

# THE GENEVA CITY COUNCIL

## ACTION MINUTES

REGULAR COUNCIL MEETING

OCTOBER 24, 2018 – 7:00PM

Presiding – Ron Alcock, Mayor  
Present – Sage Gerling, City Manager

1. ROLL CALL:

Present: Clr. Greco, Clr. Hagerman, Clr. Camera, Clr. Gramling, Clr. D'Amico, Clr. Marino, Clr. Eddington, Clr. Valentino (arrived at 5:34pm),

2. EXECUTIVE SESSION: FOR THE FOR THE PURPOSES OF DISCUSSING MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION and THE PROPOSED ACQUISITION, SALE, OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF

ACTION TAKEN by Clr. Eddington; seconded by Clr. Gramling

MOVED THAT that Council move into Executive Session at 5:32pm

ROLL CALL: Aye – Clr. Eddington, Clr. Greco, Clr. Hagerman, Clr. Camera, Clr. D'Amico, Clr. Marino, Clr. Gramling, Mayor Alcock

Absent – Clr. Valentino

Clr. Hagerman excused himself for the first portion of Executive Session due to the nature of the discussion and joined Council for the second portion of Executive Session.

MOTION CARRIED (8-1 absent)

ACTION TAKEN by Clr. Eddington; seconded by Clr. Hagerman

MOVED THAT that Council exit Executive Session at 5:55pm

MOTION CARRIED UNANIMOUSLY

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

MOVED THAT that Council move into the Special Meeting at 6:00pm

MOTION CARRIED UNANIMOUSLY

3. DISCUSSION REGARDING 2019 GENERAL, WATER, AND SEWER FUND BUDGETS

Mayor Alcock requested that these changes be presented and voted on as a block.

<b>Item</b>	<b>Budget Page</b>	<b>Amount</b>
Health Insurance	B-13	\$ (90,000)
St. Peter's Church	B-13	\$ (1,500)
Economic Opportunity Programming	B-9	\$ (18,000)
Sidewalk Inspections	B-10	\$ (15,000)
YMCA	B-13	\$ 4,500
FLTV	B-13	\$ 2,000
Colony Caregivers	To be added to B-13	\$ 2,500
Port 100	B-9	\$ (8,000)
BluePrint Admin Services	B-13	\$ (1,200)
<b>TOTAL</b>		<b>\$ (124,700)</b>

ACTION TAKEN by Mayor Alcock; seconded by Clr. Eddington  
MOVED THAT Council vote to block the budget changes  
ROLL CALL: Aye – Mayor Alcock, Clr. Greco, Clr. Camera, Clr. D’Amico, Clr. Marino,  
Clr. Eddington  
Nay – Clr. Hagerman, Clr. Gramling, Clr. Valentino  
MOTION CARRIED

ACTION TAKEN by Mayor Alcock; seconded by Clr. Eddington  
MOVED THAT that Council vote on the blocked budget changes  
ROLL CALL: Aye – Mayor Alcock, Clr. Greco, Clr. Hagerman, Clr. Camera, Clr.  
Gramling, Clr. D’Amico, Clr. Marino, Clr. Eddington  
Nay – Clr. Valentino  
MOTION CARRIED

COUNCIL ROUND TABLE DISCUSSION:

ACTION TAKEN by Clr. Greco; seconded by Clr. D’Amico  
MOVED THAT the allocation for \$60,000 be removed for rezoning  
ROLL CALL: Aye – Clr. Greco, Clr. Hagerman, Clr. Camera, Clr. Gramling,  
Clr. Marino, Clr. Eddington, Clr. D’Amico, Mayor Alcock  
Nay – Clr. Valentino  
MOTION CARRIED

ACTION TAKEN by Clr. Greco; seconded by Clr. Gramling  
MOVED THAT that the ONI Director position be funded part-time

ACTION TAKEN by Clr. D’Amico; seconded by Mayor Alcock  
MOVED THAT the ONI position not be funded at all  
ROLL CALL: Aye – Clr. Greco, Clr. Camera,  
Nay – Clr. D’Amico, Clr. Marino, Clr. Eddington, Clr. Hagerman, Clr.  
Gramling, Clr. Valentino, Mayor Alcock  
MOTION DEFEATED

ACTION TAKEN by Clr. Eddington; seconded by Mayor Alcock

MOVED THAT staff keep the ONI position in the organizational chart but do not fund it in 2019

ROLL CALL: Aye – Clr. Eddington, Clr. Camera, Clr. D’Amico, Mayor Alcock

Nay – Clr. Greco, Clr. Hagerman, Clr. Gramling, Clr. Valentino, Clr. Marino

**MOTION DEFEATED**

ACTION TAKEN by Clr. Greco; seconded by Clr. Gramling

MOVED THAT the original motion of the ONI position be funded at part-time

ROLL CALL: Aye – Clr. Greco, Clr. Camera, Clr. D’Amico, Clr. Eddington, Mayor Alcock

Nay – Clr. Hagerman, Clr. Valentino, Clr. Marino, Clr. Gramling

**MOTION CARRIED**

ACTION TAKEN by Clr. Eddington; seconded by Clr. Greco

MOVED THAT the \$50,000 not be appropriated to the Equipment Amortization Fund

ROLL CALL: Aye - Clr. Eddington, Clr. Hagerman, Clr. Camera, Clr. Gramling, Clr. D’Amico, Clr. Marino, Clr. Greco, Mayor Alcock

Nay – Clr. Valentino

**MOTION CARRIED**

ACTION TAKEN by Clr. Eddington; seconded by Clr. Valentino

MOVED THAT Food Justice receive a \$4,950 allocation for 2019

**MOTION CARRIED UNANIMOUSLY**

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

MOVED THAT the part-time ONI position funding not exceed \$43,000

ROLL CALL: Aye – Clr. Hagerman, Clr. Gramling, Clr. Eddington, Clr. Greco, Clr. Camera, Mayor Alcock

Nay – Clr. Valentino, Clr. D’Amico, Clr. Marino

**MOTION CARRIED**

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

MOVED THAT staff not fund a Recreation Working Supervisor position in the Recreation Department

ROLL CALL: Aye – Clr. Camera

Nay – Clr. Valentino, Clr. D’Amico, Clr. Marino, Clr. Eddington, Clr. Greco, Hagerman, Clr. Gramling, Mayor Alcock

**MOTION DEFEATED**

ACTION TAKEN by Mayor Alcock; seconded by Clr. Greco

MOVED THAT the Communications/Marketing Outside Contractor be eliminated for a savings of \$66,000

ROLL CALL: Aye – Mayor Alcock, Clr. D’Amico, Clr. Eddington, Clr. Greco

Nay – Clr. Hagerman, Clr. Camera, Clr. Gramling, Clr. Valentino, Clr. Marino

**MOTION DEFEATED**

4. RESOLUTION ADOPTING 2019 GENERAL FUND BUDGET

**WHEREAS**, the General Fund budget of the City of Geneva for the year 2019 has been submitted to the City Council for its approval, and

**WHEREAS**, it appears that the General Fund budget as it is presently presented should be adopted.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Geneva, New York, that the General Fund budget as presently presented be and it hereby is adopted, and that a copy of the General Fund budget as hereby adopted be set forth in full in the minutes of this meeting, and

**FURTHER, BE IT RESOLVED** that the several sums in the General Fund budget for the year 2019 as appropriations for expenditures, in the total amount of \$17,429,747 be and the same hereby are appropriated in the amounts provided for in the attached Chart of Accounts.

**RESOLVED**, this 24<sup>th</sup> day of October, 2018

Based on total budget cuts, Comptroller Blowers said the several sums in the General Fund budget for the year 2019 as appropriations for expenditures, in the total amount of \$17,429,747 be and the same hereby are appropriated in the amounts provided for in the attached Chart of Accounts, for total savings of \$218,803.

ACTION TAKEN by Clr. Eddington; seconded by Clr. Greco  
MOVED THAT that this resolution be approved

ACTION TAKEN by Clr. Valentino; seconded by Clr. Hagerman  
MOVED THAT **this resolution be TABLED until the November 7<sup>th</sup> meeting in an effort to inform the public of the budget cuts that were made**

ROLL CALL: Aye – Clr. Valentino, Clr. Marino, Clr. Gramling, Clr. Hagerman  
Nay – Clr. D’Amico, Clr. Eddington, Clr. Greco, Clr. Camera, Mayor Alcock

**MOTION DEFEATED**

ACTION TAKEN by Clr. Eddington; seconded by Clr. Greco  
MOVED THAT that the original resolution be approved

ROLL CALL: Aye – Clr. Eddington, Clr. Camera, Clr. Gramling, Clr. D’Amico, Clr. Marino, Clr. Greco, Mayor Alcock  
Nay – Clr. Hagerman, Clr. Valentino

**MOTION CARRIED**

5. RESOLUTION ADOPTING 2019 TAX LEVY

**WHEREAS**, the City Council of the City of Geneva has heretofore adopted General Fund and Workers’ Compensation budgets for the year 2019, and appropriated the several sums in the budget for the year 2019 in the total amount of \$7,317,536, and

**WHEREAS**, in accordance with the adoption of said budget the amount necessary to be raised by taxation upon the real property and franchises subject to taxation by the City of Geneva is \$6,976,885 for General Fund expenditures and \$340,651 for Workers’ Compensation premiums.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Geneva, New York, that the amount necessary to be raised by taxation to defray the expenses of the City of Geneva for the year 2019 is \$6,976,885 and that the said \$6,976,885 be and the same hereby is levied upon all real property and

franchises subject to tax by the City of Geneva according to the valuations thereof as shown on the current assessment roll, and

**FURTHER BE IT RESOLVED** that the City Clerk, in accordance with Section 5.11 of the Geneva City Charter, file with the City Comptroller, a certified copy of the Appropriation Resolution and a copy of the budget for the year 2019 as adopted by the Geneva City Council, and

**FURTHER BE IT RESOLVED** that the City Comptroller shall extend and apportion the said amount of \$6,976,885 levied to be raised by taxation on the last assessment roll delivered to him and shall under warrant signed by the Mayor and the City Clerk and annexed to said assessment roll, proceed to collect the several sums specified in said roll as assessed against the persons or property therein named and described, together with the percentage of penalty applicable thereto as provided by the Geneva City Charter and Section 999 of the Real Property Tax Law, and in the manner provided by said Charter.

**RESOLVED**, this 24<sup>th</sup> day of October, 2018

Based on budget adjustments, Comptroller Blowers said the City Council of the City of Geneva has heretofore adopted General Fund and Workers' Compensation budgets for the year 2019, and appropriated the several sums in the budget for the year 2019 in the total amount of \$7,317,536.

ACTION TAKEN by Clr. Eddington; seconded by Clr. D'Amico  
MOVED THAT that this resolution be approved  
ROLL CALL: Aye – Clr. Eddington, Clr. Greco, Clr. Camera, Clr. Gramling, Clr.  
Marino, Clr. D'Amico, Mayor Alcock  
Nay – Clr. Hagerman, Clr. Valentino  
MOTION CARRIED

6. RESOLUTION ADOPTING 2019 WORKERS COMPENSATION FUND BUDGET

**WHEREAS**, the Workers' Compensation Fund Budget of the City of Geneva for the year 2019 has been submitted to the City Council for its approval, and

**WHEREAS**, it appears that the Workers' Compensation Budget as presently presented should be adopted.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Geneva, New York, that the Workers' Compensation Budget as presently presented be and it hereby is adopted, and that a copy of the Workers' Compensation Budget, as hereby adopted be set forth in the minutes of this meeting, and

**FURTHER BE IT RESOLVED** that the several sums in the Workers' Compensation Budget for the year 2019 as appropriations for expenditures, in the total amount of \$340,651 be and the same hereby are appropriated in the amounts and for the several purpose of payment of workers' compensation insurance premiums.

**RESOLVED**, this 24<sup>th</sup> day of October, 2018

ACTION TAKEN by Clr. Eddington; seconded by Clr. Greco  
MOVED THAT that this resolution be approved  
MOTION CARRIED UNANIMOUSLY

## 7. LOCAL LAW OVERRIDING THE STATUTORY TAX CAP FOR 2019

**WHEREAS**, the State of New York has enacted General Municipal Law requiring that municipalities, with certain exceptions, caps the growth of the property tax levy; and

**WHEREAS**, the statutory formula for calculation of permitted property tax levy growth requires the City of Geneva to roll back property tax rates to stay within statutory caps; and

**WHEREAS**, the City Manager's 2019 proposed budget forecasts the need to exceed the statutory property tax levy cap.

**NOW, THEREFORE BE IT ENACTED:**

### **Section 1. Legislative Intent.**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the City of Geneva pursuant to General Municipal Law § 3-c, and to allow the City of Geneva to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

### **Section 2. Authority.**

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the City Council to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the City Council.

### **Section 3. Tax Levy Limit Override.**

The City Council of the City of Geneva; Ontario County is hereby authorized to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

### **Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

### **Section 5. Effective date.**

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

ACTION TAKEN by Clr. D'Amico; seconded by Clr. Eddington  
MOVED THAT that this local law by approved  
MOTION CARRIED UNANIMOUSLY

8. RESOLUTION ADOPTING 2019 WATER FUND BUDGET

**WHEREAS**, the Water Fund Budget of the City of Geneva for the year 2019 has been submitted to the City Council for its approval, and

**WHEREAS**, it appears that the Water Fund Budget as presently presented should be adopted.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Geneva, New York, that the Water Fund Budget as presently presented be and it hereby is adopted, and that a copy of the Water Fund Budget as hereby adopted be set forth in the minutes of this meeting, and

**FURTHER BE IT RESOLVED** that the several sums in the Water Fund Budget for the year 2019 as appropriations for expenditures, in the total amount of \$4,223,050 be and the same hereby are appropriated in the amounts and for the several purposes therein specified in the attached Chart of Accounts.

**RESOLVED**, this 24<sup>th</sup> day of October, 2018

ACTION TAKEN by Clr. Eddington; seconded by Clr. Greco  
MOVED THAT that this resolution be approved  
MOTION CARRIED UNANIMOUSLY

9. RESOLUTION ADOPTING 2019 SEWER FUND BUDGET

**WHEREAS**, the Sewer Fund Budget of the City of Geneva for the year 2019 has been submitted to the City Council for its approval, and

**WHEREAS**, it appears that the Sewer Fund Budget as presently presented should be adopted.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Geneva, New York, that the Sewer Fund Budget as presently presented be and it hereby is adopted, and that a copy of the Sewer Fund Budget as hereby adopted be set forth in the minutes of this meeting, and

**FURTHER, BE IT RESOLVED** that the several sums in the Sewer Fund Budget for the year 2019 as appropriations for expenditures, in the total amount of \$5,362,050 be and the same hereby are appropriated in the amounts and for the several purposes therein specified in the attached Chart of Accounts.

**RESOLVED**, this 24<sup>th</sup> day of October, 2018

ACTION TAKEN by Clr. Eddington; seconded by Clr. Camera  
MOVED THAT that this resolution be approved  
MOTION CARRIED UNANIMOUSLY

10. ADJOURNMENT

ACTION TAKEN by Clr. Eddington; seconded by Clr. Gramling  
MOVED THAT that this meeting be adjourned at 8:42pm  
MOTION CARRIED