Board met this month with most of their conversation being about the upcoming budget. They moved their meetings to the third Tuesday of the month. He extended a thank you to Wes Greco and members of city staff for installing the new disc golf targets. He wished all of our residents a Happy Fourth of July. Lastly, he reminded everyone that a republic is based on individual liberties and the rule of law. He said that when we start pitting groups against each other, it erodes those individual liberties.

Clr. Noone said that tomorrow night is the Geneva Red Wings game at McDonough Park with the naming of the field in honor of former Sixth Ward Councilor, John Salone. He asked when council can get a work session together to discuss the housing plan. Mayor Valentino asked council to look at their calendars for August.

Mayor Valentino referred to the Musselman on Sunday reminding everyone that it gets busy down by the lake and out toward East Lake Road. He said that Friday and Saturday at our Recreation Center will be the St. Francis/St. Stephens Festival with Saturday night being our fireman's parade at 7:00pm.

16. EXECUTIVE SESSION

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

MOVED THAT council adjourn to executive session at 10:13pm to discuss a personnel matter

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

Nay - Clr. Salamendra

Absent - Clr. Gaglianese

MOTION CARRIED

17. ADJOURNMENT

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

MOVED THAT the meeting be adjourned at 10:30pm

MOTION CARRIED UNANIMOUSLY (7-2absent)

Lori Guinan

City Clerk