

MINUTES OF THE CANANDAIGUA CITY COUNCIL MEETING
THURSDAY, MARCH 6, 2014 7:00 P.M.
City Council Chambers
City Website: canandaiguanewyork.gov

Mayor Polimeni called the meeting to order at 7:00 PM

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 2 Ian Boni
Councilmember Ward 3 Karen White
Councilmember Ward 4 Cindy Wade
Councilmember-at-Large Maria Bucci
Councilmember-at-Large William Taylor
Councilmember-at-Large James Terwilliger
Mayor Ellen Polimeni

Members Absent: Councilmember-at-Large David Whitcomb (Arrived 7:10)

Also Present: City Manager David R. Forrest
Corporation Counsel Michele O. Smith
City Clerk-Treasurer Nancy C. Abdallah

Review Core Values: Councilmember Ward 2 Boni read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Public Hearings:

Local Law 2014-001 Relative to a Lien of Fire Insurance Proceeds in Accordance with General Municipal Law §22

Mayor Polimeni opened the public hearing at 7:01 PM
No one was present to speak on this Local Law.
Mayor Polimeni closed the public hearing at 7:02 PM

**North Shore Project – Phase 1 Final Detailed Site Plan:
Mayor Polimeni opened the public hearing at 7:04 PM.**

Jerry Goldman, attorney and agent for Morgan-LeChase Development and Dave Hanlin, Architect, reviewed the basic information on the project for Phase 1.

Public Comments:

- Bill Mehls, Scotland Rd., represented the Tree Committee and indicated that there was a meeting scheduled on Monday to review the final landscaping plan.
As a concerned citizen he had the following comments:
 - He was not in favor of closing the Parkway Plaza entrance at 5 and 20 but would rather see the McDonalds entrance closed.
 - He is not in favor of vinyl siding on the building but would support wood siding instead.
 - Not in favor of Tax incentives on a 120 million dollar project, taxes should be paid based on the assessments.
- Bob Calman, Deerfield Drive, had concerns regarding any proposed homeowners associations for the project. There are many costs incurred due to associations filing lawsuits over the development. This would be the responsibility of the Municipality once the project is turned over from the developer. Therefore, the City needs to make sure that all aspects of the project are up to code which will minimize any potential future litigation.
- Joe Proe, Sunflower Dr., inquired as to why they have dormers on the buildings and that they look cartoonish.
- Dr. Justin Martin., former practice in Canandaigua, asked if anyone remembered the flood of 1972. He also asked if any of the buildings will have basements? The building foundation is currently at 18 inches and he asked them to consider 3 ft. due to possible flooding.

Mayor Polimeni closed the public hearing at 7:28 PM

Local Law 2014-002 Authorizing a Property Tax Levy in Excess of the Limit Established in General Municipal Law §3-C

Mayor Polimeni opened the public hearing at 7:28 PM

No one was present to speak on this Local Law.

Mayor Polimeni closed the public hearing at 7:30 PM

Approval of Minutes: Councilmember-at-Large Terwilliger moved for the approval of the Council Minutes of February 6, 2013. Councilmember-at-Large Taylor seconded the motion.

Vote Result: Carried unanimously by voice vote

Councilmember-at-Large Terwilliger moved for the approval of the Council Minutes of February 13, 2014. Councilmember-at-Large Taylor seconded the motion.

Vote Result: Carried unanimously by voice vote

Recognition of Guests: None

Committee Reports:

Environmental: Councilmember-at-Large Taylor reported that the Environmental Committee met on February 18th and discussed the following:

Minutes – Attachment 4A

- Special Events:
 - A Run for the Past
 - Finger Lakes Triathlon
 - Finger Lakes Riesling Festival
 - Rotary Pier Dance
- Hydrofracking Discussion
- LL Bean Proposal
- Contracts with Habitat for Humanity and Pathstone Corporation for Owner-Occupied Rehab Program

Ordinance: No Meeting

Finance: Councilmember-at-Large Terwilliger reported that the Finance Committee met on February 25th, and discussed the following:

Minutes – Attachment 4B

- 2015 Road Program
- Reduced Pressure Zone Installation Project at the Water Treatment Plant
- 2013 Year End Report
- NYCLASS Investment Policy Amendment
- PathStone and Habitat for Humanity Agreements
- Disposal of Surplus Equipment
- Procurement Policy Review

Planning: Councilmember Ward 4 Wade reported that the Planning Committee met on March 4th and discussed the following:

Minutes – Attachment 4C

- PIF agreement from the school
- Strategic Plan
- Union Contracts
- Transportation Alternatives Program

PUD – Councilmember-at-Large David Whitcomb reported that the PUD Committee met on February 11th and discussed the following:

- Industrial Development Agency (IDA) Analysis of Pilot Increment Financing (PIF) Proposal
- Review Final Site Plan Submission

February 25th:

- Review Final Site Plan Submission

Chamber of Commerce – Alison Grems, Director of the Chamber reported on events and activities for the Chamber.

Resolutions:

Resolution #2014-015:

Councilmember Ward 3 White read the following Resolution and moved for its adoption. Councilmember Ward 4 Wade seconded the motion.

**A RESOLUTION AUTHORIZING PARTICIPATION BY CITY EMPLOYEES
IN THE ANNUAL VOLUNTEER DAY OF CARING**

WHEREAS, the United Way of Ontario County is sponsoring the Annual Volunteer Day of Caring on Thursday, April 24, 2014 to kickoff its 2014 fundraising campaign; and

WHEREAS, the Volunteer Day of Caring is a program wherein employers allow their employees the opportunity to volunteer at an assigned United Way agency for a day or half-day without requiring that leave time be used for that purpose; and

WHEREAS, the City of Canandaigua wishes to participate in the 2014 Volunteer Day of Caring program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that City employees may volunteer to participate in the Annual United Way Volunteer Day of Caring, provided that no employee shall earn overtime wages for the time spent volunteering, and further provided no overtime costs shall be incurred in order to fill shift vacancies created by the participation of employees in the Day of Caring.

Vote Result: Carried unanimously by voice vote. (9-0)

Resolution #2014-016:

Councilmember-at-Large Taylor read the following Resolution and moved for its adoption. Councilmember-at-Large Whitcomb seconded the motion.

**A RESOLUTION AWARDED A CONSTRUCTION CONTRACT TO INSTALL TWO
BACKFLOW PREVENTION DEVICES AT THE WATER TREATMENT PLANT**

WHEREAS, the New York State Department of Health has directed the City of Canandaigua to upgrade the backflow prevention protection at the water treatment plant; and

WHEREAS, the City of Canandaigua has had the necessary engineering design completed and the proposed improvements have been approved by the New York State Department of Health; and

WHEREAS, the City publicly advertised for bids for the construction of the approved improvements, and directly contacted four (4) potential bidders; and

WHEREAS, bids to install the proposed improvements were received on 7 February 2014, with two contractors submitting bids; and

WHEREAS, the bid from John W. Danforth Company, 930 Old Dutch Road, Victor, New York, 14564, in the amount of \$30,875, has been judged to be the lowest responsive bid; and

WHEREAS, funding for this construction was appropriated in the City of Canandaigua 2014 budget as a part of the water fund; and

WHEREAS, the City Manager and the Director of Public Works recommend a contract be awarded to John W. Danforth Company to complete the necessary improvements to the water treatment plant;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager to execute a contract with John W. Danforth Company, 930 Old Dutch Road, Victor, New York, 14564, to complete the necessary backflow prevention improvements to the water treatment plant for a fee not-to-exceed \$30,875.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-017:

Councilmember, Ward 1 Cutri read the following Resolution and moved for its adoption. Councilmember Ward 2 Boni seconded the motion.

A RESOLUTION AUTHORIZING SPECIAL EVENTS
A Run for the Past, Finger Lakes Triathlon,
Finger Lakes Riesling Festival & Rotary Pier Dance

WHEREAS, the City Council of the City of Canandaigua has received the following applications for special events in the City of Canandaigua:

- ▶ ***‘A Run for the Past’***
 - Date: June 1, 2014
 - Location: City Streets, begin and end at Historical Society
 - Time: 7:30 a.m. – 12 p.m.
 - Coordinator: Historical Society
 - Purpose: Fundraiser
 - Expected Number of Participants: 200

- ▶ ***‘Finger Lakes Triathlon-Kid’s Race’***
 - Date: September 6, 2014
 - Location: Steamboat Landing & Lakefront Park
 - Time of Assembly: 5:00 a.m.
 - Event Time: 10:00 a.m. – 12 p.m.
 - Streets to be Closed: Both Lanes on Lakeshore Drive from Traffic Triangle in front of NY Wine & Culinary Center to entrance of Steamboat Landing
 - Race Coordinator: Tom Wilmarth
 - Benefit: Mary M.Gooley Hemophilia Center
 - Expected Number of Participants: 500
 - Number of Volunteers: 30

- ▶ ***‘Finger Lakes Triathlon-Adult Race’***
 - Date: September 7, 2014
 - Location: Steamboat Landing & Lakefront Park
 - Time of Assembly: 5:00 a.m.
 - Start Time: 7:00 a.m.
 - Streets to be Closed: Both Lanes on Lakeshore Drive from Traffic Triangle in front of NY Wine & Culinary Center to Muar Street, then eastbound lane of Lakeshore Drive from entrance of Steamboat Landing to Route 5 & 20
 - Race Coordinator: Tom Wilmarth
 - Benefit: Mary M. Gooley Hemophilia Center
 - Expected Number of Participants: 1,300
 - Number of Volunteers: 100

- ▶ ***‘2014 Finger Lakes Riesling Festival’***
 - Date: August 9 & 10, 2014
 - Location: City Pier & NY Wine & Culinary Center
 - Street to be Closed: City Pier
 - Set-Up Time: 2 p.m. – 6 p.m. Friday, August 8, 2014
 - Festival Time: 10 a.m. – 10 p.m. August 9 & 10, 2014.
 - Coordinator: Dixon Schwabl
 - Benefit: YMCA
 - Expected Number of Participants: 40,000

- ▶ ***‘Rotary Pier Dance’***
 - Date: August 9, 2014
 - Location: City Pier

Time: 5 p.m. – 11 p.m.
Coordinator: Canandaigua Rotary, Matt Vahue
Benefit: Local Charities
Expected Number of Participants: 15,000
Additional Activities: Vendors and Fireworks

WHEREAS, these requests were reviewed and approved at the February 18, 2014 Environmental Committee meeting; and

WHEREAS, the organizers of the Triathlon submitted an application for an alternative site at Kershaw Park, in the event that the Steamboat Landing/Lakefront Park areas are unable to support the Triathlon; and

WHEREAS, should the Triathlon be held at Kershaw Park, the City will enter into a Revocable License Agreement with the organizers of the event;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that permission is granted to hold the abovementioned special events at the time and locations listed; and

BE IT FURTHER RESOLVED that the organizers of the Special Events shall adhere to any regulations that the City Manager or the City Police Department shall establish to insure the health and safety of Canandaigua residents and visitors throughout these events.

Vote Result: Carried unanimously by voice vote. (9-0)

Resolution #2014-018:

Councilmember Ward 4 Wade read the following Resolution and moved for its adoption. Councilmember-at-Large Bucci seconded the motion.

**A RESOLUTION DECLARING VARIOUS USED AND UNWANTED
CITY EQUIPMENT SURPLUS**

WHEREAS, there exists used and unwanted equipment, so noted on the attached list, that are no longer essential to the operations of the City of Canandaigua; and

WHEREAS, it is necessary to declare as surplus the equipment on the attached list such that they may be sold at auction, via sealed bid, or as trade ins;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Canandaigua hereby declares as surplus the equipment contained on the attached list and made part of this Resolution and they are to be sold at auction, through sealed bids or to be traded in on future equipment purchases pursuant to City and State purchasing guidelines; and

BE IT FURTHER RESOLVED, that all revenue obtained from the sale of surplus equipment, shall be appropriated to the Technology Fund Reserve.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES:Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-019:

Councilmember Ward 2 Bon read the following Resolution and moved for its adoption. Councilmember, Ward 1 Cutri seconded the motion.

A RESOLUTION AUTHORIZING THE CITY OF CANANDAIGUA TO ENTER INTO AN AGREEMENT WITH HABITAT FOR HUMANITY OF ONTARIO COUNTY, NY

WHEREAS, the City of Canandaigua approached Habitat for Humanity of Ontario County, NY (Habitat) for the purposes of conducting a housing rehabilitation project; and

WHEREAS, the City has reviewed a proposal from Habitat to initiate a Chapin Street Owner-Occupied Rehabilitation Pilot Project; and

WHEREAS, the Environmental Committee reviewed and endorsed this proposal on February 18, 2014 at its regularly scheduled meeting; and

WHEREAS, the City is desirous of entering into said partnership with Habitat; and

WHEREAS, Habitat possesses the experience, skill and capacity required to deliver essential services to income-eligible homeowners to receive assistance from the City of Canandaigua; and

WHEREAS, the City is in receipt of funds received in the form of loan repayments from past U.S. Dept. of Housing and Urban Development Community Development Block Grants (HUD CDBG), known as "Program Income" which in accordance with HUD must be repurposed for activities that advance HUD's National Objectives; and

WHEREAS, the City cost of this proposal is \$15,000 which will be funded from program income in the City's HUD CDBG Revolving Loan Fund; and

WHEREAS, additional funds will be provided by Habitat for material and supplies related to the cost of the rehabilitation project; and

WHEREAS, the Scope of Services and Agreement for Services is attached hereto and made part of this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes the City Manager to execute an agreement with Habitat for purposes of initiating a Chapin Street Owner-Occupied Rehabilitation Pilot Project; and

BE IT FURTHER RESOLVED that this project will be funded from a not-to-exceed \$15,000 allocation from the City's HUD CDBG Revolving Loan Fund.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES:Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-020:

Councilmember-at-Large Bucci read the following Resolution and moved for its adoption. Councilmember Ward 4 Wade seconded the motion.

A RESOLUTION AUTHORIZING THE CITY OF CANANDAIGUA TO ENTER INTO AN AGREEMENT WITH PATHSTONE CORPORATION

WHEREAS, the City of Canandaigua approached Pathstone Corporation (Pathstone) for the purposes of conducting a housing rehabilitation project; and

WHEREAS, the City has reviewed a proposal from Pathstone to rehabilitate at least ten homes within the City of Canandaigua and provide a Home Energy and Improvement Program; and

WHEREAS, the Environmental Committee reviewed and endorsed this proposal on February 18, 2014 at its regularly scheduled meeting; and

WHEREAS, the City is desirous of entering into said partnership with Pathstone; and

WHEREAS, Pathstone possesses the experience, skill and capacity required to deliver essential services to income-eligible homeowners to receive assistance from the City of Canandaigua under the Home Energy and Improvement Program; and

WHEREAS, the City is in receipt of funds received in the form of loan repayments from past U.S. Dept. of Housing and Urban Development Community Development Block Grants (HUD CDBG), known as "Program Income" which in accordance with HUD must be repurposed for activities that advance HUD's National Objectives; and

WHEREAS, the City cost of this proposal is \$57,000 which will be funded from program income in the City's HUD CDBG Revolving Loan Fund; and

WHEREAS, additional funds will be provided by a grant awarded to Pathstone from the New York State Energy Research and Development Authority; and

WHEREAS, the Scope of Services and Agreement for Services is attached hereto and made part of this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes the City Manager to execute an agreement with Pathstone for purposes of initiating a Home Energy and Improvement Program; and

BE IT FURTHER RESOLVED that this project will be funded from a not-to-exceed \$57,000 allocation from the City's HUD CDBG Revolving Loan Fund.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-021:

Councilmember-at-Large Taylor read the following Resolution and moved for its adoption. Councilmember, Ward 1 Cutri seconded the motion.

**A RESOLUTION AUTHORIZING A MUNICIPAL COOPERATION RESOLUTION
BETWEEN THE NEW YORK COOPERATIVE LIQUID ASSETS SECURITIES
SYSTEM AND THE CITY OF CANANDAIGUA**

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o ("Section 119-o" empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts boards of cooperative educational services, counties, cities, town and villages] and districts to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis; and

WHEREAS, the City of Canandaigua wishes to invest certain of its available investments funds in cooperation with other corporations and/or districts pursuant to a municipal cooperation agreement; and

WHEREAS, the City of Canandaigua wishes to assure the safety and liquidity of its funds; and

WHEREAS, the amendment dated as of March 14, 2014 to the NYCLASS Municipal Cooperation Agreement as Amended and Restated as of April 23, 2012 is hereby attached and made part of this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes City Manager David R. Forrest to execute and deliver the Cooperative Investment Agreement in the name of and behalf of the City of Canandaigua.

Vote Result: Carried unanimously by voice vote. (9-0)

Resolution #2014-022:

Councilmember-at-Large Whitcomb read the following Resolution and moved for its adoption. Councilmember-at-Large Taylor seconded the motion.

A RESOLUTION APPOINTING DAVID FORREST TO THE FINGER LAKES TELEVISION ADVISORY BOARD

WHEREAS, the Purpose of the Finger Lakes Television Advisory Board is to review and approve the annual Finger Lakes Television budget, promote FLTV in the community and advise the FLTV staff on programming, fundraising and operation of the cable access channel; and

WHEREAS, the Board shall consist of seven to nine members; and

WHEREAS, at least one representative each shall be selected by the cities of Canandaigua and Geneva;

NOW, THEREFORE, BE IT RESOLVED, that the Canandaigua City Council appoints David Forrest to the Finger Lakes Television Advisory Board for a three-year term ending December 31, 2016.

Vote Result: Carried unanimously by voice vote. (9-0)

Resolution #2014-023:

Councilmember Ward 3 White read the following Resolution and moved for its adoption. Councilmember Ward 4 Wade seconded the motion.

A RESOLUTION SETTING THE TIME AND PLACE OF A PUBLIC HEARING ON LOCAL LAW No. 3 OF 2014 RELATIVE TO AMENDING CHAPTER 161 OF THE CITY CODE, THE CITY OF CANANDAIGUA PURCHASING POLICIES AND PROCEDURES, BY AUTHORIZING THE USE OF BEST VALUE IN AWARDING PURCHASE CONTRACTS

WHEREAS, Section 3.14 of the Canandaigua City Charter and Section 20 of the Municipal Home Rule Law require a public hearing on a proposed local law;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that a public hearing regarding Local Law No. 3 of 2014 relative to amending the City of Canandaigua Purchasing Policies and Procedures, shall be held in the City Council Chambers, City Hall, 2 North Main Street, Canandaigua, New York during the meeting held at 7:00 p.m. on April 3, 2014; and

BE IT FURTHER RESOLVED that the City Clerk shall cause notice to be given as required by Section 3.14 of the Canandaigua City Charter; and

Vote Result: Carried unanimously by voice vote. (9-0)

Resolution #2014-024:

Councilmember, Ward 1 Cutri read the following Resolution and moved for its adoption. Councilmember-at-Large Taylor seconded the motion.

**A RESOLUTION
SUPPORTING THE PILOT INCREMENT FINANCING PROPOSAL
FOR THE
CANANDAIGUA LAKEFRONT REDEVELOPMENT PROJECT
UNDER A 25-YEAR TERM WITH 2% INCREMENTAL INCREASES**

WHEREAS, Morgan-LeChase Development, LLC ("Developer") has obtained sketch plan approval and rezoning for purposes of constructing and developing the Canandaigua Lakefront Redevelopment Project (the "Project"); and

WHEREAS, Developer is in the process of obtaining final site plan approval for Phase I of the Project but anticipates the Project will face high development costs due to environmental and subsurface conditions, and lack of outside funding sources; and

WHEREAS, Developer has submitted an application to the Ontario County Industrial Development Agency for financing assistance through a PILOT Increment Financing ("PIF") program agreement, as well as sales tax and mortgage tax abatements; and

WHEREAS, the City Council issued Resolution #2014-014 in support of the PILOT Increment Financing Application of Morgan-LeChase Development, LLC relative to the Canandaigua Lakefront Redevelopment Project; and

WHEREAS, the Canandaigua City School District has also reviewed the application, requested and analyzed additional relevant information, and conducted several meetings relative to this proposal resulting in its support of the PIF under a 25-year term with 2% increment increases to the base calculations;

NOW, THEREFORE, BE IT RESOLVED that the City of Canandaigua hereby establishes its support of, and consent to the PILOT Increment Financing Application of Morgan-LeChase Development, LLC relative to the Canandaigua Lakefront Redevelopment

Project under the same 25-year term with 2% increment increases to the base calculations as the Canandaigua City School District, schedule attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED that the City Manager and Corporation Counsel are authorized to negotiate the appropriate PIF Agreement with the Ontario County Industrial Development Agency, Morgan-LeChase Development LLC or company to be established later, and the Canandaigua City School District to affect such purpose.

The motion CARRIED on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, , Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: Councilmember-at-Large Bucci

Resolution #2014-025:

Councilmember Ward 2 Boni read the following Resolution and moved for its adoption. Councilmember, Ward 1 Cutri seconded the motion.

A RESOLUTION RATIFYING THE TENTATIVE COLLECTIVE BARGAINING AGREEMENT WITH THE CANANDAIGUA GOLD BADGE CLUB

WHEREAS, the collective bargaining agreement between the Canandaigua Gold Badge Club and the City of Canandaigua expired on December 31, 2013; and

WHEREAS, the negotiating teams for the parties have reached a tentative agreement for a new collective bargaining agreement for the years 2014 through 2016; and

WHEREAS, the Canandaigua Gold Badge Club ratified the tentative agreement on February 26, 2014, and

WHEREAS, the tentative collective bargaining agreement includes wage increases that have not been authorized in the 2014 adopted budget; and

WHEREAS, the City Manager recommends the ratification of this agreement by the City Council;

NOW, THEREFORE, BE IT RESOLVED, that the tentative agreement, which provides for an increase in wages of 3% for each year of the contract, is hereby ratified and such additional funds, if necessary, shall be allocated from the contingency fund; and

BE IT, FURTHER RESOLVED, that the City Manager is hereby authorized to execute a collective bargaining agreement consistent with the terms of the tentative agreement commencing January 1, 2014 and expiring December 31, 2016.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES:Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Resolution #2014-026:

Councilmember-at-Large Terwilliger read the following Resolution and moved for its adoption. Councilmember-at-Large Taylor seconded the motion.

**RATIFYING THE TENTATIVE COLLECTIVE BARGAINING AGREEMENT
WITH THE CANANDAIGUA POLICE OFFICERS ASSOCIATION**

WHEREAS, the collective bargaining agreement between the Canandaigua Police Officers Association and the City of Canandaigua expired on December 31, 2013; and

WHEREAS, the negotiating teams for the parties have reached a tentative agreement for a new collective bargaining agreement for the years 2014 through 2016; and

WHEREAS, the Canandaigua Police Officers Association ratified the tentative agreement on February 28, 2014, and

WHEREAS, the tentative collective bargaining agreement includes wage increases that have not been authorized in the 2014 adopted budget; and

WHEREAS, the City Manager recommends the ratification of this agreement by the City Council;

NOW, THEREFORE, BE IT RESOLVED, that the tentative agreement, which provides for an increase in wages of 3% for each year of the contract, is hereby ratified and such additional funds, if necessary, shall be allocated from the contingency fund; and

BE IT, FURTHER RESOLVED, that the City Manager is hereby authorized to execute a collective bargaining agreement consistent with the terms of the tentative agreement commencing January 1, 2014 and expiring December 31, 2016.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES:Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Ordinances:

Ordinance #2014-001:

**AN ORDINANCE AMENDING CHAPTER 648 OF THE MUNICIPAL CODE
DESIGNATING PARKING TIME LIMIT RESTRICTIONS FOR PUBLIC PARKING
LOTS IN THE CITY OF CANANDAIGUA**

Lift from the table: Councilmember-at-Large Whitcomb moved to lift Ordinance 2014-001 from the table. Councilmember-at-Large Taylor seconded the motion.

Vote Result: Carried unanimously by voice vote.

Vote: Councilmember-at-Large Whitcomb moved to approve Ordinance 2014-001. Councilmember-at-Large Taylor seconded the motion.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES:Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Ordinance #2014-002:

**AN ORDINANCE AMENDING CHAPTER 648 OF THE MUNICIPAL CODE
TO AUTHORIZE THE CREATION OF A TRAFFIC VIOLATION BUREAU**

Lift from the table: Councilmember-at-Large Bucci moved to lift Ordinance 2014-002 from the table. Councilmember-at-Large Taylor seconded the motion.

Vote Result: Carried unanimously by voice vote.

Vote: Councilmember-at-Large Bucci moved to approve Ordinance 2014-002. Councilmember-at-Large Taylor seconded the motion.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES:Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Local Law:

Local Law #2014-001

**A LOCAL LAW AUTHORIZING A LIEN OF FIRE INSURANCE PROCEEDS
IN ACCORDANCE WITH GENERAL MUNICIPAL LAW §22**

Lift from the table: Councilmember Ward 4 Wade moved to lift Local Law 2014-001 from the table. Councilmember-at-Large Taylor seconded the motion.

Vote Result: Carried unanimously by voice vote.

Vote: Councilmember Ward 4 Wade moved to approve Local Law 2014-001. Councilmember, Ward 1 Cutri seconded the motion.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES:Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Local Law #2014-002

**A Local Law Authorizing A Property Tax Levy In Excess Of The Limit
Established In General Municipal Law §3-C**

Lift from the table: Councilmember-at-Large Terwilliger moved to lift Local Law 2014-002 from the table. Councilmember-at-Large Taylor seconded the motion.

Vote Result: Carried unanimously by voice vote.

Vote: Councilmember-at-Large Terwilliger moved to approve Local Law 2014-002. Councilmember, Ward 1 Cutri seconded the motion.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES:Council Member Ward 1 Cutri, Council Member Ward 2 Boni, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Bucci, Councilmember-at-Large Taylor, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None.

Local Law #2014-003

Councilmember, Ward 1 Cutri read the following Local Law and placed it on the table.

**A LOCAL LAW AMENDING CHAPTER 161 OF THE CITY CODE RELATIVE TO
THE CITY OF CANANDAIGUA, PURCHASING POLICIES AND PROCEDURES, BY
AUTHORIZING THE USE OF BEST VALUE
IN AWARDING PURCHASE CONTRACTS**

WHEREAS, New York State General Municipal Law §104-b requires the City Council to annually review the City's policies and procedures with respect to purchases; and

WHEREAS, the proposed amended policies and procedures were reviewed and discussed by the Department Heads in accordance with General Municipal Law §104-b(3); and

WHEREAS, New York State has authorized municipalities to utilize "best value" rather than lowest responsive bidder in awarding purchase contracts and City staff recommends the City have this tool available for such purchases; and

WHEREAS, the Finance Committee reviewed the proposed amendments at a meeting on February 25, 2014 and recommend their adoption;

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Canandaigua that Chapter 161 of the Municipal Code is amended in its entirety and replaced with the attached "Purchasing Policies and Procedures", which shall be adopted and effective upon its filing with the Secretary of State.

Manager's Report: No Report

Miscellaneous: No Report

Executive Session:

Councilmember Ward 4 Wade moved to close the regular meeting to go into Executive Session at 8:50 PM to discuss pending litigation. Councilmember-at-Large Taylor seconded the motion.
Vote Result: Carried unanimously by voice vote

Councilmember Ward 3 White moved to close the executive session and return to the regular meeting at 9:05 PM. Councilmember Ward 4 Wade seconded the motion.
Vote Result: Carried unanimously by voice vote.

Regular Session:

Councilmember Ward 3 White moved to adjourn the regular session at 9:05 PM. Councilmember Ward 4 Wade seconded the motion.
Vote Result: Carried unanimously by voice vote

Nancy C. Abdallah
City Clerk-Treasure