

# THE GENEVA CITY COUNCIL

## ACTION MINUTES

### SPECIAL COUNCIL MEETING

November 12, 2020 – 5:30 PM

Per Executive Order No. 202.1, this meeting took place via videoconference, and was viewable on the City of Geneva, NY YouTube channel:  
[YouTube.com/cityofgenevany](https://www.youtube.com/cityofgenevany)

Presiding – Steve Valentino, Mayor

#### 1. ROLL CALL

Present: Clr. Gaglianese, Clr. Noone, Clr. Salamendra, Clr. Regan, Clr. Pealer, Clr. Camera, Clr Pruet, and Clr. Burrall (arrived at 5:46pm)

#### 2. POLICE ACCOUNTABILITY BOARD DISCUSSIONS

##### **1 ACTION TAKEN by Clr. Pruet; seconded by Clr. Camera**

**MOVED THAT new subdivision 9 of § 15-7 be added and renumber subdivision 9 to 10 and add wording "The provisions of the Civil Service Law, GPD General Orders, and applicable Collective Bargaining Agreements concerning the timeliness of investigations and discipline shall apply. Complaints of misconduct filed more than eighteen months after the occurrence of the misconduct described in the Complaint shall be logged in and forwarded to the Chief nonetheless for proper review and possible investigation by the GPD with a notation concerning the possible untimeliness the complaint. The GPD shall make an independent determination of the timeliness of the Complaint and report its finding to the PAB within fifteen (15) days of receipt of the Complaint. Such determination shall not be subject to PAB review.**

**MOTION CARRIED UNANIMOUSLY (8-1 absent)**

##### **2 ACTION TAKEN by Clr. Gaglianese; seconded by Clr. Noone**

**MOVED THAT in § 15-10(1) items A-E be removed and replaced with A-I "Exonerated, Unfounded, Not sustained, Sustained, Misconduct noted, Training Issue, Withdrawn by complainant, No findings, and Policy issue/Failure"**

**MOTION CARRIED UNANIMOUSLY**

##### **3 ACTION TAKEN by Clr. Pealer; seconded by Clr. Pruet**

MOVED THAT in § 15-11(2) add “s” at the end of “Notice” and delete “s” at the end of “Decisions”; § 15-11(8) add “the” in front of “New York State Civil Service Law” and add “,” after “State of New York” and capitalize “Officers”; § 15-11(9) delete quotation marks around “7” and insert “New York State” before “Civil Service Law”; § 15-11(10) add the word “and” before “Collective Bargaining Agreements”; § 15-11(10) insert “In Matters of Police Discipline” at the start of the item

**MOTION CARRIED UNANIMOUSLY**

**4 ACTION TAKEN by Clr. Salamendra; seconded by Clr. Pruett**

MOVED THAT in § 15-12, second line, delete “pending completion” and insert in its stead “upon notice”; insert at end of paragraph “until completion of such investigation at which point GPD and/or PAB can restart proceedings if appropriate as provided for in this Article XV”

**MOTION CARRIED UNANIMOUSLY**

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

MOVED THAT in § 15-13(1) add new sentence at end “Any recommendations or analysis shall be included in the PAB’s annual report”; § 15-13(2) delete additional space before “Said” and add “,” after “City Manager” and insert “the” before “New York” and Capitalize Matrix in last sentence and add phrase “of GPD Officers” to last sentence after phrase “Collective Bargaining Units” and insert “.” after “Chief”; § 15-13(3) add “Officers and” after “GPD” and before “employees” and replace “departments” with “GPD’s”; § 15-13(4) add “the” before “City Council”; § 15-13(5) add “and” before traumatic; § 15-13(6) add “the City” prior to the word “Council”; § 15-13(7) delete “s” at the end of “determinations”; § 15-13(8) add “(es)” to the end of “matrix” and insert “by the Chief” after “implemented”

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

**Nay – Clr. Pealer and Mayor Valentino**

**MOTION CARRIED**

**6 ACTION TAKEN by Clr. Camera; seconded by Clr. Mayor Valentino**

MOVED THAT in § 15-13 items 1-3 be removed and items 4-8 be renumbered 1-5

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

**Nay – Clr. Salamendra, Clr. Burrall, Clr. Regan, and Clr. Pruett**

**MOTION CARRIED**

**7 ACTION TAKEN by Clr. Pealer; seconded by Clr. Noone**

**MOVED THAT in § 15-13 add item 3 back in as new item 6 and remove “regular and unrestricted” in first sentence and add “active complaints” after “review” in second sentence**

**ROLL CALL VOTE: Aye – Clr. Pruett and Mayor Valentino**

**Nay – Clr. Burrall, Clr. Camera, Clr. Salamendra, Clr. Gaglianese,  
Clr. Noone, Clr. Pealer and Clr. Regan**

**MOTION DEFEATED**

**8 ACTION TAKEN by Clr. Camera; seconded by Clr. Pruett**

**MOVED THAT in § 15-13(1) {formerly item 4} add the wording “From time to time” at the beginning of the sentence and add “including any recommendations related to procedures, patterns, practices, and disciplinary matrix” at the end.**

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

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

**MOTION CARRIED**

**9 ACTION TAKEN by Clr. Pealer; seconded by Clr. Noone**

**MOVED THAT § 15-13(5) {formerly item 8} be removed**

**ROLL CALL VOTE: Aye – Clr. Noone, Clr. Pealer, Clr. Gaglianese**

**Nay – Mayor Valentino, Clr. Pruett, Clr. Camera, Clr. Salamendra,  
Clr. Burrall, and Clr. Regan**

**MOTION DEFEATED**

**10 ACTION TAKEN by Clr. Pruett; seconded by Clr. Regan**

**MOVED THAT in § 15-13(1) {formerly item 4} change the word “shall” to “may”**

**ROLL CALL VOTE: Aye – Clr. Pruett, Mayor Valentino, Clr. Pealer, Clr. Salamendra, and  
Clr. Regan**

**Nay – Clr. Camera, Clr. Noone, Clr. Gaglianese, and Clr. Burrall**

**MOTION CARRIED**

**11 ACTION TAKEN by Clr. Pruett; seconded by Mayor Valentino**

**MOVED THAT in § 15-14(J) delete “,” after “and” & § 15-14(K) delete “,” after “if” and  
after “and”**

**MOTION CARRIED (8-1 absent)**

**12 ACTION TAKEN by Clr. Camera seconded by Clr. Pealer**

**MOVED THAT in § 15-16 be renumbered to 15-15**

**MOTION CARRIED (8-1 absent)**

**13 ACTION TAKEN by Clr. Pruett seconded by Clr. Pealer**

**MOVED THAT in § 15-16 {formerly § 15-17} a second paragraph be added that looks like the first and flip-flops the parties resulting in a bilateral prohibition**

**MOTION CARRIED (8-1 absent)**

3. ADJOURNMENT

**ACTION TAKEN by Pruett; seconded by Clr. Pealer**

**MOVED THAT the meeting be adjourned at 8:13pm**

**MOTION CARRIED (8-1 absent)**

*Lori Guinan*

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City Clerk