

MINUTES OF THE CANANDAIGUA CITY
COUNCIL MEETING
THURSDAY, DECEMBER 10, 2015 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 4 Cindy Wade
Councilmember Ward 3 Karen White
Councilmember-at-Large Maria Bucci
Councilmember-at-Large Donna Cator
Councilmember-at-Large James Terwilliger
Mayor Ellen Polimeni

Members Absent:

Councilmember Ward 2 Ian Boni
Councilmember-at-Large David Whitcomb (Arrived at 7:41 PM)

Also Present:

City Manager David R. Forrest
Corporation Counsel Michele O. Smith
City Clerk-Treasurer Nancy C. Abdallah
Assistant City Manager John D. Goodwin

Review Core Values: Councilmember-at-Large Bucci 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.

Approval of Minutes:

Councilmember-at-Large Terwilliger moved for the approval of the Council Minutes of December 3, 2015. Councilmember Ward 4 Wade seconded the motion.

Vote Result: Carried unanimously by voice vote. (7-0)

Recognition of Guests:

- Mike Ogden, Canandaigua NY, Boy Scout attending the meeting for his communication merit badge.
- Don Lasher, Capstone Real Estate Development, LLC, Rochester NY, talked to the Council about a redevelopment project at 243 Gorham St. This is the former Lisk property currently owned by Commodore Plastics. The project would include residential and commercial.
- Kyle Krenzer, Labarge Media with offices at 263 Gorham St and Director for FLTV supports the proposed Capstone project.
- Anita Twitchell, Canandaigua NY, disagreed with the purchase of cameras on Main Street in the 2016 Budget.

Committee Reports:

- Councilmember-at-Large Terwilliger reported on the Budget Workshops held during November.

Resolutions:

Resolution #2015-090: *Tabled from the December 3rd Council Meeting*

Moved: Councilmember Ward 4 Wade
 Seconded: Councilmember Ward 1 Cutri

**A RESOLUTION TO ADOPT THE 2016 BUDGET OF THE CITY OF
 CANANDAIGUA AND TO APPROPRIATE REVENUES AND EXPENDITURES
 FOR PURPOSES SPECIFIED IN EACH FUND**

WHEREAS, in accordance with Chapter 14 of the City Charter, the City Council of the City of Canandaigua has met and considered the City Manager's proposed budget for the 2016 fiscal year;

NOW, THEREFORE, BE IT RESOLVED that the 2016 budget, a copy of which is on file with the Clerk/Treasurer, is hereby adopted, and that the amounts set forth for each expenditure activity and revenue item be and hereby are appropriated for the purposes specified in each fund.

General Fund

Expenditures	Adopted Budget
General Government	\$ 1,701,773
Public Safety	3,785,893
Transportation	1,222,202
Economic Development	232,457
Recreation & Culture	907,281
Home & Community	554,233
Employee Benefits	2,923,711
Interfund Transfer	2,100,000
Contingency	100,000
Total Expenditures	\$ 13,527,550
Revenues	
Property Taxes	\$ 4,968,081
Non-Property Taxes	4,697,354
Departmental Income	449,280
Intergovernmental Charges	517,820

Use of Money and Property	23,200
Licenses and Permits	76,100
Fines and Forfeitures	216,700
Miscellaneous	5,000
Interfund Revenues	342,293
State and Federal Aid	1,462,122
Interfund Transfers	290,000
Total Revenue	13,047,950
Appropriated Fund Balance	479,600
Total Revenue and Appropriated Fund Balance	<u><u>\$ 13,527,550</u></u>

Capital Fund

Expenditures	Adopted Budget
General Government	\$ 100,000
Public Safety - Police	199,715
Public Safety - Fire	114,397
Transportation	332,835
Economic Development	58,500
Culture and Recreation - Parks	137,043
Home and Community	298,935
Total Expenditures	<u><u>\$ 1,241,425</u></u>

Revenues	
Transfers from Reserves and Special Funds	1,010,790
Donations	8,000
Grants	10,000
CHIPS (Consolidated Highway Improvement Fund)	212,635
Total Revenues	<u><u>\$ 1,241,425</u></u>

Debt Service Fund

Expenditures	Adopted Budget
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Debt Service Payments	\$ 1,317,457
Debt Administration	2,000
Total Expenditures	<u>\$ 1,319,457</u>

Revenues

Interest	250
Transfer from General Fund	1,250,000
Total Revenue	1,250,250
Appropriated Fund Balance	69,207
Total Revenue and Appropriated Surplus	<u>\$ 1,319,457</u>

Water Fund

Adopted Budget

Expenditures

Water Treatment Plant (8320)	\$ 861,041
Water Distribution (8340)	525,087
Undistributed Costs	425,084
Interfund Transfers	590,000
Employee Benefits	376,275
Debt Service	555,245
Capital Budget	367,750
Total Expenditures	<u>\$ 3,700,482</u>

Revenues

Water Charges	\$ 3,072,028
Charges to Other Gov'ts	2,500
Use of Money and Property	11,380
Other Revenue	9,700
Transfers from Reserves	395,724
Total Revenue	3,491,332
Appropriated Fund Balance	209,150
Total Revenue and Appropriated Fund Balance	<u>\$ 3,700,482</u>

Sewer Fund

	Adopted Budget
Expenditures	
Sewer Collection (8120)	\$ 256,460
Sewage Treatment Plant (8130)	983,586
Undistributed Costs	205,142
Interfund Transfers	480,475
Employee Benefits	293,438
Debt Service	689,187
Capital Budget	545,000
Total Expenditures	<u>\$ 3,453,288</u>

Revenues	
Sewer Use Charges	\$ 1,510,667
Charges to Other Gov'ts	763,706
Use of Money and Property	3,750
Other Revenue	-
Transfers from Reserves	1,084,162
Total Revenue	<u>3,362,285</u>
Appropriated Fund Balance	91,003
Total Revenue and Appropriated Fund Balance	<u>\$ 3,453,288</u>

Technology Fund

	Adopted Budget
Expenditures	
Equipment/Software	45,660
Materials & supplies	500
Contractual Services	142,936
Contingency	10,000
Total Expenditures	<u>\$ 199,096</u>

Revenues	
City Tower Rentals	\$ 175,611

Interest Income	500
Other	-
Total Revenue	176,111
Appropriated Fund Balance	22,985
Total Revenue and Appropriated Fund Balance	\$ 199,096

Cemetery Fund

	Adopted Budget
Expenditures	
Total Expenditures	\$ 5,000
Revenues	
Interest	60
Appropriated Fund Balance	4,940
Total Revenue and Appropriated Surplus	\$ 5,000

BE IT FURTHER RESOLVED that the said budget, as adopted by the City Council of the City of Canandaigua, shall be effective for the fiscal year commencing January 1, 2016.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None

Resolution #2015-091: *Tabled from the December 3rd Council Meeting*

Moved: Councilmember Ward 3 White
 Seconded: Councilmember-at-Large Bucci

**A RESOLUTION ESTABLISHING THE 2016 TAX LEVY AMOUNT
 AND AUTHORIZING THE CLERK/TREASURER
 TO SPREAD AND COLLECT THE SAME**

WHEREAS, the City Council of the City of Canandaigua has adopted the 2016 Budget; and

WHEREAS, said budget calls for a property tax levy of \$4,755,321; and

WHEREAS, said budget also includes a special assessment levy of \$9,000, which is spread and extended upon properties that are within the boundaries of the Parking Lot Assessment District;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Canandaigua that the amount of \$4,755,321 shall constitute a levy of the amount to be raised by taxation in 2016 for the City of Canandaigua, and a warrant to the Clerk/Treasurer to spread and extend such levy upon the current assessment tax roll, and to collect the same; and

BE IT FURTHER RESOLVED, that the amount of \$9,000 shall constitute a levy of the amount to be raised by the Parking Lot Assessment, and a warrant to the Clerk/Treasurer to spread and extend such levy upon the properties in the Parking Lot Assessment District.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None

Resolution #2015-093: *Tabled from the December 3rd Council Meeting*

Moved: Councilmember Ward 1 Cutri
Seconded: Councilmember Ward 4 Wade

**A RESOLUTION APPROVING THE 2016 BUSINESS IMPROVEMENT DISTRICT
(BID) BUDGET, ESTABLISHING THE 2016 BID CHARGE LEVY,
AND AUTHORIZING THE CLERK/TREASURER TO
SPREAD AND COLLECT THE SAME**

WHEREAS, the Downtown Business Improvement District (BID) was established by the City Council on July 9, 1992 by Local Law No. 4; and

WHEREAS, the operation of the BID is governed by the provisions set forth in Article 19-A of the General Municipal Law, Section 980j of which requires that the expense incurred in the operation of the district shall be financed in accordance with the district plan upon which the establishment of the district was based, and that the district charge upon benefited real property shall be imposed as provided in the district plan; and that the charge shall be determined, levied, and collected in the same manner and at the same time and by the same officers as the general municipal taxes are levied and collected; and

WHEREAS, the proposed 2016 BID budget will be accepted by the Board of Directors of the Downtown Canandaigua Business Management Association, Inc. at its meeting of December 16, 2015; and

WHEREAS, the BID's 2016 budget, a summary of which is attached hereto, includes an amount not to exceed \$34,261 in anticipated revenue to be generated by the BID charge;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the proposed 2016 BID budget is hereby approved; and

BE IT FURTHER RESOLVED an amount not to exceed \$34,261 shall constitute a levy of the amount to be raised by the district charge, and a warrant to the Clerk/Treasurer to spread and extend such levy upon the properties in the Business Improvement District in accordance with the district plan, and to collect the same.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None

Resolution #2015-094: *Tabled from the December 3rd Council Meeting*

Moved: Councilmember-at-Large Cator

Seconded: Councilmember Ward 3 White

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO CONTRACTS WITH SELECTED OUTSIDE AGENCIES
AS APPROVED IN THE 2016 BUDGET**

WHEREAS, the organizations, made a part of this resolution, have agreed to administer and provide individual or group programs for the citizens of the Canandaigua area; and

WHEREAS, said programs complement City goals through public safety, promotion of economic development, personal development, and social enrichment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that the City Manager is authorized to execute contracts with these organizations as required and in accordance with the amounts appropriated in the 2016 Budget.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None

Resolution #2015-101:

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember Ward 4 Wade

**A RESOLUTION AUTHORIZING A CONTRACT
WITH THE CANANDAIGUA CHAMBER OF COMMERCE
FOR ECONOMIC DEVELOPMENT SERVICES**

WHEREAS, the City of Canandaigua has completed a three-year contract with the Canandaigua Chamber of Commerce for economic development services; and

WHEREAS, at the December 1, 2015 Committee of the Whole meeting, members of Council recommended a one-year extension of this contract;

NOW, THEREFORE, BE IT RESOLVED that the City of Canandaigua will enter into a one-year contract extension with the Canandaigua Chamber of Commerce for Economic Development Services for a fee not to exceed \$104,000.

The motion CARRIED UNANIMOUSLY on the following vote:

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

NOES: None

Resolution #2015-102:

Moved: Councilmember-at-Large Terwilliger

Seconded: Councilmember Ward 4 Wade

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE A SETTLEMENT AGREEMENT WITH THE CANANDAIGUA
FIREFIGHTERS ASSOCIATION LOCAL 2098, I.A.F.F. RELATED TO PUBLIC
EMPLOYMENT LABOR RELATIONS BOARD DECISION (U-29660) AND ARBITRATOR
DECISION (AAA Case #15 300 00136 12)**

WHEREAS, the Public Employment Relations Board (PERB) decision relative to the improper practice charge filed by the Canandaigua Firefighter's Association Local 2098, I.A.F.F.(Fire Union)(case U-29660) and the Arbitrator's decision (AAA Case #15 300 00136 12) related to similar matters, required the City of Canandaigua to make the Fire Union whole for any wages and benefits lost as a result of the transfer of certain firefighter work, in accordance with those decisions; and

WHEREAS, the City and the Fire Union have met to discuss and negotiate the settlement of said award; and

WHEREAS, the parties have reached an agreement in full satisfaction of all matters and all damages related to both matters;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Canandaigua that the Manager is authorized to execute a Settlement Agreement with the Fire Union and any necessary releases, with payment in the total amount of \$75,000.00, which amount shall be disbursed from the Insurance Reserve Fund in the amount of \$75,000.00 as a proper expenditure related to a valid legal claim, subject to approval from a court with appropriate jurisdiction.

The motion CARRIED UNANIMOUSLY on the following vote:

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

Resolution #2015-103:

Moved: Councilmember-at-Large Whitcomb
Seconded: Councilmember Ward 1 Cutri

A RESOLUTION RECOGNIZING AND THANKING IAN BONI FOR HIS DEDICATED SERVICE TO THE CITY OF CANANDAIGUA

WHEREAS, Ian Boni served the City of Canandaigua with distinction as a member of City Council; and

WHEREAS, through his work on Council, Canandaigua has elevated its reputation as a community of choice, attracting greater numbers of investors, businesses, new residents and visitors; and

WHEREAS, Ian Boni, as a member of the Ordinance and Planning Committees, successfully championed key initiatives to foster economic growth and improve the overall quality of life in the community; and

WHEREAS, in the course of these and other accomplishments, Ian Boni diligently collaborated with the full City Council to maintain the fiscal health of the City of Canandaigua; and

WHEREAS, elected office requires personal sacrifice, long hours and dedication, which is often unrecognized;

NOW, THEREFORE, BE IT RESOLVED, that the Canandaigua City Council, on behalf of the residents of the City, recognize and thank Ian Boni for his dedicated service to the City of Canandaigua.

Vote Result: Carried unanimously by voice vote. (8-0)

Resolution #2015-104:

Moved: Councilmember-at-Large Terwilliger
Seconded: Councilmember Ward 3 White

A RESOLUTION RECOGNIZING AND THANKING MARIA BUCCI FOR HER DEDICATED SERVICE TO THE CITY OF CANANDAIGUA

WHEREAS, Maria Bucci served the City of Canandaigua with distinction as a member of City Council; and

WHEREAS, through her work on Council, Canandaigua has elevated its reputation as a community of choice, attracting greater numbers of investors, businesses, new residents and visitors; and

WHEREAS, Maria Bucci, as a member of the Environmental and Ordinance Committees, was a tireless defender of the environment, striving to make Canandaigua a “greener” community; and

WHEREAS, in the course of these and other accomplishments, Maria Bucci diligently collaborated with the full City Council to maintain the fiscal health of the City of Canandaigua; and

WHEREAS, elected office requires personal sacrifice, long hours and dedication, which is often unrecognized;

NOW, THEREFORE, BE IT RESOLVED, that the Canandaigua City Council, on behalf of the residents of the City, recognize and thank Maria Bucci for her dedicated service to the City of Canandaigua.

Vote Result: Carried unanimously by voice vote. (8-0)

Resolution #2015-105:

Moved: Councilmember-at-Large Bucci
Seconded: Councilmember Ward 3 White

A RESOLUTION RECOGNIZING AND THANKING DONNA CATOR FOR HER DEDICATED SERVICE TO THE CITY OF CANANDAIGUA

WHEREAS, Donna Cator served the City of Canandaigua with distinction as a member of City Council; and

WHEREAS, through her work on Council, Canandaigua has elevated its reputation as a community of choice, attracting greater numbers of investors, businesses, new residents and visitors; and

WHEREAS, Donna Cator, as a member of the Environmental and Finance Committees, played a pivotal role establishing and executing a total funds budget of over \$20 million; and

WHEREAS, in the course of these and other accomplishments, Donna Cator diligently collaborated with the full City Council to maintain the fiscal health of the City of Canandaigua; and

WHEREAS, elected office requires personal sacrifice, long hours and dedication, which is often unrecognized;

NOW, THEREFORE, BE IT RESOLVED, that the Canandaigua City Council, on behalf of the residents of the City, recognize and thank Donna Cator for her dedicated service to the City of Canandaigua.

Vote Result: Carried unanimously by voice vote. (8-0)

Resolution #2015-106:

Moved: Mayor Polimeni
Seconded: Councilmember Ward 1 Cutri

A RESOLUTION THANKING AND RECOGNIZING CITY MANAGER DAVID FORREST FOR HIS DEDICATION AND SERVICE TO THE CITY OF CANANDAIGUA

WHEREAS, a city thrives when it is led by a competent hard-working individual with a strong work ethic, dedicated to cooperation and collective action with policy makers; and

WHEREAS, David Forrest has served the City of Canandaigua as City Manager since early 2013 and has served with two City Councils; and

WHEREAS, as City Manager, David has provided the leadership and supervision of a city workforce of 120 employees within departments addressing Assessment, Code Enforcement, Clerk and Treasurer, Department of Public Works, Parks and Recreation, Fire, Police, and Planning; and

WHEREAS, David has been involved in many major capital projects including street reconstruction projects, improvements to water and wastewater treatment facilities, and the Downtown Streetscape Project; and

WHEREAS, he has taken part in contributing to creating three budgets achieving fiscally responsible solutions to complex city challenges and has been instrumental in initiating code enforcement programs to revitalize the City's aging housing stock by assisting homeowners in making aesthetic and energy efficiency improvements;

NOW, THEREFORE, BE IT RESOLVED, that the Canandaigua City Council, on behalf of the residents of the City of Canandaigua, do hereby recognize and thank David Forrest for his dedicated service to the City of Canandaigua, and

BE IT FURTHER RESOLVED, that David Forrest accept our appreciation and gratitude for his outstanding service as we wish him much happiness and success in his future endeavors.

Vote Result: Carried unanimously by voice vote. (8-0)

Ordinance: None

Local Law: None

Manager's Report: No Report

Appointments: None

Adjournment

Councilmember Ward 4 Wade moved to adjourn the regular session at 8:03 PM. Councilmember-at-Large Bucci

Vote Result: Carried unanimously by voice vote (6-0).

Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua